

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

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

DATE: January 06, 2020
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

1.00 ADOPTION OF MINUTES

- 1 1. Adopt December 16th, 2019 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. Richard Cook, Jordan Cook Associates, Re: OCP and Zoning Amendment - Lannan Road

4.00 STAFF REPORTS/PRESENTATIONS

(a) CAO and Legislative Services

- 11 1. Greenwood Trunk Sewer Alternative Approval Process
35 2. Licence to Occupy - 685 Cliffe Avenue

(b) Development Services

- 49 3. OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 - Lannan Road
109 4. 2020 Age-friendly Communities Program Grant Application (Stream 1)

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

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

8.00 RESOLUTIONS OF COUNCIL

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

- 125 1. Courtenay Airpark Association - Request for Letter of Support Re: BC Air Access Program (BCAAP) Aviation Infrastructure grant funding program

Staff Note: Staff is currently finalizing the staff report regarding the long-term lease agreement for the Courtenay Airpark Association, to be presented at a future Council meeting in January/February 2020

12.00 BYLAWS

For First and Second Reading

- 127 1. “Official Community Plan Amendment Bylaw No. 2972, 2020”
(A bylaw to change the land use designation to mixed use)
- 129 2. “Zoning Amendment Bylaw No. 2973, 2020”
(A bylaw to create a new CD1-J subsection of the CD-1 Zone and rezone the area)

13.00 ADJOURNMENT

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

Bylaw No. 2984 - Zoning Amendment to permit an increase from one to two accessory dwelling units at 1581 Dingwall Road

No Bylaw No. (Property already zoned) - to consider an application to permit “Storefront Cannabis Retailer” at 605 and 625 Cliffe Avenue

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, December 16, 2019 at 4:00 p.m.

Attending:

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

Staff:

D. Allen, CAO
J. Ward, Director of Legislative and Corporate Services/Deputy CAO
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
M. Fitzgerald, Manager of Development Planning
R. Matthews, Executive Assistant
E. Gavelin, Network Technician

1.00 ADOPTION OF MINUTES

.01 Mined by McCollum and seconded by Frisch that the December
MINUTES 2nd, 2019 Regular Council meeting minutes be adopted.
Carried

Mined by McCollum and seconded by Frisch that the December
11th, 2019 Special Council meeting minutes be adopted.
Carried

2.00 ADOPTION OF LATE ITEMS

.01 Mined by Frisch and seconded by Hillian that the email
COURTENAY correspondence dated December 3rd, 2019 from the Courtenay Airpark
AIRPARK Association requesting a letter from the City of Courtenay in support of
ASSOCIATION - the Association's grant application to the British Columbia Air Access
REQUEST FOR Program (BCAAP) Aviation Infrastructure Funding program be added to
LETTER OF SUPPORT the December 16th, 2019 Council agenda for consideration by Council
under section *11.00 New Business*.
Carried

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

.01
PARKS AND PUBLIC
SPACES SMOKING
REGULATIONS
BYLAW NO. 2991,
2019
3900-01

Moved by Frisch and seconded by McCollum that based on the December 16th, 2019 staff report, “Parks and Public Spaces Smoking Regulations Bylaw No. 2991, 2019”, Council approve OPTION 1 and proceed to first, second, ~~and third reading~~ of “Smoking in Parks and Public Spaces Regulation Bylaw No. 2991, 2019”;

That the Comox Valley Medical Health Officer be consulted following third reading and prior to final adoption of the bylaw pursuant to the Public Health Bylaws Regulation 42/2004; and,

That the bylaw be deposited with the Minister of Health pursuant to the Public Health Bylaws Regulation 42/2004 upon final adoption.

Amending motion:

Moved by Hillian and seconded by McCollum that based on the December 16th, 2019 staff report, “Parks and Public Spaces Smoking Regulations Bylaw No. 2991, 2019”, that Council eliminate the words *third reading* so the amended resolution reads: and proceed to first and second reading of “Smoking in Parks and Public Spaces Regulation Bylaw No. 2991, 2019”; and

That the Comox Valley Medical Health Officer be consulted prior to final adoption of the bylaw pursuant to the Public Health Bylaws Regulation 42/2004; and,

That the bylaw be deposited with the Minister of Health pursuant to the Public Health Bylaws Regulation 42/2004 upon final adoption.

Carried

The main motion was carried as amended

.02
LEASE AGREEMENT
FOR LOT 1,
100-20TH STREET
2380-30 LOT 1

Moved by Frisch and seconded by Morin that based on the December 16th, 2019 staff report “Lease Agreement for Lot 1, 100 - 20th Street”, subsequent to the publication of notice, Council adopt OPTION 1 and authorize the attached lease between AP Aviation Services Ltd. and the City of Courtenay for the property having a legal description of PID: 000-892-149, Lot 1, Section 66, Comox Land District Plan 14942 except any portion of the bed of the Courtenay River and further identified as Lot 1 on Plan VIP64872; and

That the Mayor and Director of Legislative and Corporate Services be authorized to execute all documentation relating to the lease.

Carried

.03
DEVELOPMENT
PERMIT WITH
VARIANCE NO. 1918 -
1211 RYAN ROAD
3060-20-1918

Moved by Cole-Hamilton and seconded by Frisch that based on the December 16th, 2019 staff report “Development Permit with Variances No. 1918 - 1211 Ryan Road”, Council approve OPTION 1 and proceed with issuing Development Permit with Variances No. 1918.

Carried

.04
OCP ADVISORY
SELECT COMMITTEE -
APPOINTMENT OF THE
CHAIR AND DEPUTY
CHAIR AND REVISION
OF THE TERMS OF
REFERENCE
0360-20 / 6480-01

Moved by McCollum and seconded by Frisch that based on the December 16th, 2019 staff report, “OCP Advisory Select Committee - Appointment of the Chair and Deputy Chair and Revision of the Terms of Reference”, Council appoint Dr. Norman Carruthers as the Chair; and Dr. Betty Donaldson as the Deputy Chair of the Committee as recommended by the committee members; and

That the Terms of Reference of the OCP Advisory Committee (OCP-AC) be revised as follows:

10.1 The OCP-AC shall meet as required in the Council Chambers located at the City of Courtenay City Hall, 830 Cliffe Avenue, or at an alternate facility as required on a specified day, at a specified time when matters are referred by the Director of Development Services or their authorized designate.

Carried

.05
ZONING AMENDMENT
BYLAW NO. 2984,
2019 - 1581
DINGWALL ROAD
3360-20-1913

Moved by Cole-Hamilton and seconded by Hillian that based on the December 16th, 2019 staff report “Zoning Amendment Bylaw No. 2984 - 1581 Dingwall Road” Council approve OPTION 1 and proceed to first and second readings of Zoning Amendment Bylaw No. 2984, 2019; and,

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 2984, 2019 on January 6th, 2020 at 5:00 p.m. in the City Hall Council Chambers.

Carried

.06
SINGLE USE PLASTICS
REGULATION BYLAW
NO. 2970, 2019 -
ENFORCEMENT
PROVISIONS
4320-20

Moved by Frisch and seconded by Hillian that based on the December 16th, 2019 staff report “Single Use Plastics Regulation Bylaw No. 2970, 2019 - Enforcement Provisions”, Council direct staff not to enforce Bylaw No. 2970, 2019 beginning March 31st, 2020, pending more certainty of the regulatory approaches of the Provincial and Federal Governments; and,

That Council direct staff to post notice on the City of Courtenay website advising that the City of Courtenay will not enforce penalties for committing an offence on the effective date identified in Section 8 of Bylaw No. 2970, 2019, pending the Supreme Court of Canada's decision on the validity of Victoria's plastic bag bylaw, and/or the outcome of the regulatory approaches proposed by the Provincial and Federal Governments.

Carried

.07

PROPOSED
STOREFRONT
CANNABIS RETAILER
- 605/625 CLIFFE
AVENUE
0590-01

Moved by Frisch and seconded by Cole-Hamilton that based on the December 16th, 2019 staff report “Storefront Cannabis Retailer - 605/625 Cliffe Avenue” Council approve OPTION 1 and direct staff to advertise a public hearing with respect to the above application on January 6th, 2020 at 5:00 p.m. in City Hall Council Chambers.

Carried

.08

PERMANENT CHANGE
TO LIQUOR LICENCE
APPLICATION
(CORNERSTONE) -
208A 5TH STREET
4320-20

Moved by McCollum and seconded by Frisch that based on the December 16th, 2019 staff report “Permanent Change to Liquor Licence Application (Cornerstone) - 208A 5th Street”, Council approve OPTION 1 as follows:

- 1) The Council of the City of Courtenay recommends the Liquor & Cannabis Regulation Branch (LCRB) approve the application for Cornerstone’s permanent change to a liquor licence.
- 2) Council’s comments on the prescribed considerations are as follows:
 - a) If the amendment application is approved, it would not result in an increase of noise in the area;
 - b) If the application is approved, it would not negatively impact the community based on the submissions received from the public;
 - c) In order to gather the views of residents, the City of Courtenay posted a notice on the City’s website outlining the application. Additionally, the RCMP was contacted for comment and indicated having no concerns.

Carried

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

CORRESPONDENCE -
CAROL JAMES,
MINISTER OF
FINANCE & DEPUTY
PREMIER -
FOLLOW-UP 2019
UBCM CONVENTION
DELEGATION
MEETINGS
0390-20 / 0410-20

Moved by McCollum and seconded by Frisch that the correspondence dated November 25th, 2019 from Carol James, Minister of Finance and Deputy Premier, in response to the City of Courtenay’s delegation at the 2019 Union of British Columbia Municipalities (UBCM) convention related to policing costs, property transfer tax (PTT) revenues redistribution and motor fuel tax to fund transit projects be received for information.

Carried

Council agreed that the option to implement a motor fuel tax or dedicated gasoline tax in the City of Courtenay to help subsidize future City transit and transportation projects be added to the 2020 Council strategic planning sessions for future discussion and consideration.

.02

CORRESPONDENCE -
FCM LETTER TO
MINISTER OF
FAMILIES, CHILDREN
& SOCIAL
DEVELOPMENT - FCM
BOARD RESOLUTION
SUPPORTING
MUNICIPALITIES IN
ADDRESSING
HOMELESSNESS
0400-20

Moved by Hillian and seconded by Cole-Hamilton that the correspondence dated November 29th, 2019 from Mr. Bill Karsten, President, Federation of Canadian Municipalities (FCM), addressed to the Minister of Families, Children & Social Development in support of the May 21st, 2019 City of Courtenay Council resolution “Supporting Municipalities in Addressing Homelessness”; asking federal government to support municipalities in managing tent cities or other encampments, be received for information.

Carried

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01

PARKS AND
RECREATION
ADVISORY
COMMISSION
MEETING MINUTES
0360-20

Moved by Cole-Hamilton and seconded by McCollum that the Parks and Recreation Advisory Commission meeting minutes for November 7th, 2019 be received for information.

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:

- Meeting with Lindsay McGinn, Facilitator, Comox Valley Community Health Network
- National Day of Remembrance and Action on Violence Against Women Memorial Vigil
- Comox Valley Drug Strategy Committee meeting
- Staff Briefing CVRD Commissions and Boards meeting
- Comox Valley Sewage Commission meeting
- Comox Valley Water Committee meeting
- CVRD Committee of the Whole meeting
- Comox Valley Sports Centre Commission meeting
- CVRD Liquid Waste Management Plan Joint Technical Advisory/Public Advisory Committee meeting
- City of Courtenay 1st Annual Staff Santa’s Pancake Breakfast
- Ronna-Rae Leonard, MLA, holiday open house
- Meeting with Donald MacPherson, Executive Director, Canadian Drug Policy
- Climate Action Theatre Rehearsal
- Climate Caucus Coordinating Committee meeting

R23/2019 - December 16, 2019

- COUNCILLOR
FRISCH
- Councillor Frisch reviewed his attendance at the following event:
- Meeting with Fred Tutt, President, Comox Valley Affordable Housing Society, to discuss affordable housing in conjunction with the Comox Valley Lions Club
- COUNCILLOR
HILLIAN
- Councillor Hillian reviewed his attendance at the following events:
- Comox Valley Coalition to End Homelessness monthly meeting
 - Riverside Senior Living open house
 - Habitat for Humanity Vancouver Island North Key Ceremony at 1330 Lake Trail Road
 - Provincial Announcement and Ground Breaking Ceremony for Lake Trail School seismic upgrades
 - National Day of Remembrance and Action on Violence Against Women Memorial Vigil
 - Comox Valley Water Committee meeting
 - CVRD Committee of the Whole meeting
 - Comox Valley Sports Centre Commission meeting
 - Meeting with Jordan Best, Director, Collection, Recycle BC
 - Meeting with residents regarding South Courtenay Riverway Trail Extension project
 - Ronna-Rae Leonard, MLA, holiday open house
 - City of Courtenay Christmas party
 - Gord Johns, MP, Christmas party
- COUNCILLOR
MCCOLLUM
- Councillor McCollum reviewed her attendance at the following events:
- Comox Valley Economic Development Society Board meeting
 - City of Courtenay 1st Annual Staff Santa's Pancake Breakfast
 - Comox Valley Art Gallery open house
 - City of Courtenay Christmas party
 - 12th Annual Tin Town Open House & Winter Market
- COUNCILLOR
MORIN
- Councillor Morin reviewed her attendance at the following events:
- Official Community Plan promotion video filming
 - Meeting with Jenny Deters, President, Downtown Courtenay Business Improvement Association
 - Comox Valley Regional Food Policy Council meeting
 - Habitat for Humanity Vancouver Island North Key Ceremony at 1330 Lake Trail Road
 - National Day of Remembrance and Action on Violence Against Women Memorial Vigil
 - City of Courtenay 1st Annual Staff Santa's Pancake Breakfast
 - Comox Valley Sewage Commission meeting
 - Comox Valley Water Committee meeting
 - CVRD Committee of the Whole meeting
 - Comox Valley Sports Centre Commission meeting
 - Meeting with Jordan Best, Director, Collection, Recycle BC
 - Meeting with residents regarding South Courtenay Riverway Trail Extension project
 - Meeting with Donald MacPherson, Executive Director, Canadian Drug Policy

R23/2019 - December 16, 2019

MAYOR
WELLS

Mayor Wells reviewed his attendance at the following event:

- Meeting with Ronna-Rae Leonard, MLA, to discuss:
 - Homelessness
 - Community appreciation for provincial funding of the Braidwood Housing Project and The Junction in 2019
 - Municipal funding options such as Property Transfer Tax, Liquor Tax, Sales Tax, and Fuel Tax
 - Need for Electric Vehicle chargers at municipal offices

Mayor Wells mentioned that Mr. Bruce Curtis, Chief Administrator of the Comox Valley Community Justice Centre, is among 18 people across British Columbia who recently received the province's Medal of Good Citizenship award; the medal recognizes outstanding service and commitment to helping others in their communities without expectation of remuneration or reward.

Councillor McCollum left Council Chambers at 5:22 p.m.

Councillor McCollum returned to Council Chambers and took her seat at 5:25 p.m.

8.00 RESOLUTIONS OF COUNCIL

.01
IN CAMERA
MEETING

Moved by Hillian and seconded by Frisch that notice is hereby given that a Special In-Camera meeting closed to the public will be held December 16th, 2019 at the conclusion of the Regular Council Meeting pursuant to the following sub-section of the *Community Charter*:

- 90 (1) (c) labour relations or other employee relations;
- 90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- 90 (1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

Carried

9.00 UNFINISHED BUSINESS

.01
DELEGATION -
JOHN & JENNIFER
HEDICAN -
GOVERNMENT
SUPPORT FOR THE
FENTANYL / OPIOID
CRISIS - REGULATED
SAFE SUPPLY &
RESOURCES FOR
TREATMENT

Moved by McCollum and seconded by Cole-Hamilton that the request made by the Hedican family in their December 2nd, 2019 delegation presentation to Council, seeking local government support to advocate for a change in provincial and federal government policies related to the supply of toxic drugs, be received for information.

Carried

A discussion followed and it was agreed that staff would come back with a proposed resolution reaffirming the City of Courtenay's support for the Hedican family's objective for the provincial and federal governments to change policies and intervene on the supply of toxic drugs through decriminalization and regulation, education to destigmatize addiction,

and improved access to resources for harm reduction treatment at a future Council meeting.

.02

DELEGATION -
VANCOUVER ISLAND
MUSICFEST -
FINANCIAL SUPPORT
FOR THE FESTIVAL
0400-20

Moved by Frisch and seconded by McCollum that in response to the request made by Vancouver Island MusicFest in their December 2nd, 2019 delegation presentation to Council seeking financial support to help offset the costs associated with producing the festival, that Council direct staff to write a letter to the organizers of the Vancouver Island MusicFest to advise them of the Grant-in-Aid funding program available at the City of Courtenay; and,

That those Council members appointed as Directors to the Comox Valley Regional District work towards finding an alternative funding source for the music festival in the future.

Carried

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

.01

CORRESPONDENCE -
COURTENAY
AIRPARK
ASSOCIATION -
LETTER OF SUPPORT
FOR GRANT
APPLICATION TO
FUND
INFRASTRUCTURE
IMPROVEMENTS
0400-20

It was agreed by Council that the correspondence dated December 3rd, 2019 from the Courtenay Airpark Association requesting a letter from the City of Courtenay in support of the Airpark Association's grant application to the BC Air Access Program (BCAAP) Aviation Infrastructure Funding program (deadline January 13th, 2020) for infrastructure improvements to the Airpark be deferred to the next available regular Council meeting.

12.00 BYLAWS

.01

BYLAW NO.
2984, 2019
ZONING AMENDMENT
BYLAW TO PERMIT
AN INCREASE FROM
ONE TO TWO
ACCESSORY
DWELLING UNITS
(1581 DINGWALL
ROAD)

Moved by Cole-Hamilton and seconded by Theos that "Zoning Amendment Bylaw No. 2984" pass first and second reading.

Carried

.02

BYLAW NO.
2991, 2019
PARKS AND PUBLIC
SPACES SMOKING
BYLAW - TO PROHIBIT
SMOKING TOBACCO,
CANNABIS & VAPING
IN PARKS, PUBLIC
SPACES & CITY
PROPERTIES

Moved by Frisch and seconded by McCollum that “Parks and Public Spaces Smoking Bylaw No. 2991, 2019” pass first and second reading.

Carried

.03

BYLAW NO.
2987, 2019
NUISANCE
ABATEMENT AND
COST RECOVERY -
TO REGULATE,
PROHIBIT, & IMPOSE
REQUIREMENTS &
COST RECOVERY OF
NUISANCE
ABATEMENT

Moved by McCollum and seconded by Frisch that “Nuisance Abatement and Cost Recovery Bylaw No. 2987, 2019” be finally adopted.

Carried

13.00 ADJOURNMENT

.01

Moved by Cole-Hamilton and seconded by Frisch that the meeting now adjourn at 5:45 p.m.

Carried

CERTIFIED CORRECT

Director of Legislative and Corporate Services

Adopted this 6th day of January, 2020

Mayor



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Greenwood Trunk Sewer Alternative Approval Process

File No.: 1760-02
Date: January 6, 2020

PURPOSE:

The purpose of this report is to proceed with the Alternative Approval Process for “2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019”.

CAO RECOMMENDATIONS:

That based on the January 6th, 2020 staff report “Greenwood Trunk Alternative Approval Process” Council seek the approval of the electors for 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019 through the Alternative Approval Process (AAP);

That Council establish elector response forms as attached to this report;

That Council determine 20,162 as the total number of electors to which the approval process applies; and

That Council establish the deadline for receiving responses for this alternative approval process as February 17th, 2020 at 4:30 p.m.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

At its regular meeting held November 4th, 2019 Council passed the following resolution:

“Moved by Hillian and seconded by McCollum that based on the November 4th, 2019 staff report “2020 Greenwood Trunk Connection Sanitary Sewer Capital Borrowing”, Council approve OPTION 1 and endorse the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019; that Bylaw No. 2985 proceed to First, Second and Third reading; and,

That Council approve the Alternative Approval Process (AAP) to gain approval of the electors.”

Bylaw No. 2985 received 3 readings at the same meeting.

Bylaw No. 2985, along with supporting documentation was forwarded to the Inspector of Municipalities on November 7th, 2019.

DISCUSSION:

The Inspector of Municipalities provided statutory approval of Bylaw No. 2985 on December 13th, 2019.

Council may now proceed with the Alternative Approval Process (AAP) pursuant to section 86 of the *Community Charter*.

Council is required to take the following steps regarding the alternative approval process:

- Establish a deadline by which elector responses are to be submitted, which must be at least 30 days after the second publication of public notice. The public notice of the alternative approval process must be published in a newspaper once each week for 2 consecutive weeks;
- Establish elector response forms and make them available to the public from the time of the first publication until the deadline; and
- Make a fair determination of the number of electors to which the alternative approval process applies. In the case of Bylaw No. 2985, the process applies to all electors in the City. The recommendation of 20,162 electors is based on list of electors from the 2018 local general election plus new registrations.

Council may proceed with the adoption of Bylaw 2985 unless at least 10%, or 2,017 of the electors indicate that Council must obtain the assent of the electors (referendum) before proceeding, prior to the deadline of February 17st, 2020 at 4:30 p.m.

FINANCIAL IMPLICATIONS:

There are no financial implications related to the AAP process itself.

Council approved the 2020-2024 Sewer Fund Financial plan on December 11, 2019 which includes construction of the Greenwood Trunk Connection in 2020. This project is estimated to cost \$4,100,000 and is funded using \$450,000 of DCC reserves, \$50,000 from general sewer utility revenue, \$600,000 from

sewer reserves, and \$3,000,000 using new debt. Debt servicing costs for this project have been updated using the latest Municipal Finance Authority annual interest rate of 2.87% with a 25 year amortization. Annual debt servicing costs are now estimated at \$173,900. Excerpt from Financial Plan is attached.

Annual debt servicing costs remain within the Sewer fund and do not affect the general taxation debt levy.

These costs will be fully recovered through the sewer user fees and frontage taxes which have already been approved and set for 2020 on December 11, 2019.

ADMINISTRATIVE IMPLICATIONS:

Staff will report back to Council in early March regarding the outcome of the AAP process. If less than 2,017 elector responses are received in opposition, the loan authorization bylaw may proceed to final adoption. Once adopted there is a one month quashing period before the bylaw is sent back to the Inspector of Municipalities for the final certificate of approval. Staff expect to receive final approval in early April, 2020.

The borrowing process involves several departments and is estimated to take approximately eighty hours of staff time from start to finish.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications for the AAP process. As outlined in the November 4th, 2019 staff report, the Greenwood Trunk is included in the City's asset management plan and is a high priority project.

STRATEGIC PRIORITIES REFERENCE:

Strategic Priorities Chart: Operational Strategies (CAO/Staff)

Engineering Services - Greenwood Sewer Trunk: Approval

We focus on organizational and 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

We proactively plan and invest in our natural and built environment

- Focus on asset management for sustainable service delivery
- ▲ Look for regional infrastructure solutions for shared services

We actively pursue vibrant economic development

- ▲ Work with the business and development sectors to mutually improve efficiencies
- ▲ Continue to explore innovative and effective economic development opportunities

We support diversity in housing and reasoned land use planning

- Continue to develop and revisit all infrastructure master plans

- **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:

Section 6.3 Sanitary Sewer Treatment to follow policies to reduce infiltration, consider downstream capacity of existing sewer mains, and to provide an effluent network that is limited to areas within the City's municipal boundaries.

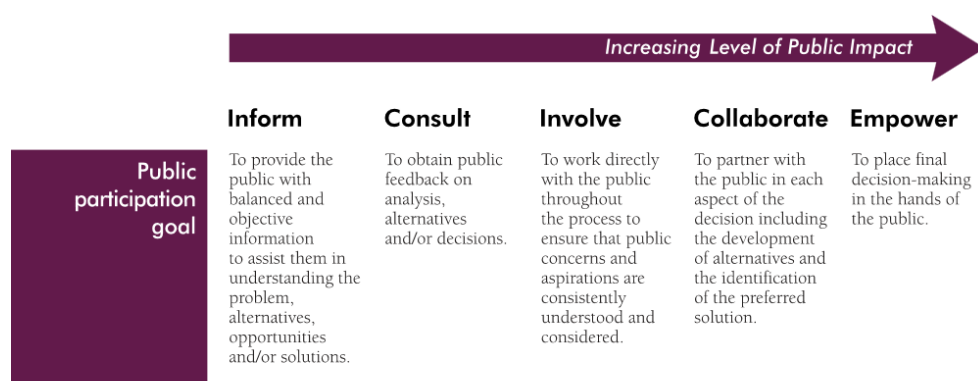
REGIONAL GROWTH STRATEGY REFERENCE:

These sewer projects provide the public with infrastructure that addresses public health needs and concerns and provides equal service to all residents within the municipality and region (per Comox Valley Regional Growth Strategy Bylaw No. 120, 2010, part 3.2.5, Objective 5-D Page 56).

CITIZEN/PUBLIC ENGAGEMENT:

Section 180 of the Community Charter requires that Council gain approval of the electors before a loan authorization bylaw can be adopted. The City will “**Empower**” the public based on the IAP2 Spectrum of Public Participation. This is the highest level of public participation in decision making under this practice. Information about the IAP2 Core Values can be found at:

<https://iap2canada.ca/Resources/Documents/0702-Foundations-Core-Values-MW-rev1.pdf>



OPTIONS:

OPTION 1: That Council seek the approval of the electors for 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019 through the Alternative Approval Process (AAP);

That Council establish elector response forms as attached to this report;

That Council determine 20,162 as the total number of electors to which the approval process applies; and

That Council establish the deadline for receiving responses for this alternative approval process as February 17th, 2020 at 4:30 p.m. (Recommended)

OPTION 2: That Council not proceed with the AAP process.

OPTION 3: That Council refer this item back to staff for further consideration.

Prepared by:



John Ward, CMC
Director of Legislative and Corporate Services/Deputy CAO

Attachments:

1. *Staff report dated November 4, 2019*
2. *Excerpt from 2020- 2024 Financial Plan*
3. *Elector Response Form*



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council**File No.:** 1760-02**From:** Chief Administrative Officer**Date:** November 4, 2019**Subject:** 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw

PURPOSE:

The purpose of this report is to begin the process of borrowing funds to complete the construction of the Greenwood Trunk Connection to the sanitary sewer system identified in the 2019-2023 Financial Plan.

POLICY ANALYSIS:

Council adopted the 2019-2023 Consolidated Financial Plan Bylaw No. 2967, 2019 on May 6, 2019. The Greenwood Trunk Connection is a sanitary sewer project identified in the consolidated financial plan bylaw and is primarily funded by new debt. Section 179 of the *Community Charter* provides Council with the authority to incur a liability by borrowing funds for any capital nature. Section 180 of the *Community Charter* requires elector approval of a loan authorization bylaw before it can be adopted.

EXECUTIVE SUMMARY:

The Greenwood Sewer Trunk Connection is an important project required to support growth in East Courtenay, and to enhance capacity and support continued development. This project has been vetted through the Asset Management Working Group, approved by the CAO, and identified as a high priority project. Council was presented with and approved the Greenwood Trunk Connection project through the regular budget process in early 2019. This project is slated for construction in 2020 and requires new borrowing to proceed. The statutory borrowing process is estimated to take upwards of eight months, therefore starting early to ensure all approvals are in place for the spring of 2020 before the construction season is recommended.

CAO RECOMMENDATIONS:

That based on the November 4, 2019 staff report "2020 Greenwood Trunk Connection Sanitary Sewer Capital Borrowing", Council approve OPTION 1 and endorse the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019; that Bylaw No. 2985 proceed to 1st, 2nd, and 3rd reading; and,

That Council approve the Alternative Approval Process (AAP) to gain approval of the electors. [Recommended]

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

On February 25, 2019 Council was presented with and approved the 2019-2023 Sewer Fund Financial Plan which was later consolidated and included in the 2019-2023 Consolidated Financial Plan adopted on May 6, 2019. Table 1 identifies the Greenwood Trunk Connection project included in the financial plan and requires completion of the statutory borrowing process to commence construction:

Table 1: 2020 Greenwood Trunk Connection Capital Project Funded with Debt

| Project description | 2020 Proposed Budget | 2020 Debt | 2020 New Works Reserve | 2020 General Revenues | 2020 DCC Reserve |
|----------------------------|----------------------------|--------------|---------------------------------|-----------------------------|------------------------|
| Greenwood Trunk Connection | 4,100,000 | 3,000,000 | 600,000 | 50,000 | 450,000 |

The borrowing process can take up to eight months to complete, therefore starting the process as soon as possible will ensure the funds are approved and secured to allow for construction in the spring of 2020 without delay.

DISCUSSION:

Greenwood Trunk Connection:

The City is embarking on the extension of the Greenwood Trunk sewer through the construction of gravity sewers, two pump stations and parallel force mains to convey flows to the newly constructed Comox Valley Regional District (CVRD) Greenwood Trunk. The installation of these works will allow the City to decommission three existing temporary sanitary sewer pump stations and create the ability to service existing and future development within the northeast area of the City.

Detailed design was an approved project for 2019 and is complete and tender ready. The Comox Valley Regional District has completed their section of the main and the only remaining part of the project is for the City to complete their portion.

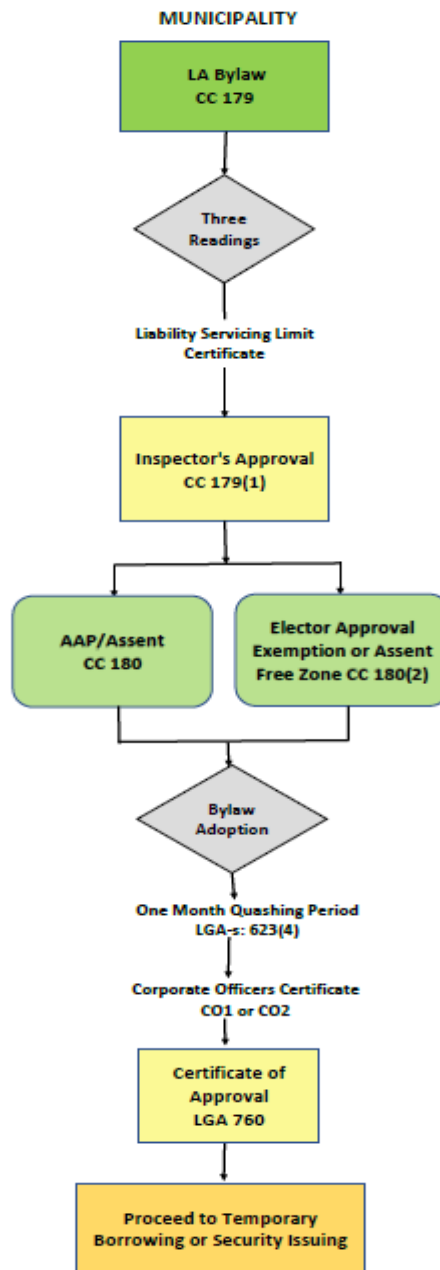
Borrowing Process:

Section 179 of the *Community Charter* provides Council with the authority to incur a liability by borrowing funds for any purpose of a capital nature. The local government borrowing process is highly regulated and closely monitored by the Province. All loan authorization bylaws must be approved by the Inspector of Municipalities and approval of the electors is required before adoption of the bylaw. In addition, Sections 623 and 760 of the *Local Government Act* require a one month quashing period after approval of the electors has been received, where an application can be made to the Supreme Court to set aside the loan authorization bylaw before final approval will be provided by the Inspector of Municipalities.

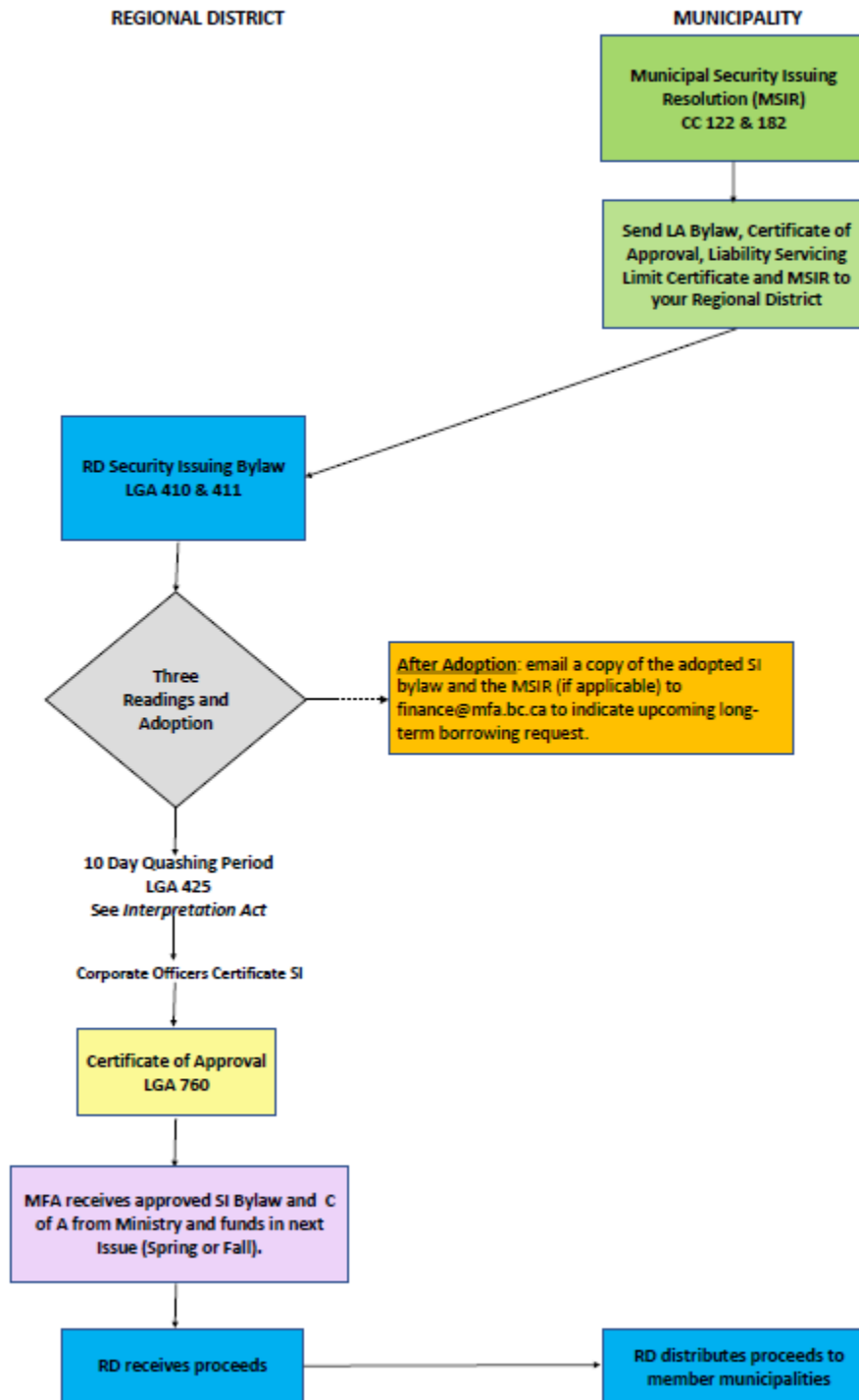
Finally, Section 182 of the *Community Charter* restricts local governments to financing long term debt with their local regional district through the Municipal Finance Authority of British Columbia (MFA). Once a certificate of approval has been received by the Inspector of Municipalities, Council must then pass a Municipal Security Issuing Resolution and forward it to the Comox Valley Regional District to be included in the next Regional District Security Issuing Bylaw that will go through further adoption at the regional level.

The borrowing process can take several months to complete, therefore it is recommended to begin the process as early as possible to ensure all the appropriate approvals are in place before projects are ready for construction. The following flowcharts provided by the Municipal Finance Authority outlines the steps involved for a loan authorization bylaw:

Loan Authorization Bylaw Procedures



Security Issuing Procedures



Elector Approval:

Section 180 of the *Community Charter* requires elector approval of a loan authorization bylaw before it can be adopted. There are two options available to gain elector approval as follows:

Alternative Approval Process (AAP)

An AAP requires that ten percent or more of the eligible electors must sign and submit response forms in opposition to the proposed loan authorization bylaw to the local government to obtain assent of the electors in order to proceed. If ten percent of the electors sign forms in opposition to the AAP, there are two choices; proceed to referendum within eighty days, or the loan authorization bylaw could be put on hold and consider alternatives.

Referendum

A referendum involves asking electors to cast their vote in relation to the loan authorization bylaw. Assent of the electors is achieved if a majority of votes counted are in favour of proceeding with the bylaw. If elector assent is not granted the loan authorization bylaw could not be adopted and Council would need to consider alternatives.

A referendum is a much more costly and time consuming than the Alternative Approval Process, therefore staff recommend gaining elector approval through the AAP process for this loan authorization bylaw.

Timelines:

Table 2 outlines the estimated schedule that would be followed in order to adopt the loan authorization bylaw and secure funding for the Greenwood Trunk Connection for spring 2020 construction. This schedule is subject to change depending on how long it takes to receive approvals from the Province. The schedule will be updated throughout the process and Council will be updated during each phase of the process as necessary.

Table 2: 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw Schedule:

| Date | Charter Section | Action |
|-------------------|------------------------|---|
| November 4, 2019 | 179 | Three readings by Council |
| November 7, 2019 | 180 | Send to Inspector of Municipalities |
| December 16, 2019 | 86, 135, 180 | Establish elector response forms Determine total number of electors Establish deadline for responses as February 17, 2020 |
| January 9, 2020 | 94 | First of two notices published Make response forms available to public at City Hall |
| January 16, 2020 | 94 | Second and last notice published (must be at least 30 days prior to the deadline of February 17, 2020) |
| February 17, 2020 | 86 | Deadline for elector responses |
| March 2, 2020 | 86 | Council Meeting - Report to Council regarding elector responses If 10% threshold not reached, final adoption of bylaw |
| April 3, 2020 | 623,760 <i>LGA</i> | Send to Inspector for certificate of approval after quashing period |
| May 18, 2020 | CC S.122&182 | Council passes Security Issuing Resolution |
| May 25, 2020 | | Forward to Regional District and the MFA |

FINANCIAL IMPLICATIONS:

Construction of the Greenwood Trunk Connection is estimated to cost \$4,100,000 and is funded in the 2019-2023 Financial Plan using \$450,000 of DCC reserves, \$50,000 of general revenue, \$600,000 from the New Works Reserve, and \$3,000,000 using new debt. Debt servicing costs for this project have been calculated using the latest Municipal Finance Authority annual interest rate of 2.79% with a 25 year amortization. Annual debt servicing costs are estimated to be \$165,984 and will commence in 2021.

Annual debt servicing costs remain within the Sewer fund and do not affect the general taxation debt levy. These costs would be fully recovered through the sewer user fees and frontage taxes and have already been incorporated in the 2019-2023 Financial plan and proposed fees for 2021.

ADMINISTRATIVE IMPLICATIONS:

After three readings of the loan authorization bylaw staff will send it along with all supporting documentation to the Inspector of Municipalities for the first review. Once the first review is complete, staff will report back to Council on the next steps to begin the Alternative Approval Process (AAP). The borrowing process involves several departments and is estimated to take approximately eighty hours of staff time from start to finish.

ASSET MANAGEMENT IMPLICATIONS:

The Greenwood Sewer Trunk Connection is an important project required to support growth in East Courtenay, and to enhance capacity and support continued development. This project has been vetted through the Asset Management Working Group, approved by the CAO, and identified as a high priority project.

The City's Sewer Master Plan identifies the Greenwood Trunk as the number 1 priority project. The construction of this trunk main has a number of significant positive impacts to the City's wastewater collection system, but also to the Sewage Commission infrastructure and the environment.

1. When constructed the Greenwood trunk will allow the City to decommission three (3) smaller temporary lift stations and redirect those flows by gravity into the CVRD trunk main on Anderton Road. The CVRD (approved Sewage Commission project in 2019) completed their section in anticipation of the City's project. The two (2) new lift stations along the Greenwood trunk will be designed with improved technology and monitoring (SCADA) and will be much more efficient than the older three (3) temporary lift stations.
2. When constructed the Greenwood trunk will allow the City to re-direct substantial flows away from the Regional Courtenay lift station, alleviating capacity concerns and deferring future Sewage Commission capital upgrades that are contemplated for the Courtenay Lift Station.

3. By diverting flows to the Greenwood Trunk and thereby increasing capacity at the Courtenay lift station, the potential for impact on the Environment (overflow during peak storm events) in the estuary will be greatly reduced.

STRATEGIC PRIORITIES REFERENCE:

The following 2019-2022 Council strategic priorities relate to the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw:

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

- **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:

Section 6.3 Sanitary Sewer Treatment to follow policies to reduce infiltration, consider downstream capacity of existing sewer mains, and to provide an effluent network that is limited to areas within the City's municipal boundaries.

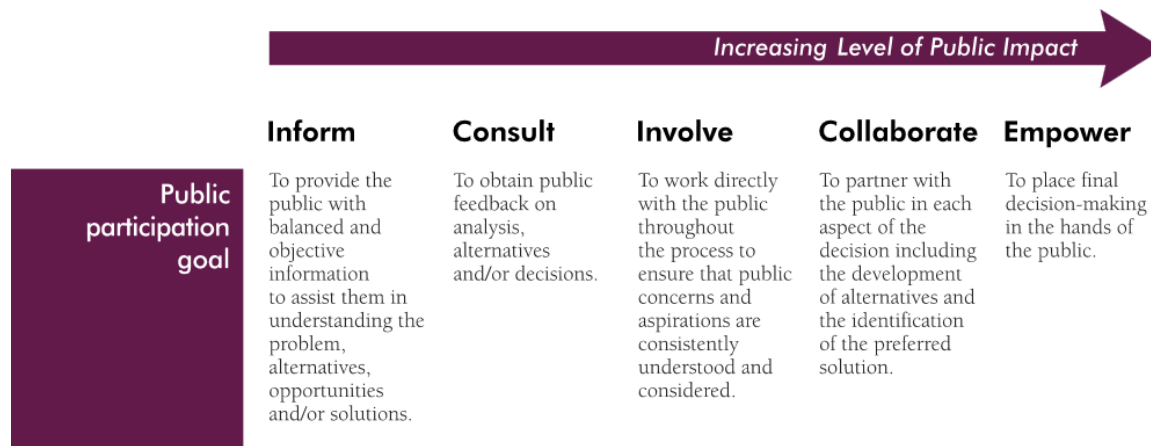
REGIONAL GROWTH STRATEGY REFERENCE:

These sewer projects provide the public with infrastructure that addresses public health needs and concerns and provides equal service to all residents within the municipality and region (per Comox Valley Regional Growth Strategy Bylaw No. 120, 2010, Part 3.2.5, Objective 5-D Page 56).

CITIZEN/PUBLIC ENGAGEMENT:

Section 180 of the *Community Charter* requires that a council gain approval of the electors before a loan authorization bylaw can be adopted. The City will **empower** 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 endorse the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019;

That Council proceed to 1st, 2nd, and 3rd reading of the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019; and

That Council approve the Alternative Approval Process (AAP) to gain approval of the electors for the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019. [Recommended]

OPTION 2: That Council defer endorsing the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019 to allow for further discussion.

OPTION 3: That Council not endorse the 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019.

Prepared by:

Jennifer Nelson, CPA, CGA
Director of Financial Services

Concurrence:

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

- Attachments: #1: Sewer Capital Projects 2019-2023 (excerpt from 2019-2023 Financial Plan)
#2: Greenwood Trunk Connection – Capital Asset Dashboard Project ID 2019-SAN-02
#3: 2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw
No. 2985, 2019

Attachment #1

Sewer Capital Projects 2019-2020

| | | Values | 2019 Funding | | | | 2020 Proposed Budget | 2020 Funding | | | |
|----------------------|--|------------------|----------------|-----------------------|------------------------|--------------------------------------|----------------------|------------------|------------------|------------------------|-----------------------|
| | | | 2019 Budget | 2019 General Revenues | 2019 New Works Reserve | 2019 Reserve for Future Expenditures | | 2019 DCC Reserve | 2020 Debt | 2020 New Works Reserve | 2020 General Revenues |
| Category | Project description | | | | | | | | | | |
| New | 20 St & Riverside Lane - Chamber | 300,000 | 120,700 | | 179,300 | | | | | | |
| | Greenwood Trunk Connection | 151,800 | 3,300 | | 35,800 | 112,700 | 4,100,000 | 3,000,000 | 600,000 | 50,000 | 450,000 |
| | North Sandwick sewer | | | | | | 50,000 | | | 50,000 | |
| | South Courtenay Sewer | | | | | | 200,000 | | | 200,000 | |
| New Total | | 451,800 | 124,000 | | 215,100 | 112,700 | 4,350,000 | 3,000,000 | 600,000 | 300,000 | 450,000 |
| Renewal | Riverside Sanitary Trunk - 8 St to 19 St - Trunk Main Upgrade | 1,500,000 | 170,100 | 1,200,000 | 129,900 | | | | | | |
| | 1 St Lift Station Replacement | 350,000 | 217,500 | | 132,500 | | 2,300,000 | 2,300,000 | | | |
| | Comox Rd, Lewis Park, River Crossing - Sanitary Main Replacement | 200,000 | 102,100 | | 97,900 | | 1,400,000 | | 1,300,000 | 100,000 | |
| | Braidwood Rd - Road & Utility Reconstruction - Sanitary | 36,300 | | | 36,300 | | 500,000 | | | 500,000 | |
| | Cliffe Ave - Mansfield to Anfield ph 1 - Design 2019 | | | | | | 50,000 | | | 50,000 | |
| Renewal Total | | 2,086,300 | 489,700 | 1,200,000 | 396,600 | | 4,250,000 | 2,300,000 | 1,300,000 | 650,000 | |
| Grand Total | | 2,538,100 | 613,700 | 1,200,000 | 611,700 | 112,700 | 8,600,000 | 5,300,000 | 1,900,000 | 950,000 | 450,000 |

Sewer Capital Projects 2021-2023

| | | Values | 2021 Funding | | 2022 Funding | | 2023 Proposed Budget | 2023 Funding | | |
|----------------------|---|------------------|----------------------|-----------------------|----------------------|-----------------------|----------------------|------------------------|-----------------------|------------------------|
| | | | 2021 Proposed Budget | 2021 General Revenues | 2022 Proposed Budget | 2022 General Revenues | | 2022 New Works Reserve | 2023 General Revenues | 2023 New Works Reserve |
| Category | Project description | | | | | | | | | |
| Renewal | Sewer - Projects identified through Asset Management Strategy | 500,000 | 500,000 | | | | | | | |
| | Cliffe Ave - Mansfield to Anfield ph 1 - Design 2019 | 404,300 | 404,300 | | | | | | | |
| | Cliffe Ave - Mansfield to Anfield ph 2 | 150,000 | 150,000 | 750,000 | 250,000 | 500,000 | 750,000 | 250,000 | 500,000 | |
| | Anderton Ave Lift Station | | | 250,000 | 250,000 | | 2,200,000 | | | 2,200,000 |
| | Arden Central Trunk Main | | | 200,000 | 200,000 | | 2,000,000 | | | 2,000,000 |
| | Mansfield Lift Station Upgrade | | | | | | 50,000 | 50,000 | | |
| | Courtenay Riverway - 21st to Mansfield | | | | | | 50,000 | 50,000 | | |
| Renewal Total | | 1,054,300 | 1,054,300 | 1,200,000 | 700,000 | 500,000 | 5,050,000 | 350,000 | 500,000 | 4,200,000 |
| Grand Total | | 1,054,300 | 1,054,300 | 1,200,000 | 700,000 | 500,000 | 5,050,000 | 350,000 | 500,000 | 4,200,000 |

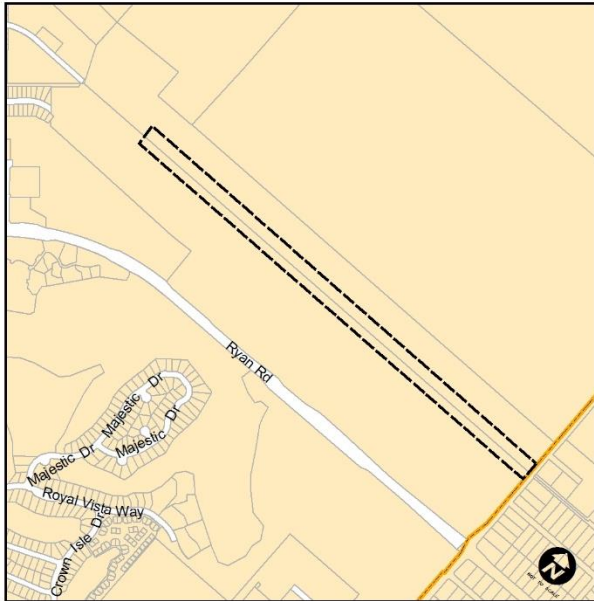
Sewer Debt Servicing Costs

| | | Values | 2020 Proposed Budget | | | | 2021 Proposed Budget | | | | 2022 Proposed Budget | | | | 2023 Proposed Budget | | | |
|------------------------|-------------------------|----------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------|----------------|----------------|
| | | | 2019 Budget | 2020 Proposed Budget | 2021 Proposed Budget | 2022 Proposed Budget | 2023 Proposed Budget | 2020 Proposed Budget | 2021 Proposed Budget | 2022 Proposed Budget | 2023 Proposed Budget | 2020 Proposed Budget | 2021 Proposed Budget | 2022 Proposed Budget | 2023 Proposed Budget | | | |
| Account | Department | | | | | | | | | | | | | | | | | |
| Interest | Existing Debt Interest | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 | 56,600 |
| | New Debt Interest | | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 | 186,600 |
| Interest Total | | 56,600 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 | 243,200 |
| Principal | Existing Debt Principal | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 |
| | New Debt Principal | | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 | 197,200 |
| Principal Total | | 75,200 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 | 272,400 |
| Grand Total | | 131,800 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 | 515,600 |

Project ID: 2019-SAN-02

Project Lead: Engineering

SANITARY – GREENWOOD TRUNK CONNECTION TRUNK MAIN CONNECTION - DESIGN



Project Description:

- 2018 APPROVED PROJECT – DESIGN ONLY
- DESIGN OF GRAVITY SANITARY SEWER TRUNK MAIN TO CONNECT EAST COURTENAY TO ANDERTON RD.
- 2019 PROJECT – COMPLETE DESIGN AND INFORM ANTICIPATED 2020 CONSTRUCTION COSTS

Project Budget

| Year | Approved Budget | Total Spent | Carry Forward | Requested Budget | Total Budget |
|------|-----------------|-------------|---------------|------------------|------------------|
| 2018 | \$341,250 | \$189,422 | \$151,800 | | |
| 2019 | | | | \$0 | |
| | | | | | \$151,800 |

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2985

A bylaw to authorize the borrowing of the estimated cost of constructing the Greenwood Trunk Connection to the sanitary sewer system.

WHEREAS it is deemed desirable and expedient to construct the Greenwood Trunk Connection to the sanitary sewer system servicing East Courtenay.

AND WHEREAS the estimated cost of constructing the Greenwood Trunk Connection to the sanitary sewer system including expenses incidental thereto is the sum of \$4,100,000 of which the sum of \$3,000,000 is the amount of debt intended to be borrowed by this bylaw;

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

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of the Greenwood Trunk Connection to the sanitary sewer system generally in accordance with the general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - a) To borrow upon the credit of the Municipality a sum not exceeding \$3,000,000.
 - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of the said Greenwood Trunk Connection to the sanitary sewer system.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty five years.
3. This bylaw may be cited as **“2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 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

Received the approval of the Inspector of Municipalities this day of , 20

Received the approval of the electors of City of Courtenay on the _____ day of _____, 20

Reconsidered and finally passed and adopted this _____ day of _____, 20

Mayor

Corporate Officer

Certified a true copy of Bylaw No. 2985 as at third reading.

Corporate Officer

Certified a true copy of Bylaw No. 2985 as adopted.

Corporate Officer

Attachment 2

| | |
|---------------|------------------|
| Fund | Sewer |
| Department | (All) |
| Area | (Multiple Items) |
| Total Funding | (All) |

| Category | Project description | 2020 Proposed Budget | 2020 Sewer Revenues | 2020 Sewer Reserves | 2020 Reserve for Future Expenditures | 2020 DCC Reserve | 2020 Debt | 2021 Proposed Budget | 2021 Sewer Revenues | 2021 Sewer Reserves | 2021 Debt |
|----------------------|--|----------------------|---------------------|---------------------|--------------------------------------|------------------|------------------|----------------------|---------------------|---------------------|------------------|
| New | Sewer - Greenwood Trunk Construction | 4,100,000 | 50,000 | 600,000 | | 450,000 | 3,000,000 | | | | |
| | Sewer System Options Analysis | 200,000 | 200,000 | | | | | | | | |
| New Total | | 4,300,000 | 250,000 | 600,000 | | 450,000 | 3,000,000 | | | | |
| Renewal | Comox Road, Lewis Park, River Crossing Sanitary Main Replacement | 194,900 | | | 194,900 | | | 1,400,000 | 100,000 | 1,300,000 | |
| | Sewer - 1st Street Lift Station Replacement | 341,100 | | | 341,100 | | | 2,300,000 | 300,000 | | 2,000,000 |
| | Braidwood Road - Road & Utility - Sewer Component | 31,500 | | | 31,500 | | | | | | |
| | Sewer - Mansfield Drive Forcemain | 50,000 | 50,000 | | | | | 750,000 | 500,000 | 250,000 | |
| | Veterans Memorial Parkway Sewer Sleeve | 50,000 | 50,000 | | | | | | | | |
| Renewal Total | | 667,500 | 100,000 | | 567,500 | | | 4,450,000 | 900,000 | 1,550,000 | 2,000,000 |
| Grand Total | | 4,967,500 | 350,000 | 600,000 | 567,500 | 450,000 | 3,000,000 | 4,450,000 | 900,000 | 1,550,000 | 2,000,000 |

| Category | Project description | Values | | | | | | | | |
|----------------------|---|----------------------|---------------------|---------------------|----------------------|---------------------|------------------|----------------------|---------------------|---------------------|
| | | 2022 Proposed Budget | 2022 Sewer Revenues | 2022 Sewer Reserves | 2023 Proposed Budget | 2023 Sewer Revenues | 2023 Debt | 2024 Proposed Budget | 2024 Sewer Revenues | 2024 Sewer Reserves |
| Renewal | Sewer - Projects identified through Master Plan | 500,000 | 250,000 | 250,000 | | | | 1,000,000 | 750,000 | 250,000 |
| | Braidwood Road - Road & Utility - Sewer Component | | | | 500,000 | 500,000 | | | | |
| | Sewer - Arden Central Trunk Main | 200,000 | 200,000 | | 2,000,000 | | 2,000,000 | | | |
| Renewal Total | | 700,000 | 450,000 | 250,000 | 2,500,000 | 500,000 | 2,000,000 | 1,000,000 | 750,000 | 250,000 |
| Grand Total | | 700,000 | 450,000 | 250,000 | 2,500,000 | 500,000 | 2,000,000 | 1,000,000 | 750,000 | 250,000 |

| Category | Project description | Values | | | | |
|-----------------------------|--------------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| | | 2020 Proposed Budget | 2021 Proposed Budget | 2022 Proposed Budget | 2023 Proposed Budget | 2024 Proposed Budget |
| Debt Interest | Existing Debt Interest | 58,300 | 58,300 | 58,300 | 58,300 | 58,300 |
| | New Debt Interest Greenwood | 43,100 | 86,100 | 86,100 | 86,100 | 86,100 |
| | New Debt Interest 1 St Lift Station | | 28,700 | 57,400 | 57,400 | 57,400 |
| | New Debt Interest Arden | | | | 28,700 | 57,400 |
| Debt Interest Total | | 101,400 | 173,100 | 201,800 | 230,500 | 259,200 |
| Debt Principal | Existing Debt Principal | 75,200 | 75,200 | 75,200 | 75,200 | 75,200 |
| | New Debt Principal Greenwood | | 87,800 | 87,800 | 87,800 | 87,800 |
| | New Debt Principal 1 St Lift Station | | | 78,300 | 78,300 | 78,300 |
| | New Debt Principal Arden | | | | | 78,300 |
| Debt Principal Total | | 75,200 | 163,000 | 241,300 | 241,300 | 319,600 |
| Grand Total | | 176,600 | 336,100 | 443,100 | 471,800 | 578,800 |



2020 Greenwood Trunk Connection

2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019

Elector Approval: Alternative Approval Process (AAP)

By completing this elector response form, I am indicating that I oppose the adoption of “2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019”, which authorizes the borrowing of up to \$3,000,000 to be repaid over a period not exceeding 25 years in order to finance the costs of construction of the Greenwood Trunk Connection in 2020, unless a vote is held.

Print Full Name _____

Residential address _____

Signature (original signature required) _____

Choose one:

- I am a *resident elector* - I have been a resident of the City of Courtenay for at least 30 days
- I am a *non-resident property elector* who lives in another community and has owned property in the City of Courtenay for at least 30 days located at _____.

I am

- A Canadian citizen and at least 18 years of age or older,
- I am a resident of British Columbia and have been for at least 6 months,
- I am not disqualified by law from voting,
- I have not previously signed an elector response form with respect to this bylaw.

The Council may proceed with the adoption of “2020 Greenwood Trunk Connection Sanitary Sewer Capital Loan Authorization Bylaw No. 2985, 2019” unless 2,017 electors sign and submit a completed elector response form to the City by the deadline.

DEADLINE: February 17, 2020 at 4:30 p.m.

Elector response forms must be submitted by the deadline to **John Ward, Director of Legislative & Corporate Services, at City Hall, 830 Cliffe Avenue, Courtenay B.C., V9N 2J7**. This form will be considered submitted in confidence.

Additional information about this alternative approval process can be found at City Hall or on the City of Courtenay website at www.courtenay.ca/greenwoodtrunkAAP

Elector Eligibility

In order to sign an elector response form in relation to the alternative approval process, a person must either be a *resident elector* or a *non-resident property elector*.

RESIDENT ELECTOR

A resident elector is an individual who is entitled to sign an elector response form during an AAP by virtue of living within that jurisdiction. When signing an elector response form, a resident elector must:

- Be 18 years of age or older,
- Be a Canadian citizen,
- Have lived in British Columbia for at least six months,
- Have lived in the City of Courtenay for at least 30 days,
- Not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election, or be otherwise disqualified by law.

NON-RESIDENT PROPERTY ELECTOR

A non-resident property elector is an individual that **does not live in the City of Courtenay** and who is entitled to sign an elector response form during an AAP by virtue of owning property in that jurisdiction. When signing an elector response form, a non-resident property elector must:

- Be 18 years of age or older,
- Be a Canadian citizen,
- Have lived in British Columbia for at least six months,
- Have owned property in the City of Courtenay for at least 30 days,
- Not be disqualified under the *Local Government Act*, or any other enactment from voting in a local election, or be otherwise disqualified by law.

Note: Only one non-resident property elector may sign an elector response form per property, regardless of how many people own the property. That owner must have the written consent of a majority of the other property owners to sign the response form on their behalf. Property owned in whole or in part by a corporation does not qualify under the non-resident property elector provisions. The City of Courtenay has forms available for non-resident property electors to use when gaining written consent from the other property owners for this AAP.

Notice: Freedom of Information and Protection of Privacy

Personal information on this form is collected under the authority of section 26(a) the *Freedom of Information and Protection of Privacy Act*. The personal information on this form will be used to determine whether elector assent has been received for Bylaw 2985 and is considered to be supplied in confidence.

If you have any questions about the collection of this information, contact John Ward, Director of Legislative & Corporate Services, at the address on this form, by email at info@courtenay.ca, or by phone at 250-334-4441. Personal information will only be disclosed in accordance with the *Freedom of Information and Protection of Privacy Act*.



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Licence to Occupy - 685 Cliffe Avenue

File No.: 2380-30
Date: January 6th, 2020

PURPOSE:

The purpose of this report is for Council to consider entering into a licence of occupation with the Comox Valley Transition society to operate a seasonal warming centre.

CAO RECOMMENDATIONS:

That based on the January 6th, 2020 staff report "Licence to Occupy - 685 Cliffe Avenue", Council approve OPTION 1 and the attached Licence to Occupy between the Comox Valley Transition Society and the City of Courtenay for the north side of the property having a legal description of PID: 006-102-930, Lot 3, Section 61 Comox District Plan VIP3817; and

That the Mayor and Director of Legislative and Corporate Services be authorized to execute all documentation relating to the Licence to Occupy subsequent to the publication of notice.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

For some time, the Comox Valley Transition Society has been searching for a location to operate a warming centre on a seasonal basis, as part of its work with the Comox Valley Coalition to End Homelessness.

At its regular meeting held October 7th, 2019 Council passed the following resolution:

"That the correspondence dated October 1st, 2019 from Andrea Cupelli of the Comox Valley Coalition to End Homelessness (CVCEH), on behalf of the Homelessness Response Team (HRT), requesting the temporary use of a City-owned building for a seasonal warming centre, be received for information.

That Council direct staff to continue to work with the Comox Valley Coalition to End Homelessness to identify a possible site to be used as a temporary seasonal warming centre by the Homelessness Response Team."

DISCUSSION:

Working with the Comox Valley Transition Society, City staff were able to make a portion of the City owned building located at 685 Cliffe Avenue, available to be used as a warming centre on a temporary basis. The agreement would be in effect until March 31, 2020.

Over the last few weeks, City staff have also worked with the CVCEH, RCMP and the Downtown Business Improvement Association (DCBIA) to identify ways to improve the operation of the warming centre.

A “Frequently Asked Questions” document regarding the warming centre operation is attached for Council’s reference, and to provide the public and business sector with information about the warming centre.

FINANCIAL IMPLICATIONS:

There are no additional financial resources required. Improvements to the property were minor and routine in nature, and costs were absorbed in the operating budget.

The operation of the warming centre is the responsibility of the Comox Valley Transition Society. The City is responsible for utilities including heat, electricity, and maintenance of the building

Since the licence contemplates nominal rent less than market value, Council must provide notice pursuant to section 24 of the *Community Charter*:

Publication of intention to provide certain kinds of assistance

- 24** (1) *A council must give notice in accordance with section 94 [public notice] of its intention to provide any of the following forms of assistance to a person or organization:*
- (a) *disposing of land or improvements, or any interest or right in or with respect to them, for less than market value.*

Based on current market information, the difference between market value rent and the agreement is considered to be approximately \$3000 per month; therefore this amount each month is considered assistance to the Comox Valley Transition Society.

ADMINISTRATIVE IMPLICATIONS:

Approximately 20 hours of staff time has been dedicated to drafting the agreement and making the property suitable for occupancy. This included relocating storage materials, adding some plumbing fixtures, etc.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications at this time.

STRATEGIC PRIORITIES REFERENCE:

Strategic Priorities Chart: Council “Next” Priority

- City Land Strategy/Acquisition & Disposition

We focus on organizational and governance excellence

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

We continually invest in our key relationships

- ■ Consider effective ways to engage with and partner for the health and safety of the community
- ▲ ■ Advocate and cooperate with local and senior governments on regional issues affecting our 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 referenced.

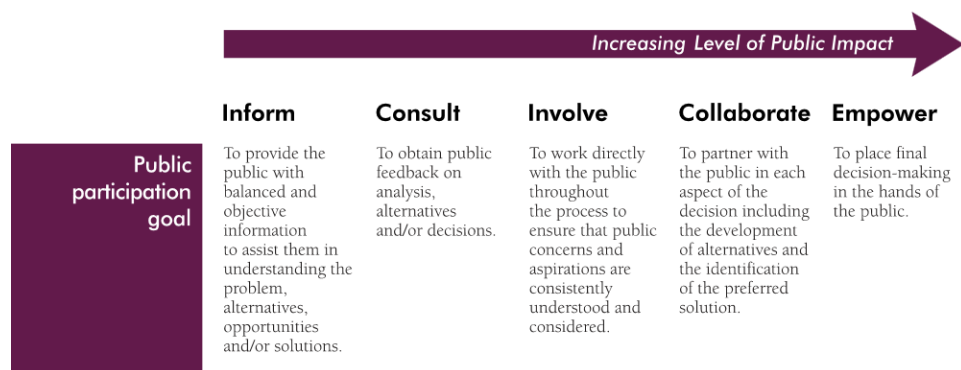
REGIONAL GROWTH STRATEGY REFERENCE:

No specific reference.

CITIZEN/PUBLIC ENGAGEMENT:

Section 26 of the *Community Charter* for municipalities requires that notice be given prior to the disposition. The notice must also be published in a newspaper that is published at least weekly in the area affected by the subject matter of the notice.

In addition, notice must be published for the difference in market value for the licence to occupy pursuant to section 24 of the *Charter*. The City will inform the public based on the IAP2 Spectrum of Public Participation:



OPTIONS:

OPTION 1: That based on the January 6th, 2020 staff report "Licence to Occupy - 685 Cliffe Avenue", Council approve OPTION 1 and the attached Licence to Occupy between the Comox Valley Transition Society and the City of Courtenay for the north side of the property having a legal description of PID: 006-102-930, Lot 3, Section 61 Comox District Plan VIP3817; and

That the Mayor and Director of Legislative and Corporate Services be authorized to execute all documentation relating to the Licence to Occupy subsequent to the publication of notice. (Recommended)

OPTION 2: That Council not approve the Licence to Occupy.

OPTION 3: That Council refer this item back to staff for further consideration.

Prepared by:



John Ward, CMC
Director of Legislative and Corporate Services/Deputy CAO

Attachments:

1. *Licence to Occupy Agreement*
2. *Warming Centre - Frequently Asked Questions*

LICENCE OF OCCUPATION AGREEMENT

THIS AGREEMENT dated for reference the 6th day of January, 2020.

BETWEEN:

Comox Valley Transition Society, a non-profit society under the law of the province of British Columbia and having an office at 625 England Avenue, Courtenay, BC V9N 2N5

(the “**Licensee**”)

AND:

The City of Courtenay, a corporation duly incorporated under the law of the province of British Columbia and having an office at 830 Cliffe Ave., Courtenay, BC V9N 2J7

(the “**City**”)

GIVEN THAT:

- A. The City is the registered owner of those certain lands and premises forming a portion of the “north side” of 685 Cliffe Avenue in the Province of British Columbia, (the “**Lands**”);
- B. The City is required to comply with the requirements of the *Community Charter* for the disposition of the Lands, which require notice of a proposed property disposition and Council approval;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and covenants contained herein and sum of \$1.00 now paid by the Licensee to the City, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

- 1. **Grant of Licence** – The City, on the terms and conditions set forth herein, grants to the Licensee (and its permitted assigns and their servants, agents and invitees) the non-exclusive right and licence (the “**Licence**”) to enter onto and use the Lands for the purposes of carrying out CV Transition Society Warming Centre operations for the term outlined in section 2.
- 2. **Term and Renewal** – This Licence shall commence on the 6th day of January (the “**Commencement Date**”), and shall terminate on the 31st day of March, 2020 unless terminated on an earlier date by the City or by the Licensee pursuant to section 3 herein.

3. **Termination**

- (a) This Licence does not create any interest in the Lands and is exclusively for the benefit of the Licensee.
- (b) The Licence may be cancelled or terminated despite any rule of law or equity to the contrary in accordance with any of the following provisions:
 - (i) the Licensee will be entitled to terminate this Licence for any or no reason at any time upon giving 30 days' written notice to the City;
 - (ii) the City will be entitled to terminate this Licence at its sole discretion, for any or no reason and at any time upon giving 30 days' written notice to the Licensee;
 - (iii) the Licensee will be terminated if the City gives notice to the Licensee of a breach of this agreement in accordance with section 16 and the Licensee fails to remedy the breach within 30 days.

All of the Licensee's obligations under this Licence that are outstanding on the date that this Licence is terminated will survive the termination of this Agreement. For certainty, the Licensee's obligations to release and indemnify the City shall survive the termination of this Agreement, but only in respect of events occurring before termination of this Agreement.

- 4. **Powers** – For the purposes of the Licence herein, the Licensee and its servants, agents and invitees shall have the right to:
 - (a) use the Lands only for the purposes set out in section 1;
 - (b) have unobstructed access to and from the Lands at any and all times; and
 - (c) do all other things on the Lands as may be reasonably necessary, desirable and incidental to the use of the Lands.
- 5. **No Other Improvements** – Except for the existing Building, the Licensee will not, without the prior written consent of the City, construct, install, affix, place or store or permit the construction, installation, affixing, placing or storage of any buildings, structures, works, improvements, fencing, material or chattels or anything of any nature or kind including, without limitation, the parking or storage of vehicles on any part of the Lands.
- 6. **Site Clean-up** – Upon termination of this Licence, the Licensee will leave the Lands in a tidy condition, and the Licensee, if required by the City in its sole discretion, shall remove all personal property belonging to the Licensee within 7 days after termination of this Agreement. Any personal property not removed by the Licensee shall become the absolute property of the City free of all encumbrances, without payment of any compensation to the Licensee.

7. **No Waste or Nuisance** – The Licensee will not commit or allow any wilful or voluntary waste or destruction of the Lands, or do anything that may become a nuisance or annoyance to other occupiers of the Land or adjoining lands. The Licensee will not stockpile or burn any materials on the Lands.
8. **Compliance with Laws** – The Licensee will at all times during the currency of this Licence use the Lands in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or local government laws or statutes or bylaws relating to environmental matters, including all the rules, regulations, policies, guidelines, criteria or the like made under or pursuant to any such laws.
9. **Assignment** – Except as expressly set out herein, the rights granted to the Licensee under this Agreement may not be sublicensed, assigned, or otherwise transferred.
10. **Risk** – The Licensee accepts the Lands on an as-is basis and agrees that it will use the Lands at its own risk, and that the City will not be liable in respect of any loss of life, personal injury, damage to property or loss of property suffered by the Licensee, its servants, agents, or invitees arising out of this Agreement or its or their use and occupation of the Lands. The Licensee will confirm that it has acquired all rights necessary to use and occupy the Building from North Bend.
11. **Builders Lien Act** – If any claim of lien over the Lands is made under the *Builders Lien Act* for work performed on or materials supplied to the Lands at the Licensee’s request, on the Licensee’s behalf, or with the Licensee’s permission, the Licensee will immediately take all steps necessary to have the lien discharged, unless the claim of lien is being contested in good faith by the Licensee and the Licensee has taken the steps necessary to ensure that the claim of lien will not subject the Lands or any interest of the City’s under this Agreement to sale or forfeiture.
12. **Indemnity** – The Licensee hereby indemnifies and saves harmless the City, its officers, directors, elected officials, employees and agents from and against any and all losses, claims, costs, expenses, damages and liabilities, causes of action, suits and judgments including all costs of defending or denying the same, and all costs of investigation, monitoring, remedial response, removal, restoration or permit acquisition and including all solicitor’s fees and disbursements in connection therewith which at any time may be paid or incurred by or claimed against the City, its officers, directors, elected officials, employees, agents and invitees arising, directly or indirectly, out of:
 - (a) the uses of the Licensee under this Licence;
 - (b) a breach by the Licensee of any of the covenants contained in this Licence;
 - (c) any wrongful act or neglect of the Licensee on or about the Lands;
 - (d) any damage to property related to the Licensee’s use and occupancy of the Lands;

- (e) the death of or injury to any person arising out of or in any way connected with, directly or indirectly, the Licensee's use and occupancy of the Lands.

This section does not apply to liabilities, damages, costs, claims, suits or actions arising out of the gross negligence or wilful misconduct of the City, its agents, servants, employees or contractors.

13. **Insurance** – The Licensee shall obtain and keep in force throughout the existence of the Licence insurance naming the City as an additional insured and protecting the City and the Licensee (without any rights of cross-claim or subrogation against the City) against claims by any person, including any member of the public using the Lands, for personal injury, death, property loss or damage, and third party liability or public liability claims arising from any accident or occurrence on the Lands or other loss relating to the Licensee's use of the Lands to an amount of not less than Five Million (\$5,000,000.00) Dollars per occurrence (the "**Insurance Policy**").

- (a) The Insurance Policy shall provide that it is not terminable or alterable without the giving of 30 days' written notice to the City.
- (b) At the time of execution of this Licence, the Licensee shall deliver to the City a copy of the Insurance Policy or an insurance certificate or binder or note evidencing that the Licensee has obtained the Insurance Policy on the terms set out herein.
- (c) At any time during the Term of this Licence the City may require the Licensee to provide evidence to it that the Insurance Policy is valid and in full effect.

14. **Environmental Clauses**

- (a) For the purpose of this Part:
 - (i) "*Environmental Law*" means all federal, provincial, municipal or local laws, statutes or ordinances relating to environmental matters, including all rules, regulations, policies, guidelines, criteria or the like promulgated under or pursuant to any such laws;
 - (ii) "*Hazardous Substance*" means a contaminant, pollutant, dangerous good, waste, toxic substance, special waste or hazardous substance as defined in or pursuant to any Environmental Law;
 - (iii) "*Notice*" means any citation, directive, order, claim, litigation, investigation, proceedings, judgment, letter or other communication, written or oral, actual or threatened, from any person, including any governmental agency;
 - (iv) "*Permit*" means any authorization, permit licence, approval or administrative consent issued pursuant to Environmental Law.

- (b) The Licensee will conduct its business and operation on the Lands in compliance with all Environmental Laws and all Permits.
- (c) The Licensee will forthwith notify the City of the occurrence of any of the following and will provide the City with copies of all relevant documentation in connection therewith:
 - (i) a release of a Hazardous Substance on the Lands, except as is authorized under Environmental Law;
 - (ii) the receipt by the Licensee of a Notice from any governmental agency of non-compliance pursuant to any Environmental Law, including a Notice of non-compliance respecting a Permit in connection with the Lands;
 - (iii) the receipt by the Licensee of a notice of a claim by a third party relating to environmental concerns in connection with the Lands; or
 - (iv) the receipt by the Licensee of information that indicates that Hazardous Substances are present in or on the Lands.
- (d) The Licensee will not permit the storage, treatment or disposal of Hazardous Substances on the Lands.
- (e) The Licensee will conduct such investigations, searches, testing, drilling and sampling (“**Investigations**”) as may at any time be required by the City where any reasonable evidence exists that the Licensee's use or occupation of the Lands pursuant to this Licence may be introducing or increasing the existence of any Hazardous Substance on the Lands. If the Licensee does not complete the Investigations to the satisfaction of the City, the City may take any actions necessary to complete the Investigations, the cost of which actions will be borne by the Licensee.
- (f) If Hazardous Substances are present on or in the Lands as a result of the Licensee's use or occupation of the Lands pursuant to this Licence, the Licensee will take all necessary action, at the cost of the Licensee to remediate the Lands to a level acceptable to the City and to governmental authorities having jurisdiction.
- (g) Prior to the termination of this Licence, the Licensee will conduct all Investigations required by the City where any reasonable evidence exists that the Licensee's use or occupation of the Lands pursuant to this Licence has introduced or increased the existence of any Hazardous Substance on or in the Lands. The Licensee will provide the result of the Investigations to the City. Where any Hazardous Substance is found on or in the Lands as a result of the Licensee's use or occupation of the Lands pursuant to this Licence, the Licensee will take all necessary action, at the cost of the Licensee, to remediate the Lands to a level acceptable to the City and to governmental authorities having jurisdiction.

- (h) The Licensee will provide to the City satisfactory documentary evidence that all Permits are valid and in good standing as requested by the City from time to time.
- (i) The Licensee will indemnify and save harmless the City, its elected officials, officers, employees, agents and others from and against any and all losses, claims, costs, expenses, damages and liabilities, including all costs of defending or denying the same, and all costs of investigation, monitoring, remedial response, removal, restoration or permit acquisition and including all solicitor's fees and disbursements in connection therewith which at any time may be paid or incurred by or claimed against the City, its elected officials, officers, employees, agents and others arising, directly or indirectly, out of:
 - (i) the Licensee's use or occupancy of the Lands which results in the presence, release or increase of any Hazardous Substance on or off-site of the Lands;
 - (ii) any reasonable action taken by the City with respect to the existence of or remediation for any such Hazardous Substance on or off-site of the Lands; or
 - (iii) any reasonable action taken by the City in compliance with any Notice of any governmental authority with respect to the existence of any such Hazardous Substance on or off-site of the Lands.
- (j) Notwithstanding anything else in this Licence, the Licensee shall have no liability relating to contamination resulting solely from the City's use of the Lands or the use of the Lands by any party other than the Licensee or those for whom the Licensee is responsible for at law, nor shall the Licensee be required to remediate any environmental concerns which may result solely from the City's use of the Lands or the use of the Lands by any party other than the Licensee or those for whom the Licensee is responsible for at law.

15. **Notices** – Any notice or other writing required or permitted to be given to any party shall be sufficiently given if delivered by hand, or if sent by prepaid courier to such party as follows:

in the case of a notice to the Licensee, at:

Comox Valley Transition Society
625 England Avenue
Courtenay, BC V9N 2N5

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

City of Courtenay
830 Cliffe Ave.
Courtenay, BC V9N 2J7

or at such other address or addresses as the party to whom such notice or other writing is to be given shall have last notified the party giving the notice in the manner provided in this section. Any notice or other writing sent in compliance with this section shall be deemed to have been given and received on the day it is so delivered unless that day is not a business day, in which case the notice shall be deemed to have been given and received on the next day that is a business day.

16. **Breach** – In the event that the Licensee breaches any term, condition, or provision of this Agreement, the Licensee shall remedy the breach within 30 days of receipt of a notice from the City and if the breach is not remedied within that time period, all rights accruing to the Licensee under this Agreement shall cease without further notice to the Licensee, unless the City, in its sole discretion, decides otherwise.
17. **City May Take Action** – If the Licensee fails to do any matter required of them under this Agreement, the City is entitled to take all such actions on the Licensee’s behalf and at the Licensee’s cost as are reasonably necessary to rectify the Licensee’s failure, but the City is in no circumstance liable for not taking such action or its manner of doing so, provided that the City acts reasonably. The Licensee shall pay to the City the costs the City incurs pursuant to this provision forthwith upon receipt of an invoice.
18. **General**
 - (a) This Agreement will enure to the benefit of and be binding upon the Licensee and its successors, administrators and approved assigns and upon the City and its successors, administrators and assigns.
 - (b) Every reference to each party is deemed to include the heirs, executors, administrators, corporate successors, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or permits.
 - (c) Wherever the singular or masculine or neuter is used in this Agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.
 - (d) This Agreement constitutes the entire agreement between the parties and no understanding or agreement, oral or otherwise, exists between the parties with respect to the subject matter of this Agreement except as expressly set out in this Agreement, and this Agreement may not be modified except by subsequent agreement in writing between the parties.
 - (e) Time is of the essence of this Agreement.
 - (f) The section headings have been inserted for reference only and do not define, limit, alter or enlarge the meaning of any provision of this Agreement.
 - (g) If any section, subsection, sentence, clause or phrase in this Agreement is for any reason held to be invalid by the decision of a court of competent jurisdiction, the

invalid portion is to be severed and the decision that it is invalid does not affect the validity of the remainder of this Agreement, the parties hereby agreeing that they would have entered into the Agreement without the severed portion.

- (h) The parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this Agreement.
- (i) This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

CITY OF COURTENAY,)
 by its authorized signatories:)
)
)
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)
)

Authorized Signatory

Authorized Signatory

COMOX VALLEY TRANSITION)
SOCIETY, by its authorized signatories:)
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Authorized Signatory

Authorized Signatory



Connect: Warming Centre - Frequently Asked Questions (FAQs)

The Comox Valley Coalition to End Homelessness is committed to ensuring all residents have a safe, warm place to go during the day – especially over the cold winter months. During the winter season our homeless population have a hard time staying dry and warm. This could be a threat to their overall well-being, and they also could be facing a substantial risk to their lives or health. Having a space to go during the day also decreases loitering, criminal activity and other risky behaviours improving the health of the downtown core for all.

1. What is a Warming Centre? Who is it for?

The Connect Warming Centre will provide a safe, welcoming space for vulnerable individuals experiencing or at-risk of experiencing homelessness. It is a space where people can escape inclement weather, temporarily store or dry out belongings, access washrooms, light refreshments, and other supports.

The Connect Warming Centre provides a place to safely get out of the cold weather during the day, giving respite to other local community spaces, such as the Courtenay library and the Lewis Recreation Centre which often act as informal warming centres. The Salvation Army Pidcock shelter has spaces for people to sleep overnight

2. Who is operating the Warming Centre?

The Connect Warming Centre is operated in partnership between the Comox Valley Coalition to End Homelessness and the Comox Valley Transition Society.

3. Where is the Warming Centre located? What are the hours of operation?

The Connect Warming Centre is located at **685 Cliffe Ave. Courtenay**

Opening day is **Monday January 6, 2020** and the current hours of operation are **Monday-Friday 1-5pm** (with potential expansion of hours dependent on funding)

4. What programs and services are offered at the Warming Centre?

In addition to a space where people can escape inclement weather, the Connect Warming Centre will also provide onsite outreach workers to assist with:

- access to housing opportunities
- filling out income assistance, supportive housing applications, and other forms
- assistance with ID replacement
- administering Vulnerability Assessments
- referrals to social service agencies
- access to living supports
- literacy and education or volunteer opportunities
- scheduled workshops/trainings/activities
- visits from other social service providers

5. Safety

A behavioural code of conduct is expected within the warming centre and in the immediate surrounding area. Consideration of our neighbours will be of utmost importance and we are dedicated to open communication and education. There will be zero tolerance for the use of drugs, alcohol or cannabis; the dealing of drugs; weapons; violence, abuse or threats. There will be no hesitation to call the RCMP when the situation warrants it or there is presence of criminal activity.

The RCMP have been briefed on this project. The Connect Warming Centre will provide an opportunity to build relationships between RCMP and our homeless population

7. How is it funded?

The Connect Warming Centre is funded by multiple partners including: Homelessness Partnering Strategy – Rural & Remote (Federal funding), City of Courtenay (provision of the building), United Way Central & Northern Vancouver Island, Comox Valley Community Foundation and Coldest Night of the Year fundraising (programming, staff and operational costs).

8. Can the public drop off donations for the homeless at the Connect Warming Centre?

We thank you for your consideration, but we cannot accept donations at the warming centre. If you have donations that you think would be of value to those experiencing homelessness, please contact us at comoxvalleyhousing@gmail.com

The Coalition to End Homelessness would like to thank the City of Courtenay for supporting a space where our most vulnerable community members can get warm and access supports.

For more information on the Connect Warming Centre or the Coalition to End Homelessness, please email Andrea Cupelli, Coordinator at comoxvalleyhousing@gmail.com

Comox Valley Coalition to End Homelessness

cvhousing.ca

comoxvalleyhousing@gmail.com

Follow us on Facebook @cvcoalitiontoendhomelessness





THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 6480-20-1902 and 3360-20-1911

From: Chief Administrative Officer

Date: January 6, 2020

Subject: OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 – Lannan Road

PURPOSE:

The purpose of this report is for Council to consider an Official Community Plan and Zoning Bylaw amendment application to change the land use designation and rezone the property legally described as Lot 1, District Lot 206, Comox District, Plan VIP76495 (Lannan Road). The proposed amendments will 1) designate the parcel “Mixed Use”, 2) create a new CD1-J subsection of the CD-1 Zone, and 3) rezone the subject parcel and portions of an adjacent parcel to CD1-J.

CAO RECOMMENDATIONS:

That based on the January 6, 2020 staff report entitled “OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 – Lannan Road.” Council approve Option No. 1 and complete the following steps:

1. That Council give First and Second Reading of “OCP Amendment Bylaw No. 2972” to designate the subject property as “Mixed Use”;
2. That Council give First and Second Reading of “Zoning Amendment Bylaw No. 2973” to create a new CD1-J subsection of the CD-1 Zone and rezone the area shown on the attached bylaw to CD1-J;
3. That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaws on January 20, 2020 at 5:00 p.m. in City Hall Council Chambers; and,
4. That Final Reading of the bylaws be withheld pending the registration of a Section 219 covenant registering a Phased Development Agreement on the subject property.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is 16.3ha (40.2ac.) in area and located on the edge of East Courtenay adjacent to the Comox Valley Regional District (CVRD) and the Crown Isle golf course/residential community. The subject property was annexed by the City in 2013 and has since remained vacant. Prior to annexation the parcel was logged in 2010 with limited tree cover remaining on the south edge.



Figure 1: Subject Property and Context

The Comox Valley Regional Growth Strategy (RGS) identifies the subject property as a “Settlement Expansion Area”. The plan was adopted in 2011, prior to the parcel being annexed into the City. As applied to the subject property, Settlement Expansion Areas are identified as lands which:

“have the long-term potential to accommodate future growth subject to boundary extensions and the provision of publicly-owned water or sewer services, provided that appropriate phasing policies are established, new development does not detract from compact growth options within Municipal Areas and that infrastructure capacity is available and financially sustainable. Any growth in Settlement Expansion Areas will occur in a phased and orderly manner and will undergo a public planning process in order to determine the appropriate scale and form of development.”

The City’s Official Community Plan (OCP) does not currently assign a land use designation to the subject property which has been the case since it was annexed. As a result, any development proposal would require an OCP amendment to designate the property prior to it being zoned. The surrounding area, within the City, is designated “Mixed Use” with the exception of one small area to the north which is “Public/Institutional” and “Parks” uses associated with a City water facility and potential future school site. The surrounding community, despite being a multi-phase, master planned development, is not subject to any local area plan.

Since annexation the subject parcel has retained the CVRD “Rural Eight” (RU-8) zone. This zone permits large rural and agricultural lots and associated uses. The surrounding area, within the City, is zoned Comprehensive Development One Zone (CD-1), a zone which was created for the entire Crown Isle development when the community was first conceived in the early 1990s. This zone is broken into sub categories which correspond to different phases and areas within the overall development. Within the CVRD the adjacent lands are zoned Country Residential One (CR-1) which is intended for large lot, rural residential style development. The adjacent uses within the CVRD include an 18-hole par three golf course, manufactured home dwellings on small lots along Austin and Cypress Roads and larger single family homes and lots on Lannan Road.

Proposed is an amendment to the OCP and zoning bylaw to facilitate the future subdivision of the subject property to permit 330 residential units. The development will function as an extension of the adjacent Crown Isle community. The applicant’s plans for the property are summarized in **Schedule No. 1**. They seek to develop the property for residential purposes with a similar intensity and style found elsewhere in Crown Isle but with greater diversity of housing types, densities and improved building performance standards.

DISCUSSION:

The applicant has proposed designating the subject property “Mixed Use” for consistency with the rest of the Crown Isle community (see **Schedule No. 2** for two letters and one email describing the project in additional detail). This is a logical extension of the “Mixed Use” designation; however, the policy for this designation is brief and does not contain the detail or reflect many of the elements such as housing diversity and building performance promoted by the applicant (as detailed in **Schedule No. 1 and 2**).

Typically, across Western Canada, for large, multi-phased developments such as Crown Isle, high level elements such as density, unit composition, green space networks, transportations networks and other area specific policy are delineated through a Local Area Plan (or equivalent). In the Courtenay experience, “The Ridge” provides a local example where a Local Area Plan process (South Courtenay LAP) created area specific guidelines and policy which informed the layout, transportation network and green space networks for the community. This vision was, and continues to be, implemented through the subdivision process while land uses, housing forms and density were implemented when the overall community was rezoned.

This has not been the case with Crown Isle since it was initially proposed and approved in the early 1990s. As discussed, there is no Local Area Plan guiding the community’s phases of development. Instead, elements such as transportation network, green space network, and neighbourhood layout are dealt with incrementally at the subdivision approval level with limited, high level direction in the OCP. Further flexibility is then allotted by the CD-1 zone which provides many options for different types of land uses and the total number of units but does not prescribe the form of housing. For example, within one provision of the CD-1B zone a maximum of 670 units is allowed and these units can be either single family residential or duplexes or multi-residential dwellings.

Once zoned there is no policy, plan or any other power the City has to stipulate unit mix and limited powers through subdivision approval around elements such as transportation and green space connectivity and layout. Ensuring these elements are prescribed for the subject property and securing them through the rezoning process and Phased Development Agreement, is the key element of this bylaw amendment process. Ideally, this would be achieved through a Local Area Plan. As detailed below there is policy supporting this path. However, as an alternative, and recognizing that Crown Isle is substantially built-out, delineating and regulating these elements through a Phased Development Agreement is proposed.

Land Uses, Housing Form, and Density

The applicant proposes a 330 unit, residential community. This was increased from the original proposal of 300 unit based on staff comments regarding the need to enhance the mix of unit types. To enable the proposed number of units, the applicant has proposed to rezone to a new CD-1J zone (see **Schedule No. 3** for the applicant’s proposed zone). The zone permits a range of residential land uses and continues the approach used for the rest of Crown Isle where there is a density limit of 330 units but the units can be any of the permitted uses (single residential dwelling, duplex dwelling, or multi-residential dwellings). A significant change, however, is that the applicant is committing to a cap on the maximum number of single family units at 122 out of the 330 units. In addition, for single family lots, the proposed zone also significantly decreases the minimum lot size to 400m² which is smaller than elsewhere in the community (most other areas have a minimum lot size of 465m²). Secondary suites will also be a permitted use in all of the proposed single family lots. Proposed limits on the number of single family lots and lot sizes are translated into the proposed zoning bylaw.



Figure 2: Conceptual Development Layout

Trails and Parks

As shown on Figure 2 there is a pathway proposed around the edge of the subject property (green dotted line) along with park areas. This pathway reflects a general future trail link identified through the subject property in both the Parks and Recreation Master Plan and the OCP Land Use Map. The trail provides an amenity for the development and the surrounding community and, based on the Parks and Recreation Master Plan, will eventually link with the network on Ryan Road. The conceptual park network also corresponds with much of the remaining tree cover enabling protection of this amenity. Staff recommend that the trail connection and green space network are secured as part of the rezoning process through a Phased Development Agreement. The applicant has also offered amenities in the form of contributions to the *Parks, Recreation, Culture and Senior's Facilities Amenity Reserve Fund* as well as improvements to the Park Dedication at 2600 Crown Isle Boulevard. Again staff recommend this offer is secured through a Phased Development Agreement.

Environmental Considerations

There is a mapped wetland on the property which appears on CVRD mapping. This area was not logged in 2010 and remains treed. In support of this application, the applicant's biologist has provided a report assessing these areas (see **Schedule No. 4**). The report assesses the identified wetlands and concludes they are wetted areas, not wetlands and are not classified as a "stream" under the *Riparian Areas Regulation*. They do emphasize that these areas drain towards the headwaters of Brooklyn Creek and that the storm water management design for any development of the subject property needs to maintain this drainage pattern. This is discussed in additional detail below.

As part of the application process the proposal was circulated to concerned City departments and external agencies. Comox Valley Conservation Partnership has provided a letter in response (see **Schedule No. 5**). The applicant has updated the storm water management concept to reflect concerns expressed by the CVCP and Brooklyn Creek Stewardship Group. The applicant has met on-site with both of these stakeholders to review the development concept.

Storm water Management

Storm water management is a key concern of any development of the subject property. Currently the majority of rain water runoff travels through drainage courses and into the Brooklyn Creek system in an unmanaged system which area residents have indicated is prone to seasonal flooding. The applicant proposes to detain storm water in a newly created storm water facility on property immediately south within the CVRD which the developer also owns.

This creates a jurisdictional issue as storm water within the City is controlled and regulated by the City. Within the CVRD, storm water is managed and controlled by the Ministry of Transportation. Conceptually, the storm water management plan makes sense, helps address environmental concerns and may help with downstream flooding issues. The applicant has accepted the risk that should the Ministry not permit the storm facilities in their jurisdiction, or the City not be agreeable to the terms of any agreement with the Ministry, then the storm facilities must move onto the subject property which will impact the conceptual layout and unit yield.

Building Performance Standards

As detailed by the applicant in the two letters provided in **Schedule No. 2**, building performance standards such as being solar ready, units being built to Built Green Standards and the provision of car charging infrastructure will be required through the Phased Development Agreement. It is noteworthy that the City

is currently in the process of implementing the Energy Step Code as a building requirement. Should this be approved it would override the proposed Built Green Standards.

Amenity Contributions

As part of the zoning process the developer has the option to offer amenity contributions to the City's *Parks, Recreation Culture and Senior's Facilities Amenity Reserve Fund* (detailed above), and the *Affordable Housing Amenity Reserve Fund*. The offer to the *Affordable Housing Amenity Reserve Fund* is outlined in **Schedule No. 2** and includes the sums in section 7.7(6)(c) of the OCP in addition to an offer of a modular housing unit to a local organization focussed on housing homeless people.

Other Related Regulations

Local Government Act – s.477 (3)

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

Phased Development Agreement

The development's approval is subject to a Phased Development Agreement. The elements within this agreement are discussed above. Phased Development Agreements are adopted through bylaw which will happen subsequent to the OCP and Zoning Bylaw amendment process. As outlined and recommended, the OCP and Zoning bylaws will proceed through First and Second Readings and Public Hearing but prior to Final Readings the Phased Development Agreement process must be completed.

Environmental Development Permit

The development is subject to an environmental development permit concerning a buffer of a stream touching northeast edge of the subject property. A biologist's report and development permit will be required prior to any land development or subdivision within this area.

Form and Character Development Permit

Multi-family development and duplexes within the eventual development will be subject to a form and character development permit.

Subdivision

The development requires subdivision to create the new lots. New road and infrastructure requirements around site servicing and storm water management undergo detailed design and approval at this time.

Tree Cutting Permit

The applicant will require a tree cutting permit in advance of any tree removal on the property.

FINANCIAL IMPLICATIONS:

The development is subject to City and the Regional District Development Cost Charges.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff has spent 40 hours processing and reviewing this application. Should the proposed bylaws receive First and Second Readings, staff will spend an additional 20 hours in preparation for the public hearing, drafting and registration of a Phased Development Agreement and covenant, final reading of the bylaw, and updating the bylaws and maps.

ASSET MANAGEMENT IMPLICATIONS:

As part of subdivision the City will inherit new roadway, park and other infrastructure built to current City standards. These will be incorporated to the City’s asset registers for ongoing maintenance.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

- Communicate appropriately with our community in all decisions we make
- ▲■ Support actions to address Climate Change mitigation and adaptation
- ▲ Explore opportunities for Electric Vehicle Charging Stations
- ▲■ Identify and support opportunities for lower cost housing and advocate for senior government support
- ▲ Encourage and support housing diversity

The November 2019 Strategic Priorities Check-in also identified the following references under the “Next Council Priorities” subsection:

- ▲ Greenway Connectivity Study
- Housing Need Assessment

OFFICIAL COMMUNITY PLAN REFERENCE:

Official Community Plan

3.1 Growth Management:

3.1.2 Goals

1. provide for managed growth
2. ensure equitable taxation for services provided and received
3. support efficient infrastructure development
4. protect environmentally sensitive areas
5. support sustainable development practices

4.4 Residential

4.4.2 Goals

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

-
3. Support the development of housing options for seniors.
 4. Ensure the provision and integration of special needs and affordable housing.
 5. Encourage housing opportunities and convenient community services for individuals having special housing requirements.
 6. Ensure new housing projects introduce innovative and creative design and streetscapes.
 7. Preserve the integrity and character of existing residential areas with any redevelopment proposal.
 8. Ensure all new development includes the provision of amenities including buffer areas along major roads, neighbourhood parks, sidewalks and trails, and public facilities.

4.4.3 Policies

Crown Isle Crown Isle is a comprehensive development consisting of a golf course, residential, commercial and light industrial uses. This project started in 1990 and is governed by the comprehensive development zone in the Zoning Bylaw. It is timely to review the overall concept plan for this development and to maintain a degree of flexibility as originally envisioned. There is a need to review the existing provisions in the zoning of this development for existing and future residents and to bring the existing provisions in line with improvements introduced to the existing Official Community Plan and Zoning Bylaw.2596 The development projected could allow for up to 2784 residential units, golf course, hotel, motel, clubhouse, 124,486 m2 of commercial floor area

4.6 Parks and Open Space

4.6.3 Goals

1. to continue to develop a strong system of community services, parks and recreation facilities which can reasonably be provided within the financial means of the municipality
4. to reinforce and enhance the recreational and environmental values of the natural and open space systems as a link in defining neighbourhood areas
5. to ensure that parks, both active and passive, are distributed throughout the community in an equitable manner
6. to continue to develop a strong community image through park development
8. to work with the Comox Valley Land Trust and other conservancy associations to identify and protect environmentally sensitive areas, wildlife areas, streams and riparian areas.

4.6.4 Policies

6. The City will examine the possibilities of consolidating parkland dedication in order to achieve larger parcels of parkland where appropriate.
9. Future nature parks or ecological parks will be considered for possible acquisition or support on the basis of the following criteria:
 - representative of Courtenay’s natural diversity, wildlife or plant protection;
 - to protect wildlife and riparian habitat;
 - ability to support a variety of outdoor recreation activities including walking, cycling, swimming, picnicking, bird and wildlife watching;
 - presence of viewpoints and vista appreciation;
 - equitable distribution of open space to all parts of the City;

- current status in terms of ownership and zoning;
- opportunities for acquisition, including cost of the land, willingness of the owner to sell community interest in the area and availability of funding sources; and
- protection of donated land through park dedication and covenants.

11. Park dedication and development should occur in the first few phases of a development where applicable. By providing the park early, the future residents know what park amenities they are getting.

12. The majority of the park perimeter should be open to the street. This allows for increased visual enjoyment of the park. It also provides better visual security and reduces conflicts between park users and neighbours that back onto the park.

4.6.5 Greenway Strategy

1. The City will require the integration of greenways and the inclusion of pedestrian walkways within any new subdivision and developments.

2. The City will require safe, continuous and convenient pedestrian routes that link residences to public walkways, transit, public facilities and parks and neighbourhood amenities as part of all subdivision.

3. The Greenway strategy, as outlined on Map #2 Long Range Plan, is designated to serve recreation, transportation and conservation functions by providing for connections between main destinations, parks and residential areas. The use of natural corridors such as waterways and ridges and the use of the road network, pedestrian walkways and greenway systems through the City will help achieve this objective.

The Greenways include the following:

- Crown Isle Greenway through Crown Isle from Anderton Road to Lerwick Road which shall be a minimum of 15 metres wide and from Waters Place to Mission Road shall have a minimum of 10 metres.

4. The City will require pedestrian connections at the end of cul-de-sacs and other roads to provide pedestrian connectivity throughout neighbourhoods.

6. Native vegetation should be preserved, protected and retained within the greenway areas and replaced where feasible. Where Greenways include estuarial, foreshore and riparian habitat areas, care will be taken to respect the foreshore and habitat features and to respond to the sensitivity of these areas.

8. Development of any greenway will depend on the availability of funds to develop and maintain the defined corridors with a right-of-way width of a minimum of 10 metres.

9. Dedication of buffer strips within properties prior to any rezoning of land and/or the use of covenants under Section 219 of the Land Title Act to provide for pedestrian trails and landscaped areas will be required in addition to the 5% parkland dedication requirement.

10. The City will work with other supporting agencies and interested community groups to promote and develop the Greenways Concept and to ensure co-ordination between jurisdictions.

11. Local Area Plans will be prepared for all new development areas in order to determine greenways, parks and applicable school sites. The appropriate mechanisms to acquire such lands will also be identified.

13. The City will incorporate a balanced approach in designing trails to include paved and natural trails and to consider safety and user compatibility for multi-use by all residents.

4.10 Environment

4.10.2 Goals

1. To preserve and protect environmentally sensitive and unique natural areas, particularly areas along the rivers, streams, and shorelines.
2. To preserve and protect riparian areas.
3. To protect and enhance fish and wildlife habitats.
4. To protect the crucial hydrological functions of the area.
5. To protect residents and property from hazards which may be associated with such environmental conditions as steep slopes (greater than 30%), floodplains, unstable soils and fire hazard lands (urban/wildland interface).
6. To work with watershed and stream stewardship groups on environmental related matters.

4.10.4 Environmentally Sensitive Areas

- Environmentally Sensitive Areas (ESA) within the City include:
- watercourses including the sea, ponds, lakes, rivers, streams, natural drainage courses and wetlands
- riparian and wildlife habitat
- any significant geographical feature and are generally outlined on Map #6, Environmental Development Permit Areas

1. The City will protect ESA through the application of the following:-development permits-Tree Protection and Management Bylaw-acquisition/dedication of applicable lands-conservation covenants-joint ownership/management-increased buffer areas or leave strips-amenity provisions through zoning
2. The City will use the Comox-Strathcona Sensitive Habitat Atlas (3rd Edition 2004) and subsequent revisions as a tool to identify wetland and watercourse ESA's.
3. The City will also require the preparation of environmental reviews when considering new developments to determine the location, extent and features of a site and the necessary measures to be implemented to mitigate any environmental impact or rehabilitation opportunities.

REGIONAL GROWTH STRATEGY REFERENCE:

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

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

1A-1 Based on RGS growth management strategy locate housing close to existing services and direct 90 percent of new, residential development to Core Settlement Areas.

1A-2 The focus of higher density and intensive developments shall be within the existing Municipal Areas. Within the Municipal Areas densification and intensification of development is required including infill and redevelopment.

1A-3 Identify specific Town Centres in Municipal Areas through the OCP review process. These Town Centres are to be developed as walkable and complete communities, providing for a range of

housing types focusing on medium and high density housing, employment and commercial uses. There will be a minimum of one Town Centre in the City of Courtenay, one Town Centre in the Town of Comox and one Town Centre in the Village of Cumberland.

1A-6 Increase housing opportunities in existing residential areas in Core Settlement Areas by encouraging multi-family conversions, secondary suites, and small lot infill.

Objective 1-B: Increase affordable housing options

1B-2 Encourage residential multi-unit or multi-lot developments to contribute to affordable housing options including, but not limited to a range of unit sizes and types, lot sizes, multifamily or attached-unit buildings, rental units, and secondary suites. These contributions could take the form of land, cash, buildings or other such items as supported by the local governments.

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

1C-1 Provide a diversity of housing types in the Municipal Areas using the following housing type targets for new development by 2030: These targets are for all Municipal Areas in aggregate.

- 40% Low Density Single unit residential, town homes, semi-detached, secondary suites, 4-24 units per hectare
- 30% Medium Density Low-rise multi-unit up to four storeys, 24-74 units per hectare
- 30% High Density Over four storey multi-units minimum, 74 units per hectare

1C-4 Encourage infill units and secondary suites in residential zones in the Core Settlement Areas.

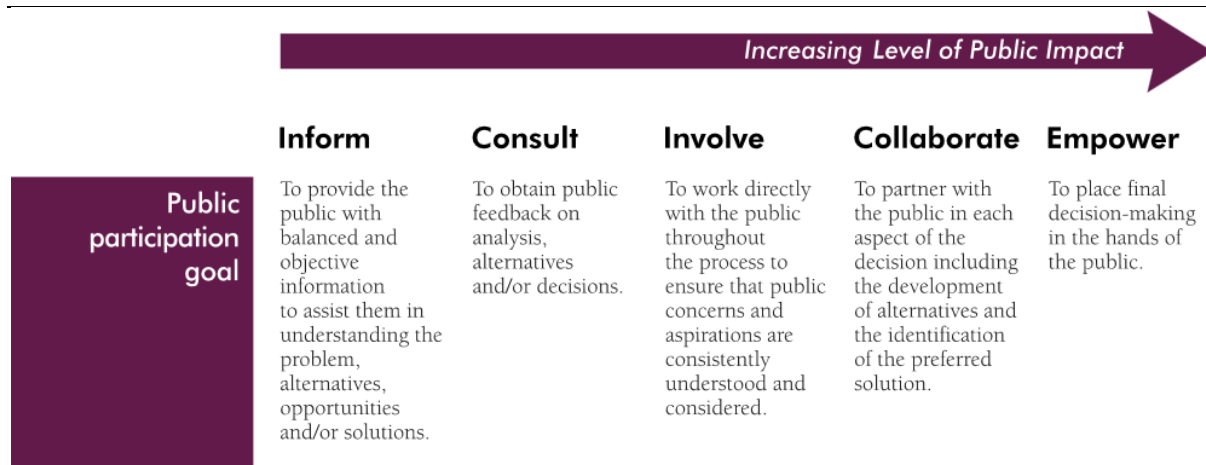
Objective 1-D: Minimize the public costs of housing

1D- 1 Direct the majority of new housing to areas that are or will be serviced through publicly owned water and sewer systems.

1D-4 Encourage green building design through green building standards for new residential development that include water and energy efficiency practices.

CITIZEN/PUBLIC ENGAGEMENT:

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



Should OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*.

Prior to this application proceeding to Council, the applicant held a public information meeting on July 25, 2019 at the Crown Isle Resort Clubhouse. According to the information provided by the applicant, 58 people attended the meeting. All written comment sheets are included with the meeting summary in **Schedule No. 6**.

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

OPTIONS:

OPTION 1: (Recommended)

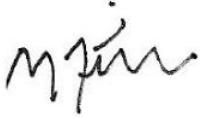
That based on the January 6, 2020 staff report entitled "OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 – Lannan Road." Council approve Option No. 1 and complete the following steps:

1. That Council give First and Second Reading of "OCP Amendment Bylaw No. 2972" to designate the subject property as "Mixed Use";
2. That Council give First and Second Reading of "Zoning Amendment Bylaw No. 2973" to create a new CD1-J subsection of the CD-1 Zone and rezone the area shown on the attached bylaw to CD1-J;
3. That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaws on January 20, 2020 at 5:00 p.m. in City Hall Council Chambers; and,
4. That Final Reading of the bylaws is withheld pending the registration of a Section 219 covenant registering a Phased Development Agreement on the subject property.

OPTION 2: That Council postpone consideration of Bylaws 2972 and 2973 with a request for more information.

OPTION 3: That Council not proceed with Bylaws 2972 and 2973.

Prepared by:



Matthew Fitzgerald, RPP, MCIP
Manager of Development Planning

Reviewed by:



Ian Buck, RPP, MCIP
Director of Development Services

Attachments:

1. *Schedule No. 1 – Applicant’s Project Description*
2. *Schedule No. 2 – Project Description and Rationale*
3. *Schedule No. 3 – Applicant’s proposed Zone*
4. *Schedule No. 4 – Biologist’s Report*
5. *Schedule No. 5 – Circulation Response from CVCP*
6. *Schedule No. 6 – Public Information Meeting Summary*
7. *Schedule No. 7 – Draft OCP Amendment Bylaw 2972*
8. *Schedule No. 8 – Draft Zoning Amendment Bylaw 2973*

Schedule No 1: Applicant's Project Description



Tel: (250) 703-5050 Toll Free: (888) 338-8439
Fax: (250) 703-5051 info@crownisle.com

399 Clubhouse Drive, Courtenay, BC Canada V9N 9G3

October 7, 2019

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

Attention: Ian Buck

RE: Extension of Crown Isle Mixed Use Plan to Lannan Annexation Lands

We are pleased to summarize key features of the Lannan lands rezoning application, which is an innovative proposed 300-unit extension to the larger Crown Isle mixed-use community, one of Vancouver Island's premier destinations for live, work and play and a proud Courtenay icon for nearly 30 years.

The project is being developed by the Crown Isle planning team, and will carry Crown Isle's signature master planning into a new dimension for the Lannan site. The Lannan lands (Fig. 1 Location Plan) are immediately adjacent to townhomes and apartment units in the northeast quadrant of the Crown Isle community, so extending these higher density unit types into Lannan is a natural response to both evolving social and environmental needs, part of the Crown Isle vision for the 2020s.

The Lannan development concept has been carefully crafted to respond to emerging trends in the Courtenay residential market, and hence we seek to appeal to a wider range of housing consumers with a considered mix of housing types from townhomes to coach homes, smaller and larger single detached units, as well as duplexes and apartments intended to broaden the affordability and lifestyle choice matrix at Crown Isle.

Environmental integrity has always been a hallmark at Crown Isle and the Lannan lands are no exception. We have worked carefully with local conservation groups to respect the site's natural features, and we are pleased to be extending the continuous web of green space which the larger Crown Isle master planning has pioneered in Courtenay. Coordinated and extensive landscaping and planting within public and private spaces are integral to the Crown Isle image, and will be extended seamlessly into the Lannan site. Lannan pedestrian paths, for example, will help complete important links in the Courtenay Official Community Plan.

Rainwater design for the Lannan lands will similarly mesh with the integrated rainwater management plans of the entire Crown Isle site, a scale of water management and riparian

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GOLF SHOP RESORT CENTRE VILLAS REAL ESTATE RESTAURANTS GOLF ACADEMY

planting unequalled by any other Courtenay development site. We will work with City staff on the feasibility of incorporating a revised Roadway design to introduce a new standard of bioswale planting, supporting downstream fish populations within and beyond Courtenay by filtering and channelling rainwater from the critical 90% of smaller, more frequent storm events. Rainwater management will be implemented using rainwater storage criteria designed specifically to meet the challenge of climate change, in accordance with recent changes to City-led design storm standards.

Development of the Lannan lands has been contemplated in City servicing plans, including the extension of the Greenwood and Hudson trunk sewers, whose construction funding is predicated on servicing projects such as the Lannan lands. Moving forward with the development on Lannan will be fiscally prudent, and result in a higher standard of effluent treatment through efficient utilization of the community treatment system, compared to if that same development were to occur on rural lots with septic field disposal within the Regional District.

While meeting our strict policy of quality design control, our Lannan homes will also all be solar-ready with EV stations being a requirement in all new multi-family developments, and the family of Crown Isle home builders will all be required to meet the Built Green standard of green building. Multi-family options at higher densities, friendlier to walkable community living will comprise more than half of the dwelling units in Lannan, a significant increase in density from adjacent neighbourhoods. At the same time there will be a transition of densities, respectful of neighbouring homes and vistas.

Crown Isle is proud to have served as a continuous site for employment in the range of 300 people annually for the last 30 years, and the Lannan development site will encourage that commitment to a vibrant community and local entrepreneurship to remain stable and hopefully growing as we expand into new market segments for both Crown Isle and Courtenay. We are excited by the opportunity and look forward to working with the Council and staff at Courtenay to fulfill the vision.

We seek your support for 1st and 2nd reading of the bylaws, so a formal public review process of our Lannan concept plans can begin. We believe this proposed rezoning fulfills the intent of Council when it supported bringing these lands into the City as a logical extension of the urban fabric of Courtenay.

Sincerely,



Rick Waldhaus, C.P.A. – G.G.A.
CFO, Crown Isle Resort and Golf Community

Schedule No. 2: Project Description and Rationale



2019-09-03

Rick Waldhaus
Silverado Land Corp.
399 Clubhouse Drive
Courtenay, BC. V9N 9G3

Re: Official Community Plan and Zoning Bylaw Amendment (Lannan Road)
Lot 1, Plan VIP76495, DL 206, Comox Land District

Jorden Cook Associates
2689 HARDY CRESCENT
NORTH VANCOUVER, BC
CANADA V7H 1K3

TEL. 604.831.9193
rccook@jordencook.com

The City of Courtenay Development Services Department, by letter of 2019-08-14, has asked for an expansion on the intent/project description of how the proposed Official Community Plan (OCP) amendment to 'Mixed Use' aligns with applicable vision statements found in Part 2: Vision and Strategy section of the Courtenay OCP. Further the City have asked for additional information on how the proposed zone (CD1-J) is consistent with the intended 'Mixed Use' designation.

A. OCP Amendment to 'Mixed Use'

The Crown Isle area has been successfully developing as a premier Courtenay location for residential, hotel, restaurant, commercial retail and golf course development for nearly 30 years. It has developed under a Comprehensive Development zone intended for a mixture of uses.

The Lannan property abuts Crown Isle on its north and west boundary. Land to the east and south of the site remain within the regional district. Since the site was brought within the City of Courtenay, the intent of the owners has always been to develop these lands as an integrated part of the Crown Isle master planning, building on the success of a generation of high quality design and mixed-use development, which has proven itself over and over in the marketplace.

The Crown Isle site is designated as Mixed Use in the Courtenay OCP. Mixed Use is therefore the most logical designation based on this neighbouring adjacency as well as the intent of the Crown Isle owners to develop this site as a fully integrated part of the Crown Isle brand. The Lannan site is of similar physical character to the adjacent Crown Isle lands, and therefore suitable for extension of the Crown Isle Mixed Use. The road, utility and pedestrian path layouts and proposed uses reflect the integrated master plan approach. The proposed mix of uses is compatible with the adjacent Crown Isle sub-area, that is, townhouse, apartment, smaller and larger single family sites and park areas south of Britannia Way.

Section 2 of The City of Courtenay OCP Bylaw 2387, 2005, as amended to October 2, 2017, describes the City's Vision and Strategy. At its broadest, it speaks to a City that is 'unique and different from other communities' and a desire to become 'the most liveable community in the province'. The Crown Isle project, of which the Lannan lands are proposed as a natural extension, is one of the most uniquely successful long-term mixed-use communities on Vancouver Island, and indeed, in the entire province. It has shops and regionally significant

MARKET-BASED LAND USE AND SITE PLANNING, BUILT ON LONG-TERM ENVIRONMENTAL AND SOCIAL VALUES



retail employers. The golf course and associated resort development and hotel continues to be an important tourist draw and local employer. Over the years an increasing range of housing types, all with a very high standard of aesthetic design and landscaping, have made this an extremely desirable place for new residents in the Comox Valley to locate. The proximity to the new regional hospital only adds to this appeal. Crown Isle has been a willing and open partner to many community events and causes.

When the Vision speaks to:

- ‘an inclusive, open and caring community’,
- ‘commitment to continued excellence’,
- ‘the ability to ensure a high level of aesthetic and architectural design’,
- ‘a role to be the centre of commerce for the Comox Valley’,
- ‘an expanding parks, natural areas and greenways system’,
- ‘a strategy to lead in environmental protection’, and
- ‘commitment to serve youth and seniors’;

the Lannan site, as an integral extension of the Crown Isle project, including architectural and landscape design controls, mixes of housing types, and extension of important trail and park systems, is very supportive of the Vision contemplated by the City of Courtenay OCP.

Consistent with the City’s Strategy, the Lannan portion of Crown Isle will extend the Crown Isle reputation for ensuring the highest levels of aesthetic design, under the Crown Isle architectural and landscape design controls program. With a mix of apartment, townhouse, duplex and varying size of single family lots, the Lannan site will offer one of the most significant ranges of housing types at Crown Isle. Pedestrian paths proposed along the south and east edges of the property will integrate with other trails in the area to extend Crown Isle’s and Courtenay’s reputations as communities that are friendly to walkers and bicycle riders. It will complete an important ‘Desired Greenway Link’ on the OCP Land Use Plan.

The Lannan site development is expected to extend Courtenay’s attraction to retirees as an increasingly vital part of the character and economy. An important part of that appeal will come through encouraging a range of housing types and densities, including accessible ground-oriented units. The project will meet the objectives of the most current Sustainability Checklist of the City.

In sum the Lannan project, as a wholly compatible part of the larger Crown Isle Mixed Use development will support many of the critical Vision and Strategy elements in Courtenay’s adopted Official Community Plan. Inclusion of the Lannan site within the Crown Isle designation for Mixed Use will be an important component assuring both existing and prospective Crown Isle residents that the Lannan site will be developed consistent with the quality and standards which residents and the City have come to expect from Crown Isle over the last 30 years.

B. Zoning Amendment to CD1-J

Consistent with other residential sub-areas of the Crown Isle Comprehensive Development CD-1 Zone, the concept for CD1-J (Attachment 1 of the application) for the Lannan site is for a mix of dwelling unit types: duplex, multi-residential (townhouse, apartment), single family lots of varying size, and secondary suites.

JCA-Silverado-Lannan OCP-R1.docx

Page 2



This is consistent with the residential uses permitted in Crown Isle CD-1 sub-areas A, B, G, H and I, but also adds secondary suites as a permitted use, and a single-family lot minimum area of 400 m², which is 15% lower than in other Crown Isle single-family sub-areas. The provision for secondary suites and smaller single-family lots will enhance affordability for this portion of Crown Isle, consistent with the Mixed Use OCP designation. The proposed zoning will be familiar for existing and prospective Crown Isle purchasers in the Lannan project area.

In sum, both the proposed zoning and OCP designations for the Lannan application area are entirely appropriate and supportable in our professional opinion for the site, including in the context of its surroundings.

Sincerely,
Jordan Cook Associates

R. B. Cook, MCP, RPP, MLAI



2019-12-13

Mathew Fitzgerald, Manager of Development Planning
The City of Courtenay

Re: Rezoning Application for Lot 1, Plan VIP76495, DL206, Comox Land District, and Block 72 Comox Land District

Staff have requested some additional information in support of the above rezoning application.

Jorden Cook Associates
2689 HARDY CRESCENT
NORTH VANCOUVER, BC
CANADA V7H 1K3

TEL 604.831.9193
jcook@jordencook.com

On the provision of multiple family housing within the proposed CD1-J zone, we note that an important constraint on new development has recently been lifted, that being support for extension of the Hudson and Greenwood trunk sanitary sewers. As a result Crown Isle was enabled to support a new 96-unit multi-family development on the north side of Ryan Road. We see similar demand emerging for the Lannan site. Even before a rezoning is considered by Council on the Lannan site, our understanding is that there is serious interest in 50 (fifty) units of multi-family on the site.

To further Council and staff's objectives to broaden the diversity of housing type in Courtenay in general, and Crown Isle, our client, Silverado Land Corp. is committed to a maximum of 122 single family units (consistent with the conceptual lot layout attached) out of a total of 330 units proposed for the site. We are prepared to continue with a 300 unit maximum as originally applied for, however, we are also willing to increase that by 10% to 330 units in response to staff discussions. We believe this modest increase in overall density of the proposal is consistent with the presentation and public responses at the public information meeting, in particular our commitment to 2-storey townhouse units adjacent to Britannia Place, while also adding to the housing affordability options for the site consistent with recent Council goals. With these commitments we are confident this site will mark a significant shift to multi-family and small-lot options for this edge of the Courtenay community. At the same time we remain cognizant of the desire of the Lannan site neighbours for transitions in building height and density, as reflected in the comments at the public information meeting.

We have reviewed the City website and OCP for direction in an adopted bylaw or policy for contributions to the Parks, Recreation, Culture and Senior's Facilities Amenity Reserve Fund (Parks Amenity Fund) or Affordable Housing Amenity Reserve Fund (Housing Amenity Fund). Section 7.7 of the OCP bylaw provides Council's direction. Our client is committed to follow the contribution policies adopted by Council in the OCP for the Parks Amenity Fund and Housing Amenity Funds. We also note in accordance the City of Courtenay Affordable Housing Policy, the CD1-J zone proposes secondary suites as a permitted use, a use which Crown Isle supports for inclusion in these lands, and for which there were no objections voiced at the public information meeting. In lieu of a Housing Amenity Fund cash contribution, and subject to City approval, Crown Isle will also explore an opportunity to work with the Dawn-to-Dawn Action on Homelessness Society, so these funds could be put to immediate constructive use on affordable housing for the homeless.



We are pleased to commit to all of the single family units being solar-ready and roughed in for electric vehicle(EV) charging in the garage, and that multi-family projects will be provided with EV stations. All builders on the Lannan site will be required to be Built-Green Certified.

The recent park dedicated at 2600 Crown Isle Drive will be irrigated and hydroseeded, with tree planting and benches added by the Crown Isle workforce, to enable this park area to be immediately useable by all Courtenay citizens. We would appreciate credit for the cost of these works, if they are considered Parks Amenity Fund or DCC amenities.

Approximately 3.7 acres of the 40-acre Lot 1 site is shown on the Conceptual Lot Layout for park use. The exact area will be confirmed by survey through the subdivision process, similar to other areas of the Crown Isle site. At time of subdivision, the City may wish to redesignate the finalized park parcel areas as PA-2 zoning, or they may leave these sites in the CD1-J zone totally at the City's discretion.

The Conceptual Lot Layout also illustrates the approximate location of a multi-use path which is fully consistent with the Desired Greenway Link shown on the City of Courtenay adopted Official Community Plan Land Use Plan map (see excerpt below). The greenway provides a primary off-street active transportation connection, supplementing the standard sidewalk connections within the local street network to be constructed at subdivision. Our client is committed to constructing the greenway path network to City standards within one year of registration of a subdivision to enable early use of this OCP-designated link by all Courtenay citizens.

Sincerely,
Jordan Cook Associates

R. B. Cook, MCP, RPP, MLAI

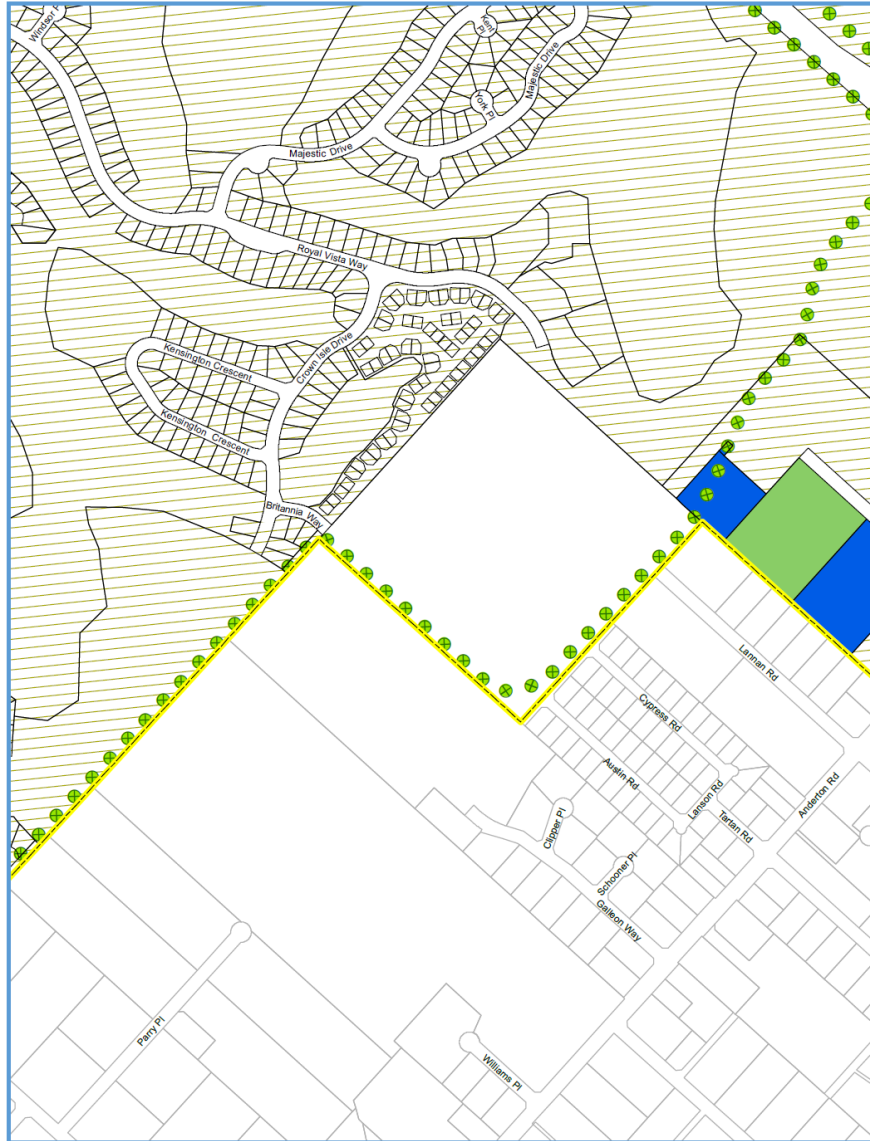


Figure 1: Desired Greenway Links per Courtenay OCP




Tue 12/17/2019 11:08 AM

Rick Waldhaus <rwaldhaus@crownsle.ca>

Fwd: Message from "RNP002673C8511E"

To Fitzgerald, Matthew; Buck, Ian

Message  20191217105839014.pdf (19 KB)

Action Items

+ Get more apps

Hi Matthew and Ian.

Further to our discussion on affordable housing amenities, in addition to the contribution to the Affordable Housing Amenity Reserve Fund defined in the OCP, we will provide/donate one Unit B Affordable Housing unit to Dawn to Dawn, Action on Homelessness Society, for which a specification sheet has been attached.

Please contact me at your earliest convenience today as we want to wrap this up today in order to have 1st and 2nd reading on January 6th.

Thanks,

Rick W.

DAWN TO DAWN
AFFORDABLE HOUSING UNIT "B"
SPECIFICATIONS

- 20' long X 8' 6" wide x 9' 6" high unit
- Spray foam insulation
- 10 gallon hot water tank
- 2 ventilation fans
- Includes bedroom, kitchen and bathroom
- Varathaned wooden walls and ceiling
- Linoleum flooring
- Arborite kitchen cabinets and countertops
- Built in eating table
- Kitchen includes refrigerator, double sink and induction electric hotplate
- Baseboard electric heat
- Bathroom includes fiberglass standup shower and low flush toilet

Schedule No. 3: Applicant’s Proposed Zone (December 2019)

“SCHEDULE 1”

ZONING AMENDMENT

1. Amend “Permitted Uses” Section 8.32.2 to add new Area J with the following uses:

- *single residential* dwellings
- *duplex* dwellings
- *multi-residential* dwellings
- *secondary suites*
- *accessory* buildings and structures
- *boarding*
- *home occupation*

2. Amend “Densities” Section 8.32.3 to add new Area J with the following densities:

- Approximately 330 *single residential, duplex and multi-residential* dwellings.

3. Amend “Density – General Regulations” Section 8.32.4(3) to add:

- (e) Properties within Area J

4. Amend “Lot Coverage” Section 8.32.5 to add:

- (3) Area J 50%

5. Amend “Minimum Lot Sizes” Section 8.32.6 to add new Area J with the following minimum lot size: 400 m²

6. Amend “Setbacks” Section 8.32.9 to add an additional paragraph defining the yard setbacks for the newly created Area J as follows:

- Single Family Front Yard: 6.0 m
- Single Family Rear Yard: 6.0 m
- Single Family Side Yards: 1.5 m
- Single Family Exterior Side Yard: 3.0 m
- Duplex Front Yard: 6.0 m
- Duplex Rear Yard: 6.0 m
- Duplex Side Yard: 1.5 m
- Duplex Exterior Side Yard: 3.0 m
- Multi Residential Front Yard: 6.0 m

- Multi Residential Rear Yard: 6.0 m
- Multi Residential Side Yard: 4.5 m
- Multi Residential Exterior Side Yard: 4.5 m

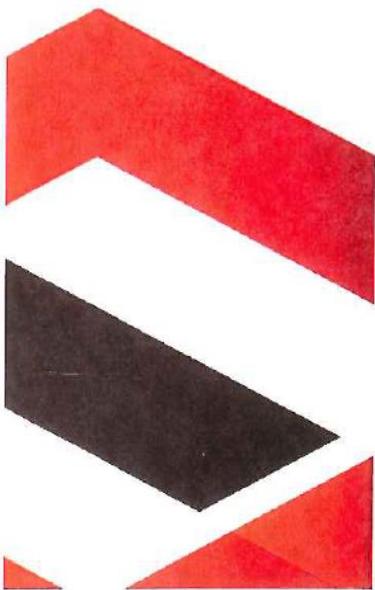
Schedule No. 4: Biologist's Report



May 14, 2019

**Lannan Development Site
Wetland Assessment
Britannia Way, Courtenay**

Walter Ernst, RPF (#4071), ISA Certified Arborist – Municipal
Specialist (PN-7288AM), Certified Tree Risk Assessor, PMP



PROFESSIONALLY RESOURCEFUL



Introduction:

An assessment of wetter sites (within a strip of timber) associated with the Lannan development site was requested by Cindy Hannah (RPBio) of Strategic Natural Resource Consultants (SNRC), with the objective being to determine if these areas were associated with a wetland type or if they were seasonally wet sites associated with drainages in the area. This would determine whether an RAR was required for a wetland feature. On August 30, 2017, Walter Ernst (RPF, Cert. Arb.) of Strategic Natural Resource Consultants (SNRC) carried out the wetland assessment.

Methodology:

As part of the assessment, three ecological plots were conducted over the timbered site. Within each plot, the following details were noted such as ecological information (biogeoclimatic subzone (BEC), site series), general stand types, ground vegetation, soil characteristics, previous stand disturbances, drainage patterns, and overall site conditions through the area. Outside of the plots, the area was ground-truthed and typed / mapped accordingly.

Site Description:

Based on provincial biogeoclimatic (BEC) zone mapping, the project area is located within the Very Dry Maritime Coastal Western Hemlock subzone (CWHxm). This subzone variant is typified by warm, dry summers and moist, mild winters with relatively little snowfall. Growing seasons are typically long with potential water deficits on zonal sites. During the assessment of the wet site, the following two strata were observed:

Stratum 1 – 3.3 hectares (includes Plot 2):

The site series classification consists of a 05 (14/15) complex. The 05 is associated with moderately well to well drained raised sites. The 14 and 15 sites are associated with small scattered pockets of strongly fluctuating water table sites. Soil moisture is predominantly fresh but ranges from fresh to wet, and soil nutrient level is rich. The ground is flat to very gently sloping (0-5% grades). The site consists of a second growth mixed-wood stand type. The site was previously harvested, regenerated naturally and has fire history evidence (e.g. fire scarring). Stand structure is semi-open (crown closure is 45-75%). Vegetation is dominated by sword fern, trailing blackberry, and slough sedge with minor secondary components of salmonberry, bracken fern, dull Oregon grape, red huckleberry, and prickly rose. Soils were moderately drained overall with localized imperfect drainage. Soil depth was 80cm+, with soils consisting of SiL texture, low coarse fragments (5-20%), and has a moder-mull humus. Refer to Figure 1 for a photo of this site.





Figure 1: Photo of Stratum 1 (CWHxm 05 (14/15) site series).

Stratum 2 – 0.6 hectares (includes Plot 3):

The site series classification consists of an 01/03 (drier / rockier) complex. Soil moisture is slightly dry, and soil nutrient level is medium. The ground is flat to very gently sloping (0-5% grades). The timber within this site is dominated by second growth conifers. The site was previously harvested, regenerated naturally and has fire history evidence (e.g. fire scarring). Stand structure is closed to semi-open (crown closure is 60-80%). Vegetation is dominated by salal, dull Oregon grape, and trailing blackberry with minor secondary components of red huckleberry, bracken fern, and sword fern. Soils were well drained. Soil depth was 60-80cm+, with soils consisting of SiL texture, moderate coarse fragments (20-45%), and has a mor humus. Refer to Figure 2 for a photo of this site.



Figure 2: Photo of Stratum 2 (CWHxm 01/03 site series).

Stratum 3 – 0.6 hectares (includes Plot 1):

The site series classification consists of a 14/15 complex. The 14 and 15 sites are associated with strongly fluctuating water table sites. Soil moisture ranges from moist to wet, and soil nutrient level is rich to very rich. The ground is flat to very gently sloping (0-5% grades). The timber within this site is dominated by second growth deciduous trees with a minor conifer component. Stand structure is open (crown closure is 15-35%). Vegetation is dominated by slough sedge and trailing blackberry with minor secondary components of salmonberry, bracken fern, sword fern, Pacific crab apple and Pacific



ninebark. Soils were imperfectly drained. Soil depth was 30-60cm, with soils consisting of SiCL to SiL texture, nil coarse fragments, and has a moder-mull humus. The soil moisture was noted to be very dry when I visited the site; however, judging by the Pacific reed grass concentrations the site is more than likely wetter over the winter months. Refer to Figure 3 for a photo of this site.



Figure 3: Photo of Stratum 3 (CWHxm 14/15 site series).

Refer to Appendix I for a map showing Stratums 1 to 3 and Appendix II for the plot data associated with Plots 1 to 3.

Results / Conclusions:

Based on the field assessment and review of the Wetlands of BC handbook, it was determined that the wet sites (Stratum 3 and small pockets within Stratum 1) did not fit any of the wetland types (bogs, marshes, fens, forested / tall shrub swamp, or floodplain types). It was determined that the wet areas most represented sites with strongly fluctuating water-tables associated with the 14 (Western red cedar – black twinberry) and 15 (Western red cedar – slough sedge) site series.

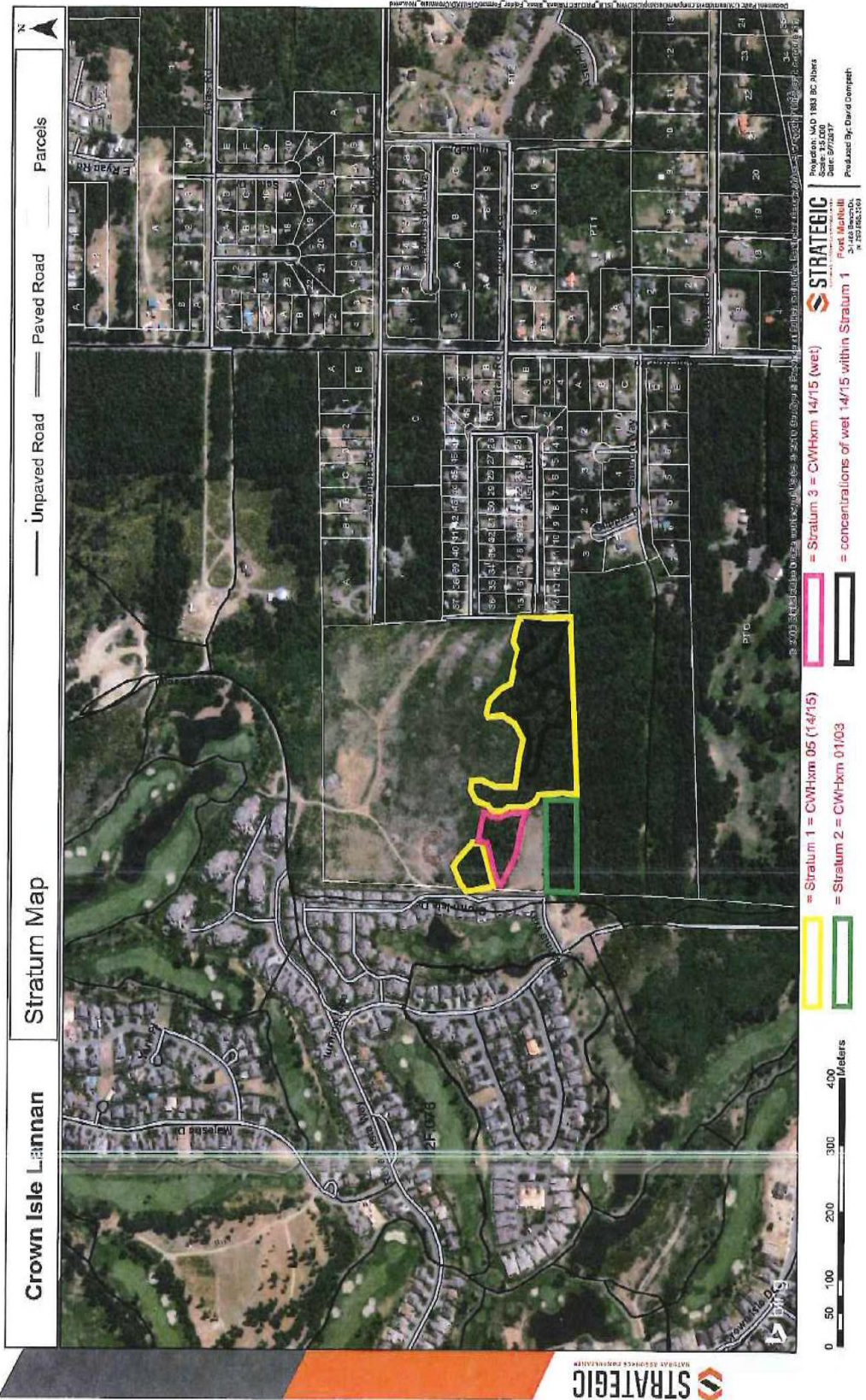
Field work and report completed by: Walter Ernst, RPF (#4071), ISA Certified Arborist – Municipal Specialist (PN-7288AM), Certified Tree Risk Assessor, and PMP.





Appendix I – Lannan Development Stratum Map







Appendix 2 – Lannan Development Stratum Plot Data



SP Plot Card (Coast Region):

Project: Lannan Development RAR Wetland Assessment
Licensee: Crown Isle
Surveyor: Walter Ernst, RPF
Date: 2017-08-29
Location: Britannia Rd, Courtenay
Plot Number: 3
Stratum: 2

| Topographic Features: | |
|-----------------------|--------------|
| Slope Position: | Level |
| Slope Shape: | Straight |
| Slope Uniformity: | long uniform |
| Gullies (Y / N) | N |
| Slope %: | 0-5 |
| Aspect: | Flat |

| Ecology: | | | |
|--------------|-------|-----|---|
| BEC Subzone: | CWHxm | | |
| SMR: | 2-3 | | |
| SNR: | C | | |
| Site Series: | 1 | 2 | 3 |
| Type: | 01 | 03 | |
| %: | 80% | 20% | |

| Stand Characteristics: | Value | |
|--|------------------------------|---------|
| Old growth (OG) / Second Growth (SG) / Mixed | SG | Conifer |
| Stand Structure: | Closed to semi-open | |
| Stand History: | Logged/ Natural/Fire history | |
| Coarse Woody Debris | L-M | |
| Snags / Wildlife Tree (approx. density) | 0-50 | |
| Understory Regen (Spp. / Dist.) | Low amount | |
| Existing Windthrow (L, M, or H) | L | |
| Approximate Age | 60-80 | |
| Crown Closure % (CC%) | 60-80 | |
| Height range | 30 | |
| DBH Range | 20-70 | |

| Indicator Plants: | Species | Moisture Index | Nutrient Index | % |
|-------------------|----------------------------|----------------|----------------|-----|
| 1 | GASH - Salal | 0 | 1 | 20% |
| 2 | POMU - Sword Fern | 0 | 3 | 5% |
| 3 | PTAQ - Bracken Fern | 0 | 0 | 3% |
| 4 | RUUR - Trailing blackberry | 3 | 2 | 20% |
| 5 | MANE - Dull Oregon Grape | 3 | 2 | 15% |
| 6 | VAPA - Red Huckleberry | 0 | 1 | 10% |
| Average: | | 1.0 | 1.5 | |

| Soil Characteristics: | Comments |
|-----------------------|----------------|
| Texture: | SIL |
| Colour: | gray |
| CFC: | 0 |
| Drainage: | Well |
| Restricting Layer | Glacial till |
| Humus Form Type: | Mor |
| Rooting Depth (cm): | 60-80 (avg 70) |
| LFH: | 20 |
| Bm horizon | 50 |
| Total Depth: | 70 |

SP Plot Card (Coast Region):

Project: Lannan Development RAR Wetland Assessment
Licensee: Crown Isle
Surveyor: Walter Ernst, RPF
Date: 2017-08-29
Location: Britannia Rd, Courtenay
Plot Number: 2
Stratum: 1

| Topographic Features: | |
|-----------------------|--------------|
| Slope Position: | Level |
| Slope Shape: | Straight |
| Slope Uniformity: | long uniform |
| Gullies (Y / N) | N |
| Slope %: | 0-5 |
| Aspect: | Flat |

| Ecology: | | | |
|--------------|--------|-----|-----|
| BEC Subzone: | CWHxm | | |
| SMR: | 4-(7I) | | |
| SNR: | D | | |
| Site Series: | 1 | 2 | 3 |
| Type: | 05 | 14 | 15 |
| %: | 80% | 10% | 10% |

| Stand Characteristics: | Value | |
|--|------------------------------|------------|
| Old growth (OG) / Second Growth (SG) / Mixad | SG | Mixed-wood |
| Stand Structure: | Semi-open | |
| Stand History: | Logged/ Natural/Fire history | |
| Coarse Woody Debris | L-M | |
| Snags / Wildlife Tree (approx. density) | 0-50 | |
| Understory Regen (Spp. / Dist.) | Low amount | |
| Existing Windthrow (L, M, or H) | L-M | |
| Approximate Age | 60-80 | |
| Crown Closure % (CC%) | 45-70 | |
| Height range | 30-35 | |
| DBH Range | 20-100 | |

| Indicator Plants: | Species | Moisture Index | Nutrient Index | % |
|-------------------|----------------------------|----------------|----------------|-----|
| 1 | CAOB - Slough Sedge | 6 | 3 | 25% |
| 2 | POMU - Sword Fern | 0 | 3 | 85% |
| 3 | RUSP - Salmonberry | 5 | 3 | 3% |
| 4 | PTAQ - Bracken Fern | 0 | 0 | 3% |
| 5 | RUUR - Trailing blackberry | 3 | 2 | 30% |
| 6 | MANE - Dull Oregon Grape | 3 | 2 | 5% |
| 7 | VAPA - Red Huckleberry | 0 | 1 | 5% |
| 8 | ROAC - Prickly Rose | 3 | 2 | 5% |
| Average: | | 2.5 | 2.0 | |

| Soil Characteristics: | Comments |
|-----------------------|--|
| Texture: | Small pockets of seasonally wet sites scattered within this area. Dry right now with extreme drought but have water tables at wetter times of year. Does not fit any of wetland classes. |
| Colour: | |
| CFC: | |
| Drainage: | |
| Restricting Layer | |
| Humus Form Type: | |
| Rooting Depth (cm): | |
| LFH: | |
| Bm horizon | |
| Total Depth: | |

SP Plot Card (Coast Region):

Project: Lannan Development RAR Wetland Assessment
Licensee: Crown Isle
Surveyor: Walter Ernst, RPF
Date: 2017-08-29
Location: Britannia Rd, Courtenay
Plot Number: 1
Stratum: 3

| Topographic Features: | |
|-----------------------|--------------|
| Slope Position: | Level |
| Slope Shape: | Straight |
| Slope Uniformity: | long uniform |
| Gullies (Y / N) | N |
| Slope %: | 0-5 |
| Aspect: | Flat |

| Ecology: | | | |
|--------------|----------|-----|---|
| BFC Subzone: | CWH1m | | |
| SMR: | 6f to 7f | | |
| SNR: | D-E | | |
| Site Series: | 1 | 2 | 3 |
| Type: | 14 | 15 | |
| %: | 50% | 50% | |

| Stand Characteristics: | Value | |
|--|-------|------------------------------------|
| Old growth (OG) / Second Growth (SG) / Mixed | SG | Deciduous leading (minor conifers) |
| Stand Structure: | Open | |
| Stand History: | | |
| Coarse Woody Debris | M | |
| Snags / Wildlife Tree (approx. density) | 0-50 | |
| Existing Windthrow (L, M, or H) | M | |
| Approximate Age | 30-45 | |
| Crown Closure % (CC%) | 15-35 | |
| Height range | 30-35 | |
| DBH Range | 10-35 | |

| Indicator Plants: | Species | Moisture Index | Nutrient Index | % |
|-------------------|----------------------------|----------------|----------------|-----|
| 1 | CAOB - Slough Sedge | 6 | 3 | 85% |
| 2 | POMU - Sword Fern | 0 | 3 | 5% |
| 3 | RUSP - Salmonberry | 5 | 3 | 5% |
| 4 | PTAQ - Bracken Fern | 0 | 0 | 2% |
| 5 | PHCA - Pacific Ninebark | 5 | 3 | 5% |
| 6 | MAFU - Pacific Crab Apple | 6 | 3 | 5% |
| 7 | RUUR - Trailing blackberry | 3 | 2 | 45% |
| Average: | | 3.6 | 2.4 | |

| Soil Characteristics: | | Comments |
|-----------------------|----------------|--|
| Texture: | SICL | SICL to SIL. Strong seasonally fluctuating water table. Dry right now with extreme drought but has water table at wetter times of year. Does not fit any of wetland classes. |
| Colour: | gray | |
| CFC: | 0 | |
| Drainage: | Imperfect | |
| Restricting Layer | Glacial till | |
| Humus Form Type: | Moder-Mull | |
| Rooting Depth (cm): | 30-60 (avg 40) | |
| LFH: | 10 | |
| Bm horizon | 30 | |
| Total Depth: | 40 | |



Date: October 18, 2017

To: Rick Waldhaus, Silverado Land Corp
399 Clubhouse Drive
Courtenay, BC V9W 9G3

From: Cindy Hannah, RPBio
Strategic Natural Resource Consultants
321-1180 Ironwood Street
Campbell River, BC V9W 5P7

Subject: Overview Environmental Assessment of the Lannan Development Property

Background

Strategic Natural Resource Consultants (SNRC) was retained to conduct an overview environmental assessment of the proposed Lannan development property at Crown Isle. The overall purpose of the assessment was to locate any environmental features that would need to be considered in future development on the property and to provide recommendations for any additional assessments that may be required. The focus of the assessment was to locate watercourses as any streams or waterways on the property may require additional assessments under the Riparian Areas Regulation (RAR). This overview assessment was conducted for planning purposes in order to design a proposed development plan for the site.

The assessment was conducted on June 8, 2017 by Cindy Hannah, RPBio and Stephen Johnston, BIT of SNRC. The weather was overcast with showers. An additional assessment was conducted on October 13 to determine connectivity of the identified ditches.

Site Description

The proposed property is located off of Britannia Way in Courtenay BC (Figure 1). The property is approximately 16.5ha in size and has been mostly cleared of vegetation. There is an approximately 4ha area that is forested at the southern portion of the property. There are several gravel roads on the property.

Observations

An assessment of the property located wet areas within the forested area of the property. A short ditch was located along the east property boundary and there is a ditch/stream off the northeast corner of the property that drains from stormwater ponds on the golf course.



PROFESSIONALLY RESOURCEFUL

Silverado Land Corp – Lannan Development Environmental Assessment

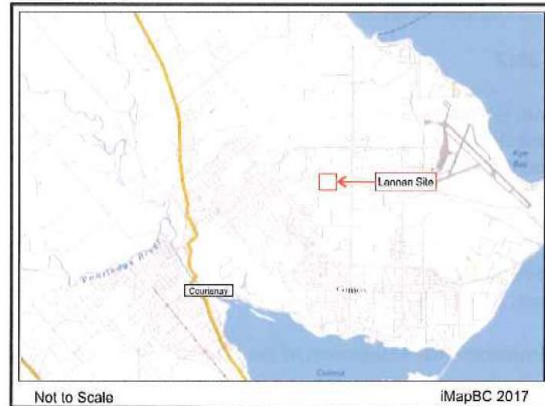


Figure 1. Area map showing location of assessment area.

Wet Areas within Forested Area

There are two wet seepage areas within the forested area of the property. These areas lack defined channels with scour or mineral alluvium and are not streams as defined under the Riparian Areas Regulation (RAR). These seepage areas source from the property with no significant headwaters. They were mostly dry at the time of the assessment. They drain towards the headwaters of Brooklyn Creek. The seepage areas have organic bottoms with vegetation that consists predominantly of sedges, sword fern and salmonberry (Photos 1 and 2). A site visit on August 22, 2017 with Bruce Nidle, RPBio of PGL, was conducted for peer review. It was mutually decided that the seepage areas do not meet the definition of a stream under the Riparian Areas Regulation. As these areas are wet in the winter (as evidenced by the presence of sedges), it was recommended to have the areas assessed by a QEP to determine if they would be considered wetlands under the RAR. Walter Ernst, RPF of SNRC, conducted the assessment and determined that these wet areas are not true wetlands, but have fluctuating water tables¹.

The RAR defines a stream “as any watercourse – natural or human-made – that provides fish habitat that contains water of a perennial or seasonal basis, is scoured by water or contains observable deposits of mineral alluvium, or has a continuous channel bed...”² This seepage area is not scoured by water, does not contain mineral alluvium and does not have a continuous channel bed.

East Ditch

There is an approximately 85m long ditch along the eastern property boundary north of the end of Austin Road. It is a small, shallow, seasonal ditch with no significant headwaters. There was shallow water at the time of the assessment (Photo 3). The ditch dissipates in a low area south of Austin Road (Photo 4). There is no connection to fish bearing water and a RAR is not required for this small ditch.

¹ SNRC. Lannan Development Site, Wetland Assessment, Britannia Way Courtenay. 2017.

² Ministry of Water, Land and Air Protection. Riparian Areas Regulation Assessment Methodology. 2006. P.13



Silverado Land Corp – Lannan Development Environmental Assessment

Northeast Corner Drainage

There is a drainage located on the adjacent property off the northeast corner in the vicinity of the water tower (Photo 5). It is approximately 2m wide with an organic bottom that drains from the ponds to the northwest. There are sedges throughout, but no scoured channel and it drains into two stormwater culverts (Photo 6). The ditch is not located on the property, but further assessment would be required to determine connectivity to fish prior to development plans being designed.

Conclusions and Recommendations

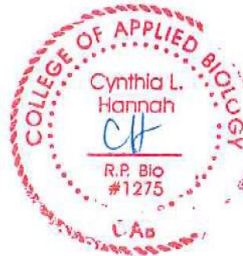
The wet seepage areas within the forested portion of the property are not defined as streams under the Riparian Areas Regulation. It should be noted that these seepage areas drain towards the headwaters of Brooklyn Creek which is a known fish bearing stream. Any development designs should maintain this drainage pattern. Any development in these areas should be conducted during favorable weather when the seepages are dry to minimize the risk of downslope sedimentation.

The east ditch dissipates and does not connect directly to fish bearing water and an RAR is not required for this small ditch.

The waterway to the northeast of the property will require further assessment to determine if an RAR assessment is triggered. Should an RAR assessment be required, the assessment will determine if it is a stream or a ditch to determine the appropriate SPEA. Although the waterway is not on the property, the setback, if required, may extend onto the property. If the waterway is a stream it would require a 10m wide SPEA. If it is defined as a ditch and not as a stream the setback would be approximately 6m wide for a fish bearing ditch, or 2m wide for a non-fish bearing ditch.

Please feel free to contact me at 250-616-3758 or by email at channah@snrc.ca if you have any questions.

Cindy Hannah, RPBio
Strategic Natural Resource Consultants Inc.



COPY
Original signed and sealed on file



Silverado Land Corp – Lannan Development Environmental Assessment



Photo 1: The forested portion of the property has two seepage areas. They have organic bottoms with sedges.



Photo 2: The forested portion of the property has two seepage areas. They have organic bottoms with sedges.



Photo 3: There is a short ditch along the east property line north of the end of Austin Road.



Photo 4: The ditch dissipates south of Austin Road and does not connect to fish bearing water.



Photo 5: There is a ditch/stream off of the northeast corner of the property.

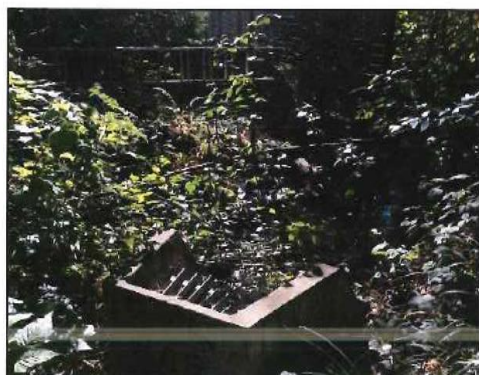


Photo 6: There is a drainage on the property to the north that drains into two storm inlets. One culvert is located beyond the ladder in the picture.



Schedule No. 5: Circulation Response from CVCP



Erin Nowak
Program Coordinator
(250) 203-5644
Email: erin@cvlandtrust.ca

Mailing Address
P.O. Box 3462
Courtenay, BC V9N 5N5

Office:
2356a Rosewall Crescent
Courtenay, BC, V9N 8R9

Partner Organizations

Comox Valley Land Trust
Project Watershed
Millard-Piercy Watershed Stewards
Morrison Creek Streamkeepers
Beaufort Watershed Stewards
Comox Valley Nature
Comox Valley Water Watch Coalition
Brooklyn Creek Watershed Society
Perseverance Creek Streamkeepers
Cumberland Community Forest
Society
Mack Laing Heritage Society

Support Organizations

CV Sustainability Project
CV Council of Canadians
Friends of Comox Lazo Forest Society
Forbidden Plateau Road Residents
Association
Black Creek Streamkeepers
Saratoga and Miracle Beach Residents
Association
Arden Area Residents Association
Friends of Strathcona Park
Merville Area Resident's & Ratepayers
Association
VI Whitewater Paddling Association
Mountaineer Avian Rescue Society
Macdonald Wood Park Society
Tsolum River Restoration Society

Funding Partners

Real Estate Foundation of B.C.
Community Gaming Grant
RBC Blue Water Fund
Comox Valley Regional District
City of Courtenay
Village of Cumberland

www.cvlandtrust.ca/cvcp/

Date: Oct 23, 2019

Re: Letter of Support, Planning Referral Lannan Rd/333 Clubhouse Dr

To: Ian Buck, City of Courtenay, Director of Development Services.

Recently, the Comox Valley Conservation Partnership (CVCP) met with Rick Waldhaus (Chief Financial Officer/Crown Isle) and Jason Andrew (Director of Real Estates/Crown Isle) in response to our concerns outlined to the City of Courtenay (Sept 3rd, 2019) regarding the Lannan Rd/333 Clubhouse Dr proposal.

We were pleased to learn that Crown Isle has since taken steps to improve communications with the local Brooklyn Creek Streamkeepers and addressed their concerns separately as well in this process.

The CVCP endorses the voluntary action of Crown Isle to relocate a proposed stormwater detention pond to a higher developed zone of the proposal as a result of meeting with Brooklyn Creek Streamkeepers. Therefore, allowing a higher percentage of unaltered, natural landscape to act as a natural infrastructure. In our meeting, the CVCP also encouraged Crown Isle to follow the 2019 consultant's Wetlands Assessment in regards to the site's hydrology and pursue additional riparian area recommendations.

The CVCP feels at this point, our meeting and the collaborative progress between Crown Isle, Brooklyn Creek Streamkeepers and CVCP on this proposal have alleviated our primary concerns.

We appreciate time of the Crown Isle team and the opportunity to address our concerns in person. As well, we (CVCP) look forward to working in partnership with Crown Isle on the future development projects.

Sincerely,

Erin Nowak
Program Coordinator
Comox Valley Conservation Partnership

Schedule No. 6 – Public Information Meeting Summary



Tel: (250) 703-5050 Toll Free: (888) 338-8439
Fax: (250) 703-5051 info@crownisle.com
399 Clubhouse Drive, Courtenay, BC Canada V9N 9G3

August 1, 2019

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

Attention: Ian Buck/Matthew Fitzgerald
Re: Rezoning Application for Lot 1, Plan VIP76495, DL206, Comox Land District
and Block 72 Comox Land District

Dear Ian/Matthew:

Please find enclosed our report on the public information meeting we held on July 25, 2019 at the Crown Isle clubhouse regarding the rezoning of the above captioned property. Also enclosed is the list of attendees and copies of the various comments provided by the attendees.

Should you have any questions or require any further information, please do not hesitate to call me.

Yours truly,

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

Rick Waldhaus, CFO
Silverado Land Corp.

www.crownisle.com

GOLF SHOP RESORT CENTRE VILLAS REAL ESTATE RESTAURANTS GOLF ACADEMY

SILVERADO LAND CORP.
REPORT ON PUBLIC INFORMATION MEETING HELD ON JULY 25, 2019
RE: REZONING/OCP APPLICATION # 6480-20-1902/#3360-20-1920

A public information meeting was held in the Silver Room at the Crown Isle Resort Clubhouse on July 25, 2019 from 4:00 - 6:00 PM.

The meeting was well attended by approximately 45 to 50 residents (attendee lists attached) that were informed through a letter that was sent directly to a list of individual addresses provided by the City of Courtenay. Three large billboards were also erected at the end of Britannia Way, the end of Royal Vista Way and the end of Lannan Road.

Each individual residence was given a package that included the following:

OCP / Zoning Amendment Information Including:

1. The map outlining the areas relating to the re-zoning
2. Rezoning details
2. Comment Sheet for further comment

Maps were displayed in the room and Crown Isle representatives provided information regarding the application and were available to answer questions from individuals present.

All of the attendees at the meeting were generally positive about the rezoning application. The main questions stemmed around what type of development would back on to existing residences (particularly the Britannia Place strata development), and construction traffic. In response to the construction traffic, we advised the attendees of the multiple access points to the Lannan property (Lannan Road, Crown Isle Drive and Royal Vista Way, as well as gravel road access through our undeveloped lands) that will help alleviate and “spread out” the construction traffic while development occurs.

PUBLIC INFORMATION MEETING

Thursday July 25, 2019

SIGN IN SHEET

FOR: Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

| Name (Please Print) | Address |
|-------------------------|---------------------------|
| | Unit 386 Britannia |
| | 357 |
| | 185-3399 Crown Isle Dr |
| | 634-3666 Royal Vista Dr. |
| | 1901 Ryan Rd |
| | 3399 Crown Is. Dr. |
| | 3030 Kensington Cres. |
| | 534 #3666 ROYAL VISTA WAY |
| | #7-1640 Anderton. |
| | #17 1640 Anderton |
| | 3269 Cr-Isle Dr. |
| | 879 - EASTWICK CR. |
| | 257-3399 Crown Isle Dr |
| | 625-3666 Royal Vista Dr |
| | 642-3666 " " " |
| | 2666-433 Royal Vista Dr |
| | 2886 Crown Isle Dr. |
| | 4211-3399 Crown Isle Dr |
| | 371-3399 Crown Isle Dr |
| | 381-3399 Crown Isle Dr |
| 371-3399 Crown Isle Dr. | |
| 394-3399 Crown Isle Dr | |
| 315-3666 Royal Vista | |

PUBLIC INFORMATION MEETING

Thursday July 25, 2019

SIGN IN SHEET

FOR: Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

| Name (Please Print) | Address |
|------------------------|--------------------------|
| [REDACTED] | 3399 CROWN ISL - DRIVE |
| | 17-1640 Brenton Rd |
| | 121-3666 ROYAL VISTA WAY |
| | 532-3666 Royal Vista Way |
| | 351-3399 Crown Isle Dr. |
| | 422-3666 ROYAL VISTA WAY |
| | 160-3399 CROWN ISLE DR. |
| | 2911 BRITANNIA WAY. |
| | 516-3666 ROYAL VISTA WAY |
| | 365-3399 Crown Isl Dr |
| | 2933 Britannia Way |
| | 1901 Ryan Rd. |
| | 3630 Royal Vista Way |
| | " |
| | 612-3666 Royal VISTA WAY |
| | 635-3666 Royal Vista Way |
| | 623-3666 Royal Vista |
| | 160-3399 Crown Isle Dr |
| 367-3399 Crown Isle Dr | |
| | |
| | |
| | |
| | |

PUBLIC INFORMATION MEETING


Thursday July 25, 2019

SIGN IN SHEET

FOR: Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

| Name (Please Print) | Address |
|--|--------------------------------|
|  | 2374 Idens Way, STN BC VAN 9J3 |
| | 2126 Austin Rd, Comox |
| | 1901 Ryan Rd E. Owner |
| | |
| | |

PUBLIC INFORMATION MEETING

Thursday, July 25, 2019

Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

COMMENT SHEET

Name:

[Redacted]

Email:

[Redacted] com

Address:

351-3399 Crown Isle Dr.

Phone:

[Redacted]

Silverado Land Corp. has applied to the City of Courtenay for a zoning Amendment for Lot 1, Plan VIP76495, DL206, Comox Land District and Part of Block 72. This project is under review by staff in the Planning Department of the City.

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

- We agree with the proposed zoning amendment.
- We would like to have assurances that any development in close proximity to Britannia Place is residential and limited to a maximum of 2 stories.

Please return your comments by Thursday, August 1, 2019

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

1. Hand your comment sheet in tonight.
2. Drop your comment sheet off at the front desk in the Clubhouse at Crown Isle (Attn: Rick Waldhaus).
3. Email your comment sheet to rwaldhaus@crownsisle.ca
4. Deliver your comment sheet to the City of Courtenay, attention Development Services Department. Email: planning@courtenay.ca Fax: 250-334-4241

PUBLIC INFORMATION MEETING

Thursday, July 25, 2019

Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

COMMENT SHEET

Name: [REDACTED]

Email: [REDACTED]

Address: 160-3399 CROWN ISLE DR.

Phone: [REDACTED]

Silverado Land Corp. has applied to the City of Courtenay for a zoning Amendment for Lot 1, Plan VIP76495, DL206, Comox Land District and Part of Block 72. 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 have received the documents and fully support the rezoning. I am also president of Britannia Place, the strata immediately adjacent to the project. Our Owners expressed overwhelming support for the 10 units adjacent to B.P. at the south end at our last AGM in August 2018, which will be added to B.P. While I cannot speak for every Owner in B.P., from my conversations with Owners, I know there is widespread support for the rezoning. Our only proviso is that units immediately adjacent to our strata be limited to a maximum of 2 storeys. Silverado has verbally committed to that condition. We will, of course, be carefully looking at any further subdivision and building permit applications with respect to the buildings adjacent to B.P. We have had a good relationship with Crown Isle for the past 20 years and expect that relationship to continue.

Please return your comments by Thursday, August 1, 2019

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PUBLIC INFORMATION MEETING

Thursday, July 25, 2019

Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

COMMENT SHEET

Name:

Email:

Address: 879 Eastwicke Crescent

Phone:

Silverado Land Corp. has applied to the City of Courtenay for a zoning Amendment for Lot 1, Plan VIP76495, DL206, Comox Land District and Part of Block 72. 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?

Opinions from perspective patio home purchasers within the Phase V development

Confirmation of the fact that the application does not include any multi family residences directly east of Britannia, Phase V, was reassuring.

The pathway(s) shown and discussed on the preliminary plan drawing are a welcome placement and we make the assumption that this would mean there are adjacent green belts.

The length of time designated for the approvals of the rezoning, subsequent subdivision and construction of Phase V permits are disappointing. We fail to understand which part of this process needs to be of such an extended period.

We felt that the majority of audience questions were answered with facts and/or best estimates. However, it is our suggestion that more informational sessions or newsletters would be welcomed in order to keep people informed. Knowledge deters dissension

Please return your comments by Thursday, August 1, 2019

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PUBLIC INFORMATION MEETING

Thursday, July 25, 2019

Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

COMMENT SHEET

Name: [REDACTED] Email: [REDACTED]@com
Address: 634-3666 Royal Vista Way Phone: [REDACTED]

Silverado Land Corp. has applied to the City of Courtenay for a zoning Amendment for Lot 1, Plan VIP76495, DL206, Comox Land District and Part of Block 72. This project is under review by staff in the Planning Department of the City.

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

We have lived in the last building built at Corinthia Estates (#6) at the end of Royal Vista Way for approx. 4 years. The paving of Royal Vista Way does not extend as far as our building so for the past 4 years we have had to live with the dust created by the large construction vehicles flying past our building. We request that this section of Royal Vista Way and beyond be fully PAVED prior to the start of any new construction in this development so that we can BREATHE for the next 5-10 years.

We bought a condo on the south side of building #6 because of the spectacular view. We do so hope that any new buildings in this new development will NOT be higher than 2 stories. We love to see the mountains & glacier

Please return your comments by Thursday, August 1, 2019

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

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7/30/2019

Crown Isle Resort and Golf Community Mail - Zoning Amendment



Zoning Amendment

1 message



Tue, Jul 30, 2019 at 3:13 PM

We were concerned at the presentation to learn that Britannia Way would be used as a main artery for construction of the Lot 1, Plan VIP76495, DL206, Comox Land District and Part of Block 72. We hope that during construction:

- workmen's cars will not use Britannia Way as a parking lot
- that the existing hedge around the current Britannia Place remain in place until construction of the new 10 units is completed
- that crews start at a reasonable hour i.e. 7 a.m. and finish at 4 p.m.
- that any earth trails used for construction be oiled or watered on a regular basis to reduce dust.

Zoning Comments - New Area J

We are also concerned about the proposed rezoning for this area. Specifically, secondary suites, boarding, and accessory buildings and structures. Crown Isle has built a reputation as a premium community and development and this should be continued in the new phase.

We are pleased with your promise not to build multi-residential dwellings immediately adjacent to Britannia Place either by the existing homes or the new phase 5 Britannia homes.

What are you defining as a multi-residential building and structure?

What does accessory buildings and structures mean? Are you going to allow separate garages and horse and other animal barns?

Why is home occupation listed as a permitted use?

Thank you for your attention to these questions and for your presentation.

Sincerely,



8/2/2019

Crown Isle Resort and Golf Community Mail - laanan rezoning silverado



laanan rezoning silverado

1 message




Thu, Aug 1, 2019 at 9:48 PM

The recent public information regarding the rezoning of the old Lannan property was received with a welcome and positive sigh of relief by those in attendance . People continue to move to the Comox Valley in increasing numbers and a great many of them are retirees making Crown Isle in particular a top choice for their future home .Additional home sites made available through this development will help ease the demand
As a partner in the development of Britannia Place patio homes we have been waiting a long time for this and so have prospective purchasers..We applaud Both Crown Isle and the City of Courtenay for we have been anxious to help fulfill the demand for more patio homes for a number of years now but only now have been given a green light to proceed with a development permit application for our 5th and last phase at Britannia Place in conjunction with, and pending upon ,the approval of Crown Isle's proposal for the rezoning
Since this procedure was initiated we have compiled a list of over 30 people who are awaiting information on our next phase so the news of this rezoning application was met with relief,hope and great joy
We look forward to an expediant passing of this application by the City
Brent Cunliffe

The recent public information regarding the rezoning of the old Lannan property was received with a welcome and positive sigh of relief by those in attendance. People continue to move to the Comox Valley in increasing numbers and a great many of them are retirees making Crown Isle in particular a top choice for their future home. Additional home sites made available through this development will help ease the demand. As a partner in the development of Britannia Place patio homes we have been waiting a long time for this and so have prospective purchasers. We applaud Both Crown Isle and the City of Courtenay for we have been anxious to help fulfill the demand for more patio homes for a number of years now but only now have been given a green light to proceed with a development permit application for our 5th and last phase at Britannia Place in conjunction with, and pending upon, the approval of Crown Isle's proposal for the rezoning. Since this procedure was initiated we have compiled a list of over 30 people who are awaiting information on our next phase so the news of this rezoning application was met with relief, hope and great joy.

We look forward to an expedient passing of this application by the City





Tue 7/30/2019 3:21 PM

Julie Tuepah <jtuepah@shaw.ca>

Zoning Amendment

To Planning@lrs

We were recently at a presentation for the Zoning Amendments proposed for the extension of Crown Isle.

We were concerned at the presentation to learn that Britannia Way would be used as a main artery for construction of the Lot 1, Plan VIP/6495, DL206, Comox Land District and Part of Block 72. We hope that during construction:

- workmen's cars will not use Britannia Way as a parking lot
- that the existing hedge around the current Britannia Place remain in place until construction of the new 10 units is completed
- that crews start at a reasonable hour i.e. 7 a.m. and finish at 4 p.m.
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Zoning Comments - New Area J

We are also concerned about the proposed rezoning for this area. Specifically, secondary suites, boarding, and accessory buildings and structures. Crown Isle has built a reputation as a premium community and development and this should be continued in the new phase.

We are pleased with Silverado's promise not to build multi-residential dwellings immediately adjacent to Britannia Place either by the existing homes or the new phase 5 Britannia homes.

What are you defining as a multi-residential building and structure?

What does accessory buildings and structures mean? Are you going to allow separate garages and horse and other animal barns?

Why is home occupation listed as a permitted use?

Thank you for your attention to these questions.

Sincerely,



PUBLIC INFORMATION MEETING

Thursday, July 25, 2019

Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

COMMENT SHEET

Name:

Email:

Address: 879 Eastwicke Crescent

Phone:

Silverado Land Corp. has applied to the City of Courtenay for a zoning Amendment for Lot 1, Plan VIP76495, DL206, Comox Land District and Part of Block 72. 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?

Opinions from perspective patio home purchasers within the Phase V development

Confirmation of the fact that the application does not include any multi family residences directly east of Britannia, Phase V, was reassuring.

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PUBLIC INFORMATION MEETING

Thursday, July 25, 2019

Zoning Amendment

Legal Address: Lot 1, Plan VIP76495, DL 206, Comox Land District and Part of Block 72

Street Address: Lannan Road and 333 Clubhouse Drive

COMMENT SHEET

Name: [REDACTED]

Email: [REDACTED]

Address: 634-3666 Royal Vista Way

Phone: [REDACTED]

Silverado Land Corp. has applied to the City of Courtenay for a zoning Amendment for Lot 1, Plan VIP76495, DL206, Comox Land District and Part of Block 72. This project is under review by staff in the Planning Department of the City.

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We have lived in the last building built at Corinthia Estates (#6) at the end of Royal Vista Way for approx. 4 years. The paving of Royal Vista Way does not extend as far as our building so for the past 4 years we have had to live with the dust created by the large construction vehicles flying past our building. We request that this section of Royal Vista Way and beyond be fully PAVED prior to the start of any new construction in this development so that we can BREATHE for the next 5-10 years.

We bought a condo on the south side of building #6 because of the spectacular view. We do so hope that any new buildings in this new development will NOT be higher than 2 stories. We love to see the mountains & glacier

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3. Email your comment sheet to rwaldhaus@crownsisle.ca
4. Deliver your comment sheet to the City of Courtenay, attention Development Services Department. Email: planning@courtenay.ca Fax: 250-334-4241

Schedule No. 7 – Draft OCP Amendment Bylaw 2972

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2972

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. 2972, 2019”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by changing the land use designation of Lot 1, District Lot 206, Comox District, Plan VIP76495 (Lannan Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, to Mixed Use; 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 _____ day of _____, 2020

Read a second time this _____ day of _____, 2020

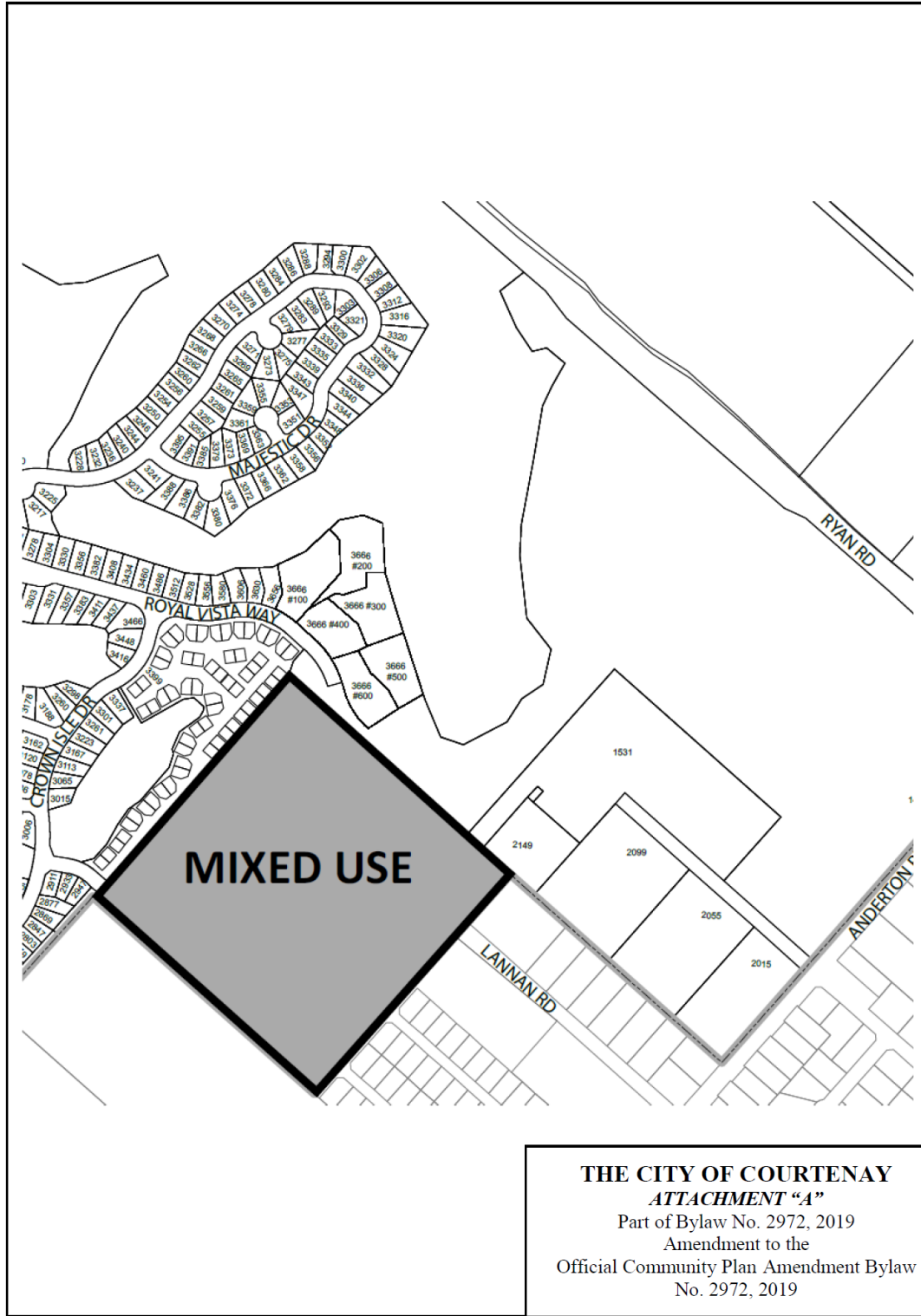
Considered at a Public Hearing this _____ day of _____, 2020

Read a third time this _____ day of _____, 2020

Finally passed and adopted this _____ day of _____, 2020

Mayor

Director of Legislative Services



THE CITY OF COURTENAY
ATTACHMENT "A"
Part of Bylaw No. 2972, 2019
Amendment to the
Official Community Plan Amendment Bylaw
No. 2972, 2019

Schedule No. 8 – Draft Zoning Amendment Bylaw 2973

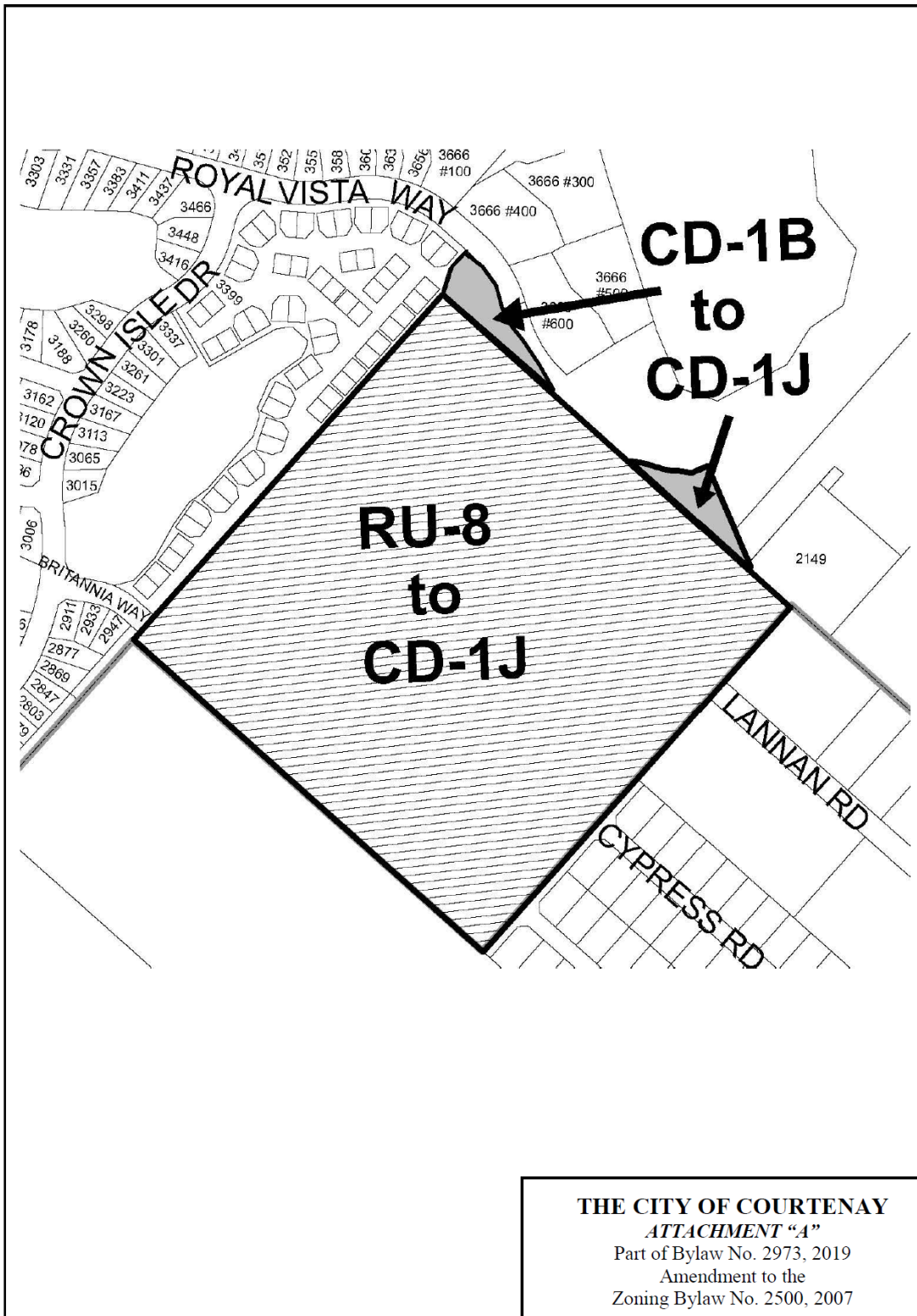
THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2973

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. 2973, 2019**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.2 Permitted Uses through the addition of:
 - “(8) Within the CD-1J area:
 - (a) *Single residential dwelling*
 - (b) *Duplex dwelling*
 - (c) *Multi-residential dwelling*
 - (d) *Secondary suite*
 - (e) *Accessory buildings and structures*
 - (f) *Boarding*
 - (g) *Home occupation*”
 - (b) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.3 Densities through the addition of:
 - “(8) Within Area J:
 - (a) Up to 122 *single residential dwellings* with or without a *secondary suites*
 - (b) Up to 208 *duplex dwelling* or *multi-residential dwelling* units”
 - (c) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.5 Lot Coverage through the addition of:
 - “(3) Within Area J: 50%”
 - (d) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.6 Minimum Lot Sizes through the addition of:
 - “(9) Area J: 400 m²”





THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 6480-01

From: Chief Administrative Officer

Date: January 6, 2020

Subject: 2020 Age-friendly Communities Program Grant Application (Stream 1)

PURPOSE:

The purpose of this report is to obtain Council support to apply for grant funding through the 2020 Ministry of Health's Age-friendly Communities Program Grant.

CAO RECOMMENDATION:

THAT based on the January 6, 2020 staff report "2020 Age-friendly Communities Program Grant Application (Stream 1)", Council approve OPTION 1 and authorize the application for grant funding through the 2020 Ministry of Health's Age-friendly Communities Program to include an age-friendly lens to policies in the OCP.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The Provincial Government has provided over \$7 million to support the Age-friendly Communities grant program since 2005. To date, over 150 communities in BC have completed projects or been approved for funding, including local governments and First Nation communities.

With strong alignment with the Official Community Plan (OCP), staff intend to apply for Stream 1, which is designed to support the development of plans in order to enable seniors and Elders to age in place and to facilitate the creation of age-friendly communities. The maximum grant under Stream 1 is 100% of the cost of eligible activities – to a maximum of \$25,000. As part of the application, submission of a Council resolution indicating support for the application and willingness to provide overall grant management resource is required. The application guide is attached to this report (**Attachment No. 1**).

DISCUSSION:

Preparation for aging society is an urgent matter for many communities in Canada as rapid senior population growth is anticipated in the next few decades. Located in a desirable climate, Comox Valley is considered one of the best places in Canada to live. As such, many retirees are lured to the Valley from other parts of the country. In Courtenay, the population over 65 years of age represents 26.1% of the total population (2016 Census).

A healthy and age-friendly community for seniors will be one of the topic areas of the OCP update process which is currently underway, and some local experts in the field are members to the OCP Advisory Committee. If successful, the grant would be an opportunity to provide dedicated resources and allow the City to investigate further into seniors needs and opportunities.

Staff have discussed the grant opportunity with community stakeholders including members of the OCP Advisory Committee and Comox Valley Elders Take Action. While the Elders Take Action organization declined to provide support, Vancouver Island Health Authority, Glacier View Lodge, Comox Valley Coalition to End Homelessness and the Community Health Network as well as the OCP Advisory Committee are supportive of the grant application (**see attached letters**). Staff consider there is a tremendous value in applying for the grant in terms of both enhancing the OCP review process and setting the stage for future age-friendly community projects with other partners.

Proposed tasks will include consultation targeting seniors, needs assessment, and establishment of goals and strategies. Staff hope that the effort made in Stream 1 would qualify the City to apply for a Stream 2 grant in the future. Stream 2 is a funding stream to support local projects that enable seniors to age in place as identified in the previous stream.

ADMINISTRATIVE IMPLICATIONS:

Development Services department staff will administer the grant and oversee policy development in coordination with the OCP project. This will include liaising with community partners, while acting as the point of contact with the grant administrator. As the policies will be developed in concert with the OCP update, for which resources are already committed, staff impacts will be negligible.

FINANCIAL IMPLICATIONS:

There are no direct financial implications. All tasks will be conducted through the grant funds provided.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications in Stream 1 stage.

2019 - 2022 STRATEGIC PRIORITIES REFERENCE:

Strategic Priorities 2019 - 2022

We continually invest in our key relationships

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

We support diversity in housing & reasoned land use planning

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

November 2019 Strategic Priority Chart (NOW)

- OCP – Consultation Process (public input/consult report)

OFFICIAL COMMUNITY PLAN REFERENCE:

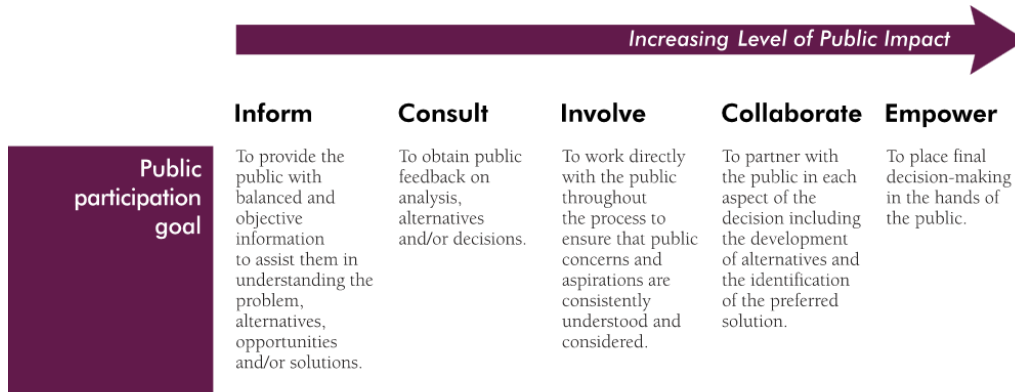
Not specifically referenced but the project aligns with the current work on updating the OCP.

REGIONAL GROWTH STRATEGY REFERENCE:

Not referenced.

CITIZEN/PUBLIC ENGAGEMENT:

If the grant application is successful, Staff will “collaborate” with the community based on the IAP2 Spectrum of Public Participation during the development of the OCP and the age-friendly policies.



OPTIONS:

OPTION 1: That Council authorize staff to apply for grant funding through the Age-friendly Communities programs Stream 1 to include an age-friendly lens to policies in the OCP. **(Recommended)**

OPTION 2: Council not support application for the Age-friendly Communities programs Stream 1.

Prepared by:

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

Reviewed by:

Ian Buck, MCIP, RPP
Director of Development Services

Attachment No. 1 – 2020 Program & Application Guide

Attachment No. 2 – Letters of Support

Appendix No. 1 - 2020 Program & Application Guide



Age-friendly Communities 2020 Program & Application Guide

1. Introduction

The Age-friendly Communities program assists communities in BC to support aging populations by developing and implementing policies and plans, undertaking projects that enable seniors and Elders to age in place, and facilitating the creation of age-friendly communities.

Since 2005, the provincial government has provided over \$7 million to support the program. To date, over 150 communities in BC have completed projects or been approved for funding, including local governments and First Nation communities.

2020 Age-friendly Communities Program

The Ministry of Health has committed additional funding to the program and grants are now available for 2020 program.

For local governments, this will include the continuation of funding under Stream 1: Age-friendly Assessments, Action Plans & Planning and Stream 2: Age-friendly projects.

All First Nations are now eligible to apply directly for Stream 1 funding.

2. Other Programs & Resources

In an age-friendly community, the policies, services, and structures related to the physical and social environment are designed to support seniors and Elders to "age actively." In other words, the community is set up to enable seniors and Elders to be healthy and well, to continue to participate in activities they enjoy, live safely, and stay engaged with their families, communities, Nations, and cultures.

The creation of age-friendly communities in BC builds on findings from the [World Health Organization's Age-friendly Cities](#) and the Canadian Age-friendly Rural & Remote Communities projects in 2007.

The Province of BC, in collaboration with key partners including health authorities, has advanced the age-friendly agenda since 2007 to engage and support local governments in preparing their communities for an aging population. Age-friendly BC (AFBC) is supported by:

1. The Age-friendly Communities grant program, which is administered by [UBCM](#).
2. [Age-friendly BC Community Recognition](#), which is administered by the BC Ministry of Health.
3. Services to support age-friendly projects or planning, which are provided by the [BC Healthy Communities Society](#) (BCHC):
 - Applicants approved under the 2020 Age-friendly Communities program may be eligible to apply for a range of process, planning, and policy supports from BCHC.

4. A commitment to meet the needs of an aging population and work with partners to ensure people of all ages and abilities feel included and valued in their communities, which is provided by the [Ministry of Health](#).

3. Guiding Principles

All 2020 applications should consider a commitment to the following guiding principles:

- Community Driven and Flexible - solutions are based on local priorities and plans;
- Catalyst for Action and Sustainability – activities enable local governments and Indigenous peoples to enhance and improve services for older adults and over time;
- Focus on Age-Friendly Components - activities are focused on one or more of the eight age-friendly community components with clear outcomes;
- Coordinated - activities of different levels of government and community partners, including health authorities, are coordinated to support community-based outcomes and avoid duplication among programs and projects;
- Inclusive – activities consider equity and inclusion for all populations, including Indigenous peoples.

4. Eligible Applicants

All local governments (municipalities and regional districts) in BC are eligible to apply for Stream 1 or Stream 2 funding. All First Nations in BC are eligible to apply for Stream 1 funding only.

Eligible applicants can each submit one application.

5. Eligible Projects

Eligible projects are new community planning or projects that are undertaken by an eligible applicant and that demonstrate congruency with the guiding principles of the program.

In addition, to qualify for funding, projects must:

- Be a new project (retroactive funding is not available);
- Be capable of completion by the applicant within one year of approval;
- Focus on one or more of BC's eight age-friendly community components:
 - Outdoor spaces and buildings
 - Transportation (including traffic safety)
 - Housing
 - Respect, social inclusion, or cultural safety
 - Social well-being and participation
 - Communications and information
 - Community engagement and employment
 - Community support and health and wellness services

Eligible & Ineligible Activities & Costs

Eligible costs are direct costs that are approved by the Evaluation Committee, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted.

Stream 1: Age-friendly Assessments, Action Plans & Planning

The intent of this funding stream is to support communities to develop or update assessments or plans in order to enable seniors and Elders to age in place and to facilitate the creation of age-friendly communities. The maximum grant under Stream 1 is \$25,000.

Under Stream 1, eligible activities must be cost-effective and may include:

- Development of a local age-friendly plan or assessment;
- Creation of specific plans and/or policies that address one or more of the eight community components (see Section 5);
- Engagement of seniors and Elders in planning activities;
- Adding an age-friendly or seniors'/Elders' lens to existing plans or policies, such as:
 - Comprehensive Community Plans, Official Community Plans, Integrated Community Sustainability Plans, Health and Wellness Plans, or community or neighbourhood plans;
 - Reconciliation plans, frameworks, or agreements;
 - Zoning and other bylaws (subdivision, snow removal, parking, etc.);
 - Development permit requirements;
 - Emergency response, evacuation, and/or emergency social services plans;
 - Design guidelines;
 - Active transportation planning;
 - Food security and food systems planning;
 - Community planning processes related to social determinants of health (e.g. affordable housing, homelessness, etc.);
 - Community health plans.

Stream 2: Age-friendly Projects

The intent of this funding stream is to support local governments (municipalities and regional districts) to undertake local projects that enable seniors and/or Elders to age in place and facilitate the creation of age-friendly communities. The maximum grant under Stream 2 is \$15,000.

In order to be eligible for Stream 2, eligible applicants are required to have a completed an age-friendly assessment or action plan, or demonstrate that their Official Community Plan, Integrated Sustainability Community Plan, or an equivalent plan, is inclusive of age-friendly planning principles.

Under Stream 2, eligible activities must be cost-effective and may include:

- Support for persons with dementia;

- Increased community accessibility (transportation, housing, services);
- Provision of recreation and healthy living activities and/or referral and support to link seniors and/or Elders with recreation and healthy living services;
- Community gardens and healthy eating;
- Health literacy and promotion (e.g. workshops, guides, etc.);
- Chronic disease prevention;
- Injury prevention and community safety (including traffic safety);
- Intergenerational projects;
- Promotion of age-friendly business practices;
- Prevention of elder abuse.

The 2020 Age-friendly Communities program is not intended to be a capital funding program. However, minor capital expenditures for eligible activities that have a clear and definable benefit to seniors and/or Elders and that are clearly linked to programming for seniors and/or Elders will be considered for funding under Stream 2.

Capital costs cannot exceed 40% of the total requested Stream 2 grant (i.e. an application for a \$15,000.00 grant cannot include more than \$6,000.00 in capital costs).

Ineligible Activities & Costs

Any activity that is not outlined above or is not directly connected to activities approved in the application by the Evaluation Committee is not eligible for grant funding. This includes:

- Development of feasibility studies, business cases, architectural, engineering or other design drawings for the construction or renovation of facilities providing services to seniors and/or Elders, including housing and care facilities;
- Fundraising;
- Sidewalk, path, or trail construction or improvements, or other infrastructure projects.

6. Grant Maximum

Stream 1 can contribute a maximum of 100% of the cost of eligible activities – to a maximum of \$25,000. Stream 2 can contribute a maximum of 100% of the cost of eligible activities – to a maximum of \$15,000.

In order to ensure transparency and accountability in the expenditure of public funds, all other grant contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant.

7. Application Requirements & Process

Application Deadline

Applications are due by January 17, 2020 and applicants will be notified of the status of their application within 90 days.

Required Application Contents

- Completed Application Form;
- Local government Council/Board resolution, or Band Council Resolution, indicating support for the current proposed activities and willingness to provide overall grant management; and
- Detailed budget that indicates the proposed expenditures and aligns with the proposed activities outlined in the application form. Although additional funding or support is not required, any other grant funding or in-kind contributions should be identified.

Submission of Applications

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca Mail: 525 Government Street, Victoria, BC, V8V 0A8

Review of Applications

UBCM will perform a preliminary review of applications to ensure the required application elements (identified above) have been submitted and to ensure that basic eligibility criteria have been met. Only complete application packages will be reviewed.

Following this, the Evaluation Committee will assess and score all eligible applications based on the proposed activities and alignment with the guiding principles. Higher application review scores will be given to applications that:

- Demonstrate direct participation of seniors and/or Elders;
- Complement the Health Promotion Initiatives regarding seniors and/or Elders outlined in Appendix 1;
- Include collaboration with health authorities or other partners (e.g. school districts, First Nations or Indigenous organizations, seniors and/or Elders, senior- and/or Elder-serving organizations, community organizations, and other local governments).

Point values and weighting have been established within each of these scoring criteria. Only those applications that meet a minimum threshold point value will be considered for funding.

The Evaluation Committee will also consider the location of each application in order to ensure a balanced representation of projects across the province.

All application materials will be shared with the Province of BC and the
BC Healthy Communities Society

8. Grant Management & Applicant Responsibilities

Grants are awarded to eligible applicants only and, as such, the applicant is responsible for completion of the project as approved and for meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. UBCM reserves the right to audit these records.

Notice of Funding Decision

All applicants will receive written notice of funding decisions. Approved applicants will receive an Approval Agreement, which will include the terms and conditions of any grant that is awarded, and that is required to be signed and returned to UBCM.

Grants are awarded in two payments: 70% at the approval of the project and when the signed Approval Agreement has been returned to UBCM, and 30% when the project is complete and UBCM has received the required final report and a financial summary.

Please note that in cases where revisions are required to an application, or an application has been approved in principle only, the applicant has 30 days from the date of the written notice of the status of the application to complete the application requirements. Applications that are not completed within 30 days may be closed.

Changes to Approved Projects

Approved grants are specific to the project as identified in the application, and grant funds are not transferable to other projects. Approval from the Evaluation Committee will be required for any significant variation from the approved project.

To propose changes to an approved project, approved applicants are required to submit:

- Revised application package, including updated, signed application form, budget, and an updated Council, Board, or Band Council resolution; and
- Written rationale for proposed changes to activities and/or expenditures.

The revised application package will then be reviewed by the Evaluation Committee.

Applicants are responsible for any costs above the approved grant unless a revised application is submitted and approved prior to work being undertaken.

Extensions to Project End Date

All approved activities are required to be completed within one year of approval and all extensions beyond this date must be requested in writing and be approved by UBCM. Extensions will not exceed six months.

9. Final Report Requirements

Applicants are required to submit an electronic copy of the complete final report, including the following:

- Completed Final Report Form;
- Financial summary;
- Optional: photos of the project, media clippings, and/or any reports or documents developed or amended with grant funding.

All final report materials will be shared with the Province of BC and the
BC Healthy Communities Society

Submission of Final Reports

All final reports should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: lgps@ubcm.ca Mail: 525 Government Street, Victoria, BC, V8V 0A8

10. Additional Information

Union of BC Municipalities

For further information on grants and the application process, please contact: Local Government Program Services: (250) 952-9177 or lgps@ubcm.ca

BC Healthy Communities Society

For further information on age-friendly communities, visit www.bchealthycommunities.ca or contact: Jodi Mucha, Executive Director: (250) 590-8442 or jodi@bchealthycommunities.ca

Ministry of Health

For further information on other provincial initiatives, please visit the Age-friendly BC website or contact: (778) 698-7375 or AgeFriendlyBC@gov.bc.ca

Appendix No. 2 - Letters of Support



December 16th, 2019

RE: (UBCM) Age-friendly Communities grant – Stream 1: Age-friendly assessments, action plans & planning.

To Whom It May Concern,

The Comox Valley Coalition to End Homelessness (the Coalition) is writing this letter in support of the City of Courtenay's request for funding towards the UBCM Age-friendly Communities grant – Stream 1: Age-friendly assessments, action plans and planning.

The Coalition works as a collective to plan, coordinate, recommend, advocate for, and implement responses to homelessness and affordable housing in the Comox Valley. The City of Courtenay has taken an important leadership role in our community to help in creating effective solutions to local homelessness and affordable housing initiatives by supporting the Coalition in a variety of projects including the establishment of a Homelessness Response Team, working with us in the creation of a drop-in centre for the homeless, and for helping us to advocate on a provincial and federal level for affordable housing and homelessness supports. The City of Courtenay also participates in the Comox Valley Regional District Homelessness Supports Service (HSS) tax. This HSS tax allows the CVRD to fund local affordable housing initiatives based on the recommendations of the Coalition through our 5 Year Plan to End Homelessness.

The Coalition has been advocating for a continuum of housing options to address the various needs of our community - from emergency shelters, supportive/transitional housing, all the way to affordable rentals, and home ownership. Results from our 2018 Homelessness Point in Time Count showed a 12% increase in seniors (aged 55+) homelessness. We are hearing daily from seniors who are having challenges making ends meet and finding appropriate housing that is safe, accessible and will allow them to age in their community with dignity.

We are very excited for the City of Courtenay's 2020 Official Community Planning Process and anticipate much like the rest of the province, and across Canada, that housing will be a top priority. Given our concerns regarding senior's homelessness and housing affordability in a community with a growing seniors population, we are pleased to see the City of Courtenay OCP process prioritize working with this important segment of our population.

We know from experience, that the power of collaboration and partnership can provide affordable, safe and appropriate housing for all our community members, and we encourage you to support the City of Courtenay in their funding request.

Thank you,

A handwritten signature in black ink, appearing to read "Andrea Cupelli", with a stylized flourish at the end.

Andrea Cupelli
Coordinator for the Comox Valley Coalition to End Homelessness

December 15, 2019.

Age-friendly BC Community Program
Assessment Panel

As the newly-elected Deputy Chair , Advisory Council, for the Courtenay Official Community Plan, I write in support of this application for funding. I am a senior who retired to the Comox Valley 12 years ago, after living here part-time three months per year for four years. During this period of nearly two decades, I have observed many changes. The acceleration of senior demographics moving to this area peaked after it was identified as one of the top 10 locations in Canada. However, more recently, Courtenay has been criticized as not an attractive city. The reality is that many services are offered, but gaps in services make it difficult for newcomers to know what is available and it is also difficult for long-time residents to wade through many bureaucratic requirements. Seniors do have health issues; some also have serious economic issues and live in poverty. Others simply do not know how to use senior programs and thus, can overload some programs. For example, seniors might go directly to hospital emergency departments, when, in fact, their requirements might be met by a personal care worker. Others are lonely but do not know how to access the many types of organizations that would welcome more volunteers. I am active with Elder College (we have more approximately 1100 members). One course is “be kind to those whom you leave behind”. As the title indicates it is an opportunity to plan for the final stages of life, taught by a retired senior. Unfortunately, not all seniors are members of Elder College; therefore, many are underprepared. Cumulatively, the public cost can be high if crisis management is required

In addition to developing an inventory of existing programs for the wide range of senior needs, it might be wise to provide a (voluntary) registry of senior residents. It can be difficult for staff, in any organization to contact seniors because their formal and informal networks are now well-known. For example, I have a friend whom I met in the Regional Aquafit class. She was advising another woman about how to contact an organization that offers free transportation to Victoria for cancer patients. Finding a trades person or housecleaner can be challenging – even when these workers need more contracts. Transportation is a perennial complaint that could be reduced if seniors were better informed about how to

avoid bottle necks but making appointments or shopping during non-peak traffic hours. Also, businesses might offer more effective age-friendly reductions as encouragement.

I think the City of Courtenay Council, staff, advisors and residents have many skills and resources. They would willingly “pull together” once they had more information about how to match services with seniors. I am confident that an age-friendly grant would help bridge current gaps. Should we be successful in our application, I invite you to visit us and see the results!.

Sincerely,
Dr. E Lisbeth Donaldson
Professor Emerita, University of Calgary
15 – 111 20 St
Courtenay, BC
V9N 8B1
Email: edonalds@ucalgary.ca



December 17th, 2019

RE: UBCM Age-Friendly Communities Program

To Whom It May Concern,

On behalf of the Comox Valley Community Health Network, I am writing in support of the City of Courtenay's application to the Age-Friendly Communities Program, to provide funds to ensure an age-friendly lens on their Official Community Plan Update.

The Comox Valley Community Health Network (CVCHN) is committed to bringing people together to take action on issues that impact well-being and health in the Comox Valley. The Network is a forum to identify, prioritize and take collaborative action to make improvements in determinants of health. We focus on areas for change that require the involvement of multiple people, groups and organizations to develop and implement solutions. Our work focuses on the root causes of problems our community faces. One area that has been prioritized for action in our community is seniors wellness.

Aging well requires access to many factors which will be covered in the City's Official Community Plan. Access to affordable and appropriate housing, healthy foods and opportunities for social engagements are all areas that have been identified for improvement by seniors in our community. Ensuring that older adults from all socio-economic backgrounds can provide input on the Official Community Plan will require dedicated funds to meet folks where they are in our community. We support the City's application for these funds and look forward to working with them on their engagement opportunities.

We urge you to consider providing financial support to this project and we look forward to supporting the City in this endeavour.

Sincerely,

Lindsay McGinn
Facilitator, The Comox Valley Community Health Network
info@cvchn.ca



2450 Back Road, Courtenay, BC V9N 8B5 • Phone: 250-338-1451 • Fax: 250-338-1115

December 16, 2019

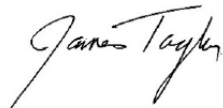
Letter of Support for City of Courtenay

Age- Friendly Communities grant

Glacier View Lodge, a complex care facility which provides 102 residential care, beds for Vancouver Island Health, has had a long and very supportive partnership with the City of Courtenay. The land upon which our facility was built, and the adjoining 42 acres, were at one point owned by the City of Courtenay. The land was transferred to our Society in 1981 when our current facility was constructed.

Very recently we have begun plans to use our undeveloped land to provide affordable, appropriate, energy efficient housing for seniors with modest incomes. This involves a partnership with the Planning Faculty at Vancouver Island University. The City of Courtenay has been extremely supportive in helping us in this endeavour. The mayor and a council member as well as senior engineering staff have provided much needed support in helping us to move forward. They have been most generous with their time and commitment to this project. Additionally they have been willing to cooperate with the adjoining communities of Comox, Cumberland and the Regional District for the betterment of our whole community.

We are deeply appreciative of their support and we fully endorse their application for the Age-Friendly Communities Grant.



James Taylor- Board Chair

Wanda McMillan- Executive Director

Courtenay Airpark Association from Councillor Frisch

Dear Council,

In December 2019 I received a request from **Courtenay Airpark Association** member Martin Wilson to support the association's application for a grant from the BC government's aviation infrastructure funding program called the "BC Air Access Program."

The goal of BCAAP is to support communities across the province and enhance the long-term potential of BC's aviation sector. BCAAP is a cost-sharing program to assist the aviation community with a range of projects, with applications assessed on economic, environmental and social parameters, including:

- Safe and reliable aviation facilities;
- Economic benefits;
- Benefits to medevac and aerial wildfire suppression; and
- Reduced carbon footprint.

Program guidelines can be found here, <https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/funding-grants/aviation-infrastructure-funding>. **The application deadline is January 13, 2020.**

The projects that the Courtenay Airpark Association is working on are:

1. Replace float plane ramp and replace float plane docks. The current facilities are way beyond their useful life.
2. Repair broken asphalt, fill and repair runway and taxiway cracks and repaint all markings. This will enhance safety for all incoming and outgoing aircraft.
3. Upgrade the fuel card lock system. This is so that we can offer a reliable service, unlike the current one that often breaks down.

Finally, here is a **sample letter** of support for council's consideration:

"The City of Courtenay fully supports the Courtenay Airpark Association's grant applications.

As the City leases the land to this non-profit group we welcome all and any improvements that can be made to improve both infrastructure and safety at the Airpark. The City and Airpark have recently signed a new 5 year lease agreement with options for a further 3 terms of 5 years (20 years total).

In the past 50 years the volunteers have done a great job maintaining the Airpark to the best of their ability and as their finances allow, but the facility is now in need of several upgrades.

Courtenay Airpark is a unique aerodrome serving both float and wheeled aircraft. The land is encircled by a public walkway that offers locals and visitors alike the opportunity to enjoy everything our estuary has to offer. Bird and marine life abound, while kayakers, cyclists and small aircraft share this environment. The air ambulance is frequent users of the Airpark when conditions do not allow safe operation at the hospital, and as such this is a vital lifeline for our community. The many tourists that visit by plane contribute to the economy of this thriving area.

Again, we fully support the grant applications for the various projects that are sorely needed at this Airpark."

Sincerely,
Councillor Frisch

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2972

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

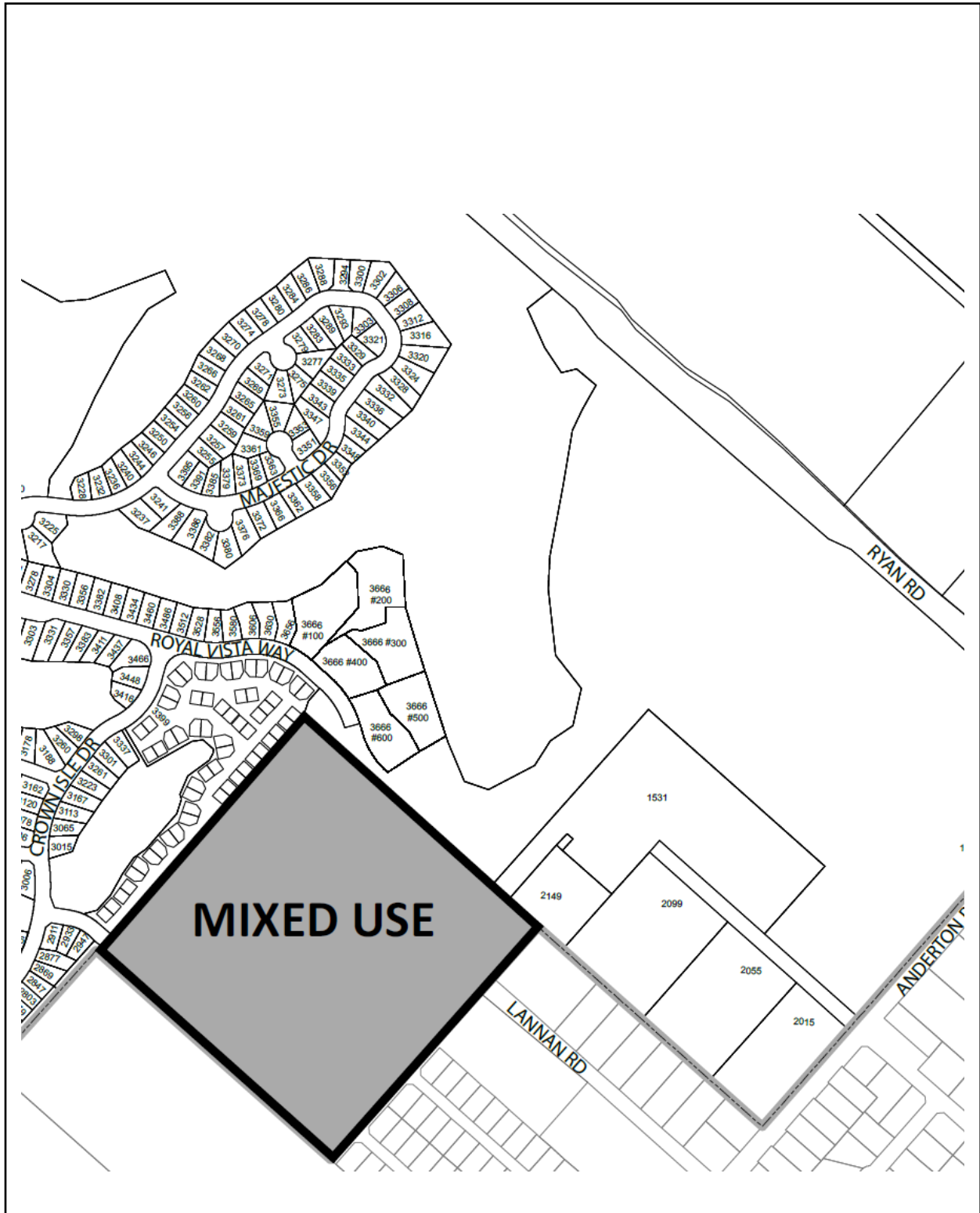
The Council of the Corporation of the City of Courtenay in open meeting assembled enacts as follows:

1. This bylaw may be cited for all purposes as “**Official Community Plan Amendment Bylaw No. 2972, 2020**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by changing the land use designation of Lot 1, District Lot 206, Comox District, Plan VIP76495 (Lannan Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, to Mixed Use; 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 | day of | , 2020 |
| Read a second time this | day of | , 2020 |
| Considered at a Public Hearing this | day of | , 2020 |
| Read a third time this | day of | , 2020 |
| Finally passed and adopted this | day of | , 2020 |

Mayor

Corporate Officer



THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No. 2972, 2019
 Amendment to the
 Official Community Plan Amendment Bylaw
 No. 2972, 2019

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2973

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. 2973, 2020”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:

(a) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.2 Permitted Uses through the addition of:

- “(8) Within the CD-1J area:
- (a) *Single residential dwelling*
 - (b) *Duplex dwelling*
 - (c) *Multi-residential dwelling*
 - (d) *Secondary suite*
 - (e) *Accessory buildings and structures*
 - (f) *Boarding*
 - (g) *Home occupation*”

(b) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.3 Densities through the addition of:

- “(8) Within Area J:
- (a) Up to 122 *single residential dwellings* with or without a *secondary suites*
 - (b) Up to 208 *duplex dwelling* or *multi-residential dwelling* units”

(c) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.5 Lot Coverage through the addition of:

“(3) Within Area J: 50%”

(d) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.6 Minimum Lot Sizes through the addition of:

“(9) Area J: 400 m²”

(e) Amending Division 8 – Classification of Zones, Part 32 – Comprehensive Development One Zone (CD-1) Crown Isle Block, Section 8.32.9 Setback through the addition to the table of:

| AREA J | <i>Front yard</i> | <i>Rear yard</i> | <i>Side yard</i> | <i>Exterior side yard</i> |
|--------------------------------------|-------------------|------------------|------------------|---------------------------|
| <i>Single residential lot</i> | 6.0 m | 6.0 m | 1.5 m | 3.0 m |
| <i>Duplex</i> | 6.0 m | 6.0 m | 1.5 m | 3.0 m |
| <i>Multi Residential</i> | 6.0 m | 6.0 m | 4.5 m | 4.5 m |

(f) by rezoning Lot 1, District Lot 206, Comox District, Plan VIP76495 (Lannan Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Rural Eight (RU-8) to Comprehensive Development Zone One J (CD-1J) and from Comprehensive Development One B Zone (CD-1B) to Comprehensive Development Zone One J (CD-1J).

(g) That Schedule No. 8, Zoning Map be amended accordingly.

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

Read a first time this _____ day of _____, 2020

Read a second time this _____ day of _____, 2020

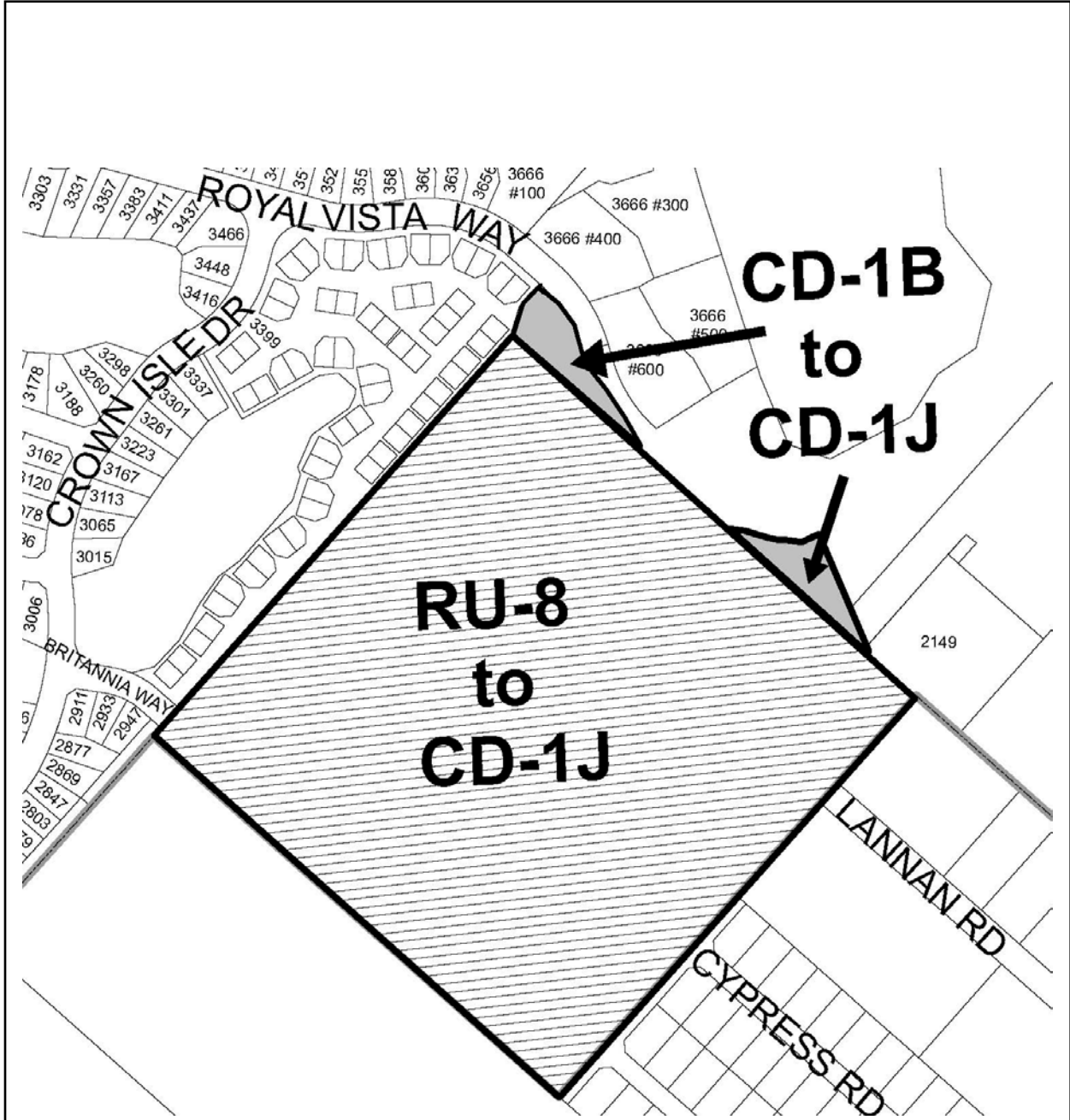
Considered at a Public Hearing this _____ day of _____, 2020

Read a third time this _____ day of _____, 2020

Finally passed and adopted this _____ day of _____, 2020

Mayor

Corporate Officer



THE CITY OF COURTENAY
ATTACHMENT "A"
 Part of Bylaw No. 2973, 2020
 Amendment to the
 Zoning Bylaw No. 2500, 2007

