

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

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

DATE: February 18, 2020
PLACE: City Hall Council Chambers
TIME: 4:00 p.m.

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

1.00 ADOPTION OF MINUTES

- 1 1. Adopt February 3rd, 2020 Regular Council meeting minutes

2.00 INTRODUCTION OF LATE ITEMS

3.00 DELEGATIONS

1. Twila Skinner, General Manager, Comox Valley Farmer's Market Association - History and Operation of the Farmer's Market
2. Lee Everson and Hereditary Chief Rob Everson, Kumugwe Cultural Society - Red Dress Legacy Totem Pole Project

4.00 STAFF REPORTS/PRESENTATIONS

(a) CAO and Legislative Services

- 9 1. Repeal and Replace "Officer's Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 2913, 2017"

(b) Development Services

- 13 2. Official Community Plan Presentation facilitated by Jennifer Fix and Lucas Ozols-Mongeau, DIALOG
- 35 3. Development Variance Permit No. 1905 - 515 - Menzies Avenue
- 53 4. Third Reading Report - Official Community Plan (OCP) Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 - Lannan Road

(c) Financial Services

- 131 5. 2020 - 2024 Municipal Solid Waste, Recyclables, and Yard Waste Budgets

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 139 1. Letter of Appreciation - Comox Valley Community Arts Council

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

- 141 1. Briefing Note - Official Community Plan (OCP) Interim Report (Phase 1)
- 143 2. Briefing Note - Single-Use Plastic Regulation
- 145 3. Briefing Note - Finance Select Committee Final Report to Council
- 161 4. Parks and Recreation Advisory Commission Meeting Minutes - December 5th, 2019
- 163 5. Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) meeting minutes - November 15th, 2019

7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

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

8.00 RESOLUTIONS OF COUNCIL

1. Finance Select Committee - Mandate and Terms of Reference

Suggested motion:

That based on the February 10th, 2020 briefing note, “Finance Select Committee Final Report to Council” that Council support the proposal to extend the mandate of the Finance Select Committee to include the following subjects in an updated Terms of Reference:

- Land Strategy - Disposition: consider policy/process on designating surplus City property to support housing projects (i.e. Co-operative Housing, Habitat for Humanity, Supportive Housing, etc.) versus using proceeds of land sales to support strategic land acquisitions, and/or to fund other City projects (i.e. East Courtenay Fire Hall, new Operations Building, etc.)
- Review Business Cases for significant future capital projects (i.e. related to capital renewal and growth, etc.)
- Review and update financial policies on surpluses and reserves
- Other opportunities

That the mandate for the Finance Select Committee be extended to **January 31st, 2021.**

2. Councillor Frisch Resolution - Land Opportunities for Co-operative Housing

Whereas, affordable housing is a priority in every jurisdiction in the Comox Valley, and

Whereas, non-profit co-operative housing can provide long-term, sustainable, secure tenure, market and sub-market housing, and

Whereas, non-profit co-operative housing is known, in addition to reducing homelessness, to build social cohesion and community pride, and

Whereas, inter-jurisdictional co-operation could increase our communities ability to maximize the number of housing units funded, as well as project efficiencies, therefore

Be it resolved that, the City of Courtenay identify available lands on which to build co-operative housing, and

Furthermore that, the City of Courtenay partner with other willing Comox Valley jurisdictions and the Co-operative Housing Federation of BC to do a feasibility study, apply for funding, and build co-operative housing.

3. Rise and Report - Solid Waste Collection Contract Extension

From the February 3rd, 2020 Closed (In Camera) Meeting - Council Rises and Reports as follows:

Solid Waste Collection Contract Extension Emterra Environmental:

“that Council endorse a two and a half years (2.5) plus six (6) month optional extension of the existing Emterra Environmental Solid Waste Collection Contract for additional increases of 7.5% for 2020, 5% for 2021 and 4% for 2022 to March 31st, 2022;

That Council direct staff to increase user fees for 2020 and prepare an amendment to the user fees and charges bylaw; and,

That subject to the approval of the terms of the agreement with Emterra Environmental, the City rise and report at a future open meeting as deemed appropriate by staff.”

4. Councillor Morin - 3rd Annual Vancouver Island Symposium on Water Stewardship in a Changing Climate

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

Suggested motion: that Council support Councillor Morin’s attendance at the *3rd Annual Vancouver Island Symposium on Water Stewardship in a Changing Climate* April 22 - 24, 2020, hosted in Courtenay; and

That the registration fee for Councillor Morin’s participation at the symposium be dispersed as a 50/50 cost share with the Comox Valley Regional District in Councillor Morin’s role as a Director to the Comox Valley Water Committee; and,

That the balance of the registration fee payable by the City of Courtenay be funded from the regular Council travel expense budget.

5. In Camera Meeting

That notice is hereby given that a Special In-Camera meeting closed to the public will be held February 18th, 2020 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (c) labour relations or other employee relations;
- 90 (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 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.

9.00 UNFINISHED BUSINESS

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

12.00 BYLAWS

For First, Second and Third Reading

- 167 1. “City of Courtenay Fees and Charges Amendment Bylaw No. 2982, 2020”
(A bylaw to amend the Schedule of Fees and Charges Section III, Appendix IV - Solid Waste Collection Fees)
- 171 2. “Officer’s Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 3000, 2020”
(A bylaw to designate and establish the powers, duties, and responsibilities of Officers for the City of Courtenay)

For Third Reading

- 173 1. "Official Community Plan Amendment Bylaw No. 2972, 2020"
(A bylaw to change the land use designation to mixed use- Lannan Road)
- 175 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 - Lannan Road)

For Final Adoption

- 179 1. "Zoning Amendment Bylaw No. 2938, 2018"
(A bylaw to rezone property from Commercial Two A Zone (C-2A) to Residential Four A Zone (R-4A) to allow a care facility and associated services - 925 Braidwood Road)

13.00 ADJOURNMENT

Minutes of a Regular Council Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 03, 2020 at 4:00 p.m.

Attending:

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

Staff:

D. Allen, CAO
J. Ward, Director of Legislative and Corporate Services/Deputy CAO
W. Sorichta, Manager of Legislative & Corporate Administrative Services
I. Buck, Director of Development Services
T. Kushner, Deputy CAO - Interim
J. Nelson, Director of Financial Services
D. Snider, Director of Recreation and Cultural Services
C. Davidson, Manager of Engineering Projects
A. Guillo, Manager of Communications
M. Fitzgerald, Manager of Development Planning

1.00 ADOPTION OF MINUTES

.01
MINUTES
0570-03

Moved by McCollum and seconded by Cole-Hamilton that the January 20th, 2020 Regular Council meeting minutes be adopted.
Carried

Discussion arising from the January 20th, 2020 Council meeting minutes, *Item 6.02 - Snow & Ice Control Update from Recent Snowfall Event January 15 - 17, 2020:*

Councillor Hillian requested clarification from staff regarding snow removal and whether specific neighbourhoods may make special arrangements with the City related to plowing in their area.

Trevor Kushner, Deputy CAO - Interim, explained that staff do not arrange levels of service by neighbourhood, however, Public Works Services staff have committed to speak with the resident who made the request to discuss how City crews perform snow and ice control operations, how staff determine priority clearing response and why staff cannot make provisions for special agreements.

Moved by McCollum and seconded by Cole-Hamilton that the January 27th, 2020 Committee of the Whole meeting minutes be adopted.
Carried

2.00 ADOPTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

VARY AGENDA

.01

VARY AGENDA
SECTION 9.00
UNFINISHED
BUSINESS
0570-02

Moved by Cole-Hamilton and seconded by McCollum that Council vary the February 3rd, 2020 Regular Council agenda and move item 9.00 *Unfinished Business* ahead on the agenda to be addressed before items 7.00 and 8.00.

Carried

9.00 UNFINISHED BUSINESS

.01

5TH STREET BRIDGE
REHABILITATION
5335-20 / 5400-02

Moved by Hillian and seconded by Theos that Council direct staff not to include cantilevers in the final design of the 5th Street Bridge Rehabilitation Project; and,

That Council affirm the priority construction of the 6th Street multi-use pedestrian-bike bridge project and direct staff to include the 6th Street multi-use pedestrian-bike bridge project on the list of Council priorities.

Carried with Councillors Frisch and McCollum opposed

.02

6TH STREET BRIDGE
OPTIONS ANALYSIS
5335-20 / 5400-02

Moved by Frisch and seconded by Cole-Hamilton that the January 27th, 2020 staff report, "6th Street Bridge Options Analysis", 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:

- Comox Valley Sports Centre Commission meeting
- Comox Valley Sewage Commission meeting
- CVRD Committee of the Whole meetings
- Comox Valley Community Action Team meeting
- Cowichan Watershed Board - “We Need to Talk” presentation on climate change communication
- Comox Valley Co-operative Housing meeting (co-hosted by the City of Courtenay)
- Glacier View Lodge Planning “Charrette”
- Comox Valley Community Action Team Steering Committee meeting
- Comox Valley Community Drug Strategy meeting
- World Community Film Festival - Community Action Hive Official Community Plan (OCP) outreach
- Connect Warming Centre open house

COUNCILLOR
FRISCH

Councillor Frisch reviewed his attendance at the following events:

- Comox Valley Co-operative housing meeting (co-hosted by the City of Courtenay)
- Comox Valley Sports Centre Commission meetings
- CVRD Board meeting
- CVRD Committee of the Whole meetings
- Glacier View Lodge Planning “Charrette”
- World Community Film Festival - Community Action Hive Official Community Plan (OCP) outreach

COUNCILLOR
HILLIAN

Councillor Hillian reviewed his attendance at the following events:

- CV Community Foundation Community Enrichment Awards event
- Comox Valley Sports Centre Commission meeting
- CVRD Committee of the Whole meetings
- CVRD Board meeting
- Meeting with the Director of the Comox Valley Art Gallery
- Connect Warming Centre open house
- Provincial Government Caucus visit to K’omoks First Nation and tour of Kus-kus-sum site
- Met with Claire Trevena, Minister of Transportation, and walked the 5th Street Bridge with Mayor Wells to show the traffic on the bridge and explain cost escalation and regional significance of the infrastructure
- Courtenay Housing Hub event - Premier John Horgan announcement on a new housing project that will provide 56 units of affordable rental housing in Courtenay

R3/2020 - February 03, 2020

- COUNCILLOR
MCCOLLUM
- Councillor McCollum reviewed her attendance at the following events:
- Warming Centre Open House
 - Comox Valley Co-operative housing meeting (co-hosted by the City of Courtenay)
 - World Community Film Festival - Community Action Hive Official Community Plan (OCP) outreach

Councillor Cole-Hamilton left Council Chambers at 5:14 p.m.

Councillor Cole-Hamilton returned to Council Chambers and took his seat at 5:16 p.m.

- COUNCILLOR
MORIN
- Councillor Morin reviewed her attendance at the following events:
- Comox Valley Sewage Commission meeting
 - Comox Valley Sports Centre Commission meetings
 - CVRD Committee of the Whole meetings
 - CVRD Board meeting
 - Connect Warming Centre open house
 - Comox Valley Co-operative housing meeting (co-hosted by the City of Courtenay)
 - Comox Valley Drug Strategy Committee meeting

- COUNCILLOR
THEOS
- Councillor Theos reviewed his attendance at the following event:
- Community Health Partners Lunch - meeting with Rural Coordination Centre for BC Health

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

Councillor McCollum returned to Council Chambers and took her seat at 5:24 p.m.

- MAYOR
WELLS
- Mayor Wells reviewed his attendance at the following events:
- Attended CES - Consumer Electronics Show hosted in Las Vegas; with a focus on Smart Cities and Autonomous Driving Cars (Canada was given great kudos for our infrastructure projects and structure)
 - Comox Valley Chamber of Commerce and MNP Economic Forecast Breakfast
 - Connect Warming Centre open house
 - La Patchi Premium Cannabis Dispensary opening
 - Comox Valley Co-operative housing meeting (co-hosted by the City of Courtenay)
 - Comox Valley Chamber of Commerce Chamber Gala Awards
 - Glacier View Lodge Planning “Charrette”
 - Community Health Partners Lunch meeting with Rural Coordination Centre for BC Health
 - Met with members of Chances Playtime Casino; discussed community needs and potential sponsorship opportunities i.e. musicfests
 - Comox Valley Leaders Lunch
 - World Community Film Festival - Community Action Hive Official Community Plan (OCP) outreach

- Courtenay Housing Hub event - Premier John Horgan announcement on a new housing project that will provide 56 units of affordable rental housing in Courtenay
- Met with Claire Trevena, Minister of Transportation, and walked the 5th Street Bridge with Councilillo Hillian to show the traffic on the bridge and explain cost escalation and regional significance of the infrastructure
- Mayor Wells mentioned he recently had knee surgery and reported that his recovery is going well.

Mayor Wells provided an update following the December 2nd, 2019 delegation presentation from John and Jennifer Hedican conveying concerns about the current illegal toxic drug supply crisis and their request for local government advocacy for change to provincial and federal government policies.

Mayor Wells sent a letter to the Hedican's advising the City is awaiting a response to our letter to the Union of BC Municipalities (UBCM) endorsing Association of Vancouver Island Coastal Communities (AVICC) resolutions B171 and B172; UBCM's response will help inform the City's letter to the provincial and federal governments on this matter.

8.00 RESOLUTIONS OF COUNCIL

.01

FINANCE SELECT
COMMITTEE -
AMEND TERMS OF
REFERENCE
0550-20

Moved by Frisch and seconded by Hillian that Council support an amendment to the Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) Terms of Reference so the timeline identified in *Section 6 Reporting*, of the Committee's Terms of Reference is amended to read:

*"...the Committee will submit its findings and recommendations in a written report to Council no later than **February 18th, 2020.***

Carried

.02

COUNCILLOR COLE-
HAMILTON
5TH STREET BRIDGE
REHABILITATION
FUNDING
0470-20 / 1845-01

Moved by Cole-Hamilton and seconded by Frisch that
Whereas residents of the entire Comox Valley frequently need to cross the Courtenay River for school, work, medical care or recreation, and a significant number of these crossings occur at the 5th Street Bridge; and,

Whereas the City of Courtenay will soon undertake vital rehabilitation work to extend the lifespan of this widely used asset, work which will benefit all users but with the full cost borne by taxpayers of Courtenay;

Therefore be it resolved that the City of Courtenay work together with the Village of Cumberland, Town of Comox and the Comox Valley Regional District with the goal of obtaining financial contributions from senior levels of government towards the rehabilitation of this crucial regional asset.

Carried

.03

COUNCILLOR HILLIAN
ASSOCIATION OF
VANCOUVER ISLAND
AND COASTAL
COMMUNITIES
(AVICC) 2020 AGM &
CONVENTION
RESOLUTION -
PROVINCIAL
GOVERNMENT
FUNDING INCREASE
FOR BC HOUSING
0390-20 (AVICC)

Moved by Hillian and seconded by Morin that the following resolution be forwarded to the Association of Vancouver Island and Coastal Communities 2020 AGM and Convention for consideration:

Whereas adult supportive housing funded by B.C. Housing provides accommodation for people with a history of severe trauma, often resulting in difficult behaviours that can have significant impact on surrounding neighbourhoods and requiring skilled caregivers to manage; and

Whereas government funding for BC Housing does not include adequate levels to either provide neighbourhood outreach services or assure skilled staff and minimal turnover;

Therefore be it resolved that the provincial government be called upon to increase funding levels to B.C. Housing in order to mandate and assure that community outreach services and the stability of an adequately skilled staff are components of supportive housing developments that are viable in local communities.

Carried

.04

RISE AND REPORT
CROWN ISLE TREE
PROSECUTION -
REMOVAL OF TREES
0570-03

Moved by Frisch and seconded by Cole-Hamilton that the resolution passed at the January 20th, 2020 closed (In Camera) meeting to rise and report on the Crown Isle tree prosecution for removal of trees be received for information as follows:

Crown Isle Tree Prosecution for Removal of Trees:

“The City of Courtenay and Silver Sand Land Corp (Crown Isle) have agreed to a resolution of the prosecution initiated by the City following the removal of trees on private property east of Silverdale Crescent along Ryan Road in May 2017. The prosecution alleged that the tree cutting took place without a permit, contrary to City bylaws.

In order to resolve the prosecution Silver Sand Land Corp made a payment of \$35,000 to the City’s Tree Planting and Replacement Reserve Fund. The City directed a stay of prosecution.

Courtenay City Council considers this resolution to be in the best interests of the City, avoiding the expense of additional taxpayer funds towards conducting the prosecution”; and,

That Council rise and report on the stay of prosecution at a future open Council meeting.”

Carried

.05

IN CAMERA
MEETING

Moved by Frisch and seconded by Hillian that notice is hereby given that a Special In-Camera meeting closed to the public will be held February 3rd, 2020 at the conclusion of the Regular Council Meeting pursuant to the following sub-section of the *Community Charter*:

90 (1) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

90 1 (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

10.00 NOTICE OF MOTION

11.00 NEW BUSINESS

.01

2020 COMOX VALLEY
WATER COMMITTEE
VOTING STRUCTURE
(WEIGHTED VOTES)
0360-20

Moved by Frisch and seconded by Theos that the letter dated January 29th, 2020 from the Comox Valley Regional District regarding the 2020 Comox Valley Water Committee voting structure be received for information; and,

That the period for the 2020 Council appointments to the Comox Valley Water Committee identified in the October 21st, 2019 Council resolution be extended from November 2020 to December 2020 to align with the 2020 Comox Valley Water Committee meeting schedule and distribution of weighted votes for the year, which remains at 7 votes in total.

Carried

12.00 BYLAWS

13.00 ADJOURNMENT

- .01 Moved by Frisch and seconded by Cole-Hamilton that the meeting now adjourn at 5:43 p.m.
Carried

CERTIFIED CORRECT

Corporate Officer

Adopted this 18th day of February, 2020

Mayor



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3900-00

From: Chief Administrative Officer

Date: February 18, 2020

Subject: Repeal and Replace “Officer’s Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 2913, 2017”

PURPOSE:

To provide Council for their consideration an updated Officer Establishment Bylaw made necessary by the recent creation of the new position of (Interim) Deputy CAO.

CAO RECOMMENDATION:

THAT based on the February, 18th, 2020 staff report “Repeal and Replace Officer’s Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 2913, 2017”, Council proceed with OPTION 1 and Repeal Bylaw No. 2913, 2017; and

That “Officer’s Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 3000, 2020” proceed to first, second and third reading.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

During early 2020 a one-year Pilot Project was developed to explore the plausibility of reducing the CAOs span of control from eight to six direct reports. To that end, and with Council’s concurrence, a new temporary position of “(Interim) Deputy CAO” was created with responsibilities to manage the overall planning, coordination and operations of the Departments of Engineering Services, Public Works Services and Recreation & Cultural Services. That position, as the title plainly states, will also act as Deputy CAO in the absence of the incumbent.

To enable this new, temporary position to fulfil the role of Deputy CAO and meet the aims of the Pilot Project, the position and its duties must be recognized in the City’s officer establishment bylaw (a mandatory requirement of the Community Charter, ss. 146 and 147). Depending upon the outcomes of the Pilot Project, a further amendment to the bylaw may prove necessary at that time.

DISCUSSION:

The present officer establishment bylaw has a history dating back to bylaw No. 1193, 1977. Over the years as the City has grown, the organization gradually increased the number of Department Heads. Each time, there was a general tendency to amend the bylaw and name the new senior staff member as an officer of the Corporation.

The Community Charter compels Council to establish the officer positions of Chief Administrative Officer, Corporate Officer and Financial Officer. As above, with the Pilot Project examining the role of (Interim) Deputy CAO, it is only sensible to facilitate the project by adding that position to the officers listed in the required bylaw. However, given today's organizational structure and evolution of the guiding statutes, there is no need for the present level of redundant officer positions.

FINANCIAL IMPLICATIONS:

Nil.

ADMINISTRATIVE IMPLICATIONS:

Nil.

ASSET MANAGEMENT IMPLICATIONS:

Nil.

STRATEGIC PLAN REFERENCE:

- Support and encourage initiatives to improve efficiencies
- Recognize staff capacity is a finite resource and support staff training and development

● **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:

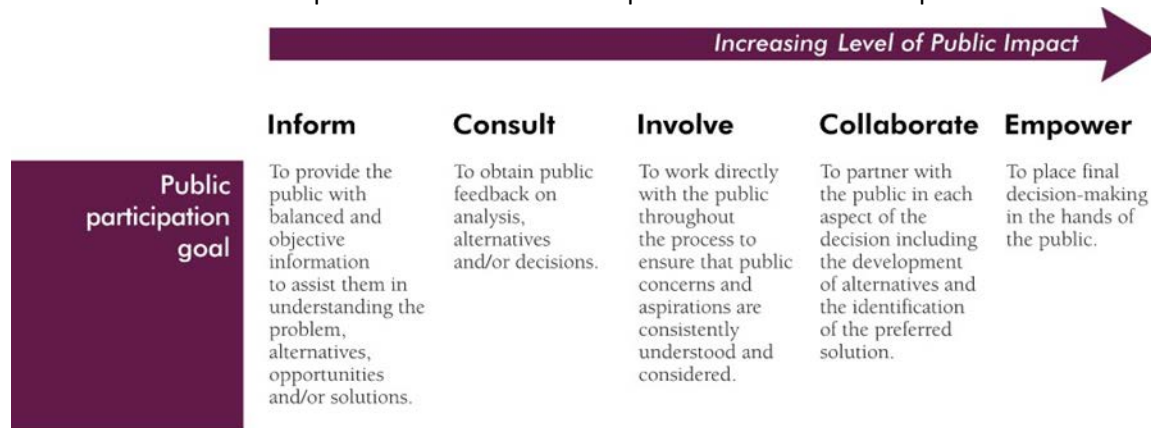
Nil.

REGIONAL GROWTH STRATEGY REFERENCE:

Nil.

PUBLIC ENGAGEMENT:

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



OPTIONS:

OPTION 1: THAT based on the February, 18 2020 staff report "Repeal and Replace Officer's Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 2913, 2017", Council approve the repealing of Bylaw 2913, 2017; and
 That "Officer's Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 3000, 2020" proceed to first, second and third reading.
 (Recommended)

OPTION 2: That Council refer this item back to staff for further consideration.

Prepared by:

David W. Love, CD, BA, LGM(Dip), MM, PE, PCAMP
 Senior Advisor, Strategic Initiatives



COURTENAY OFFICIAL COMMUNITY PLAN

BACKGROUND RESEARCH & UPCOMING ENGAGEMENT

PLANNING PROCESS



WE ARE HERE

NOV - FEB 2020	FEB - APR 2020	APR - JUN 2020	JUL - NOV 2020	DEC - APR 2021
PROJECT LAUNCH	CITY-WIDE VISION AND GROWTH SCENARIOS	NEIGHBOURHOOD PLANNING	DRAFT PLAN	FINAL PLAN

THE CLIMATE CRISIS HAS ARRIVED IN COURTENAY



TRANSPORTATION IS THE LARGEST CHALLENGE AND THE GREATEST OPPORTUNITY



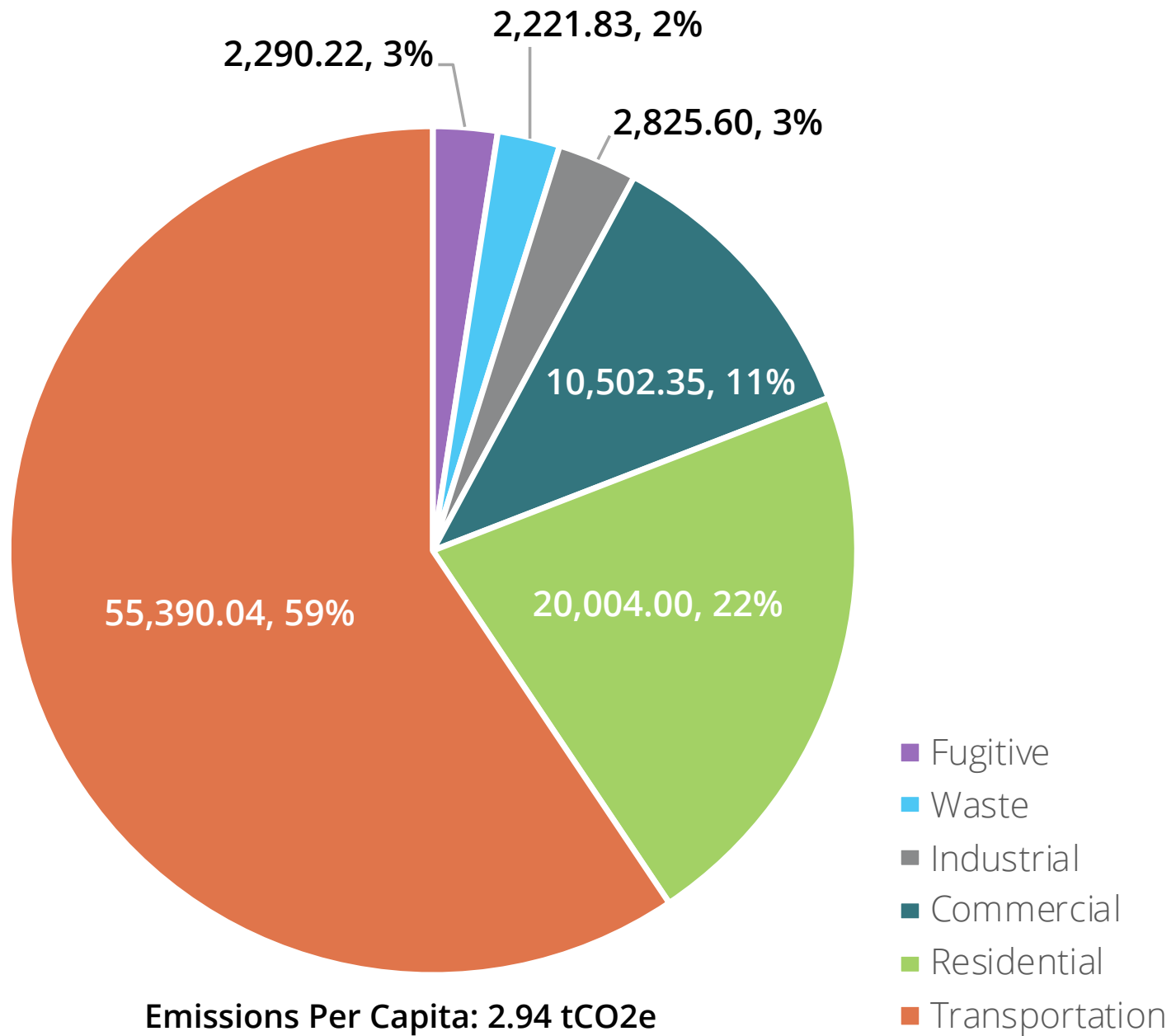
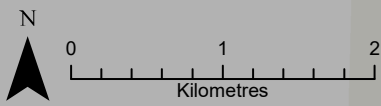
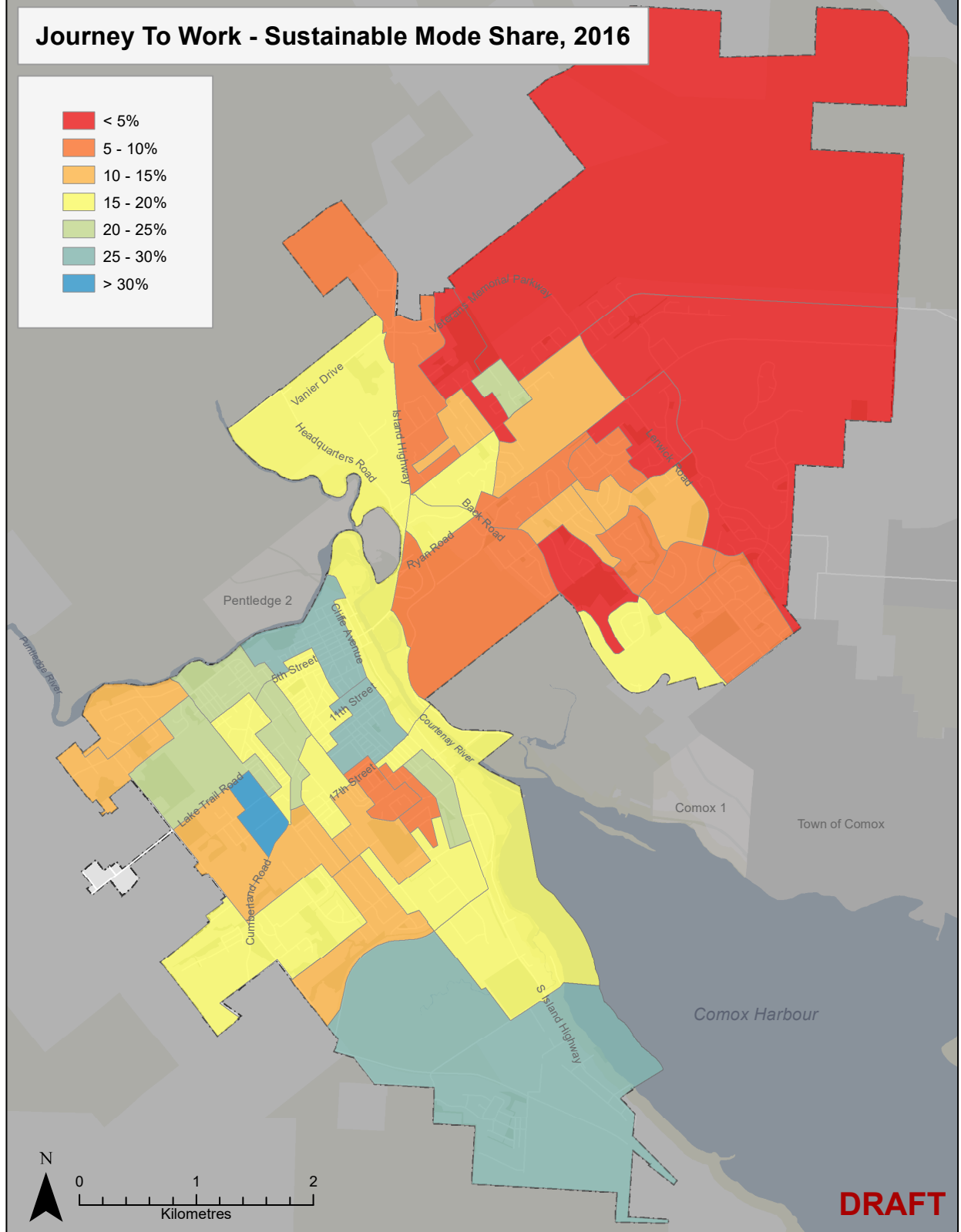


Figure 2.1 - Courtenay Emissions By Sector for Baseline Year 2016.

Journey To Work - Sustainable Mode Share, 2016

- < 5%
- 5 - 10%
- 10 - 15%
- 15 - 20%
- 20 - 25%
- 25 - 30%
- > 30%

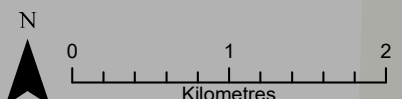
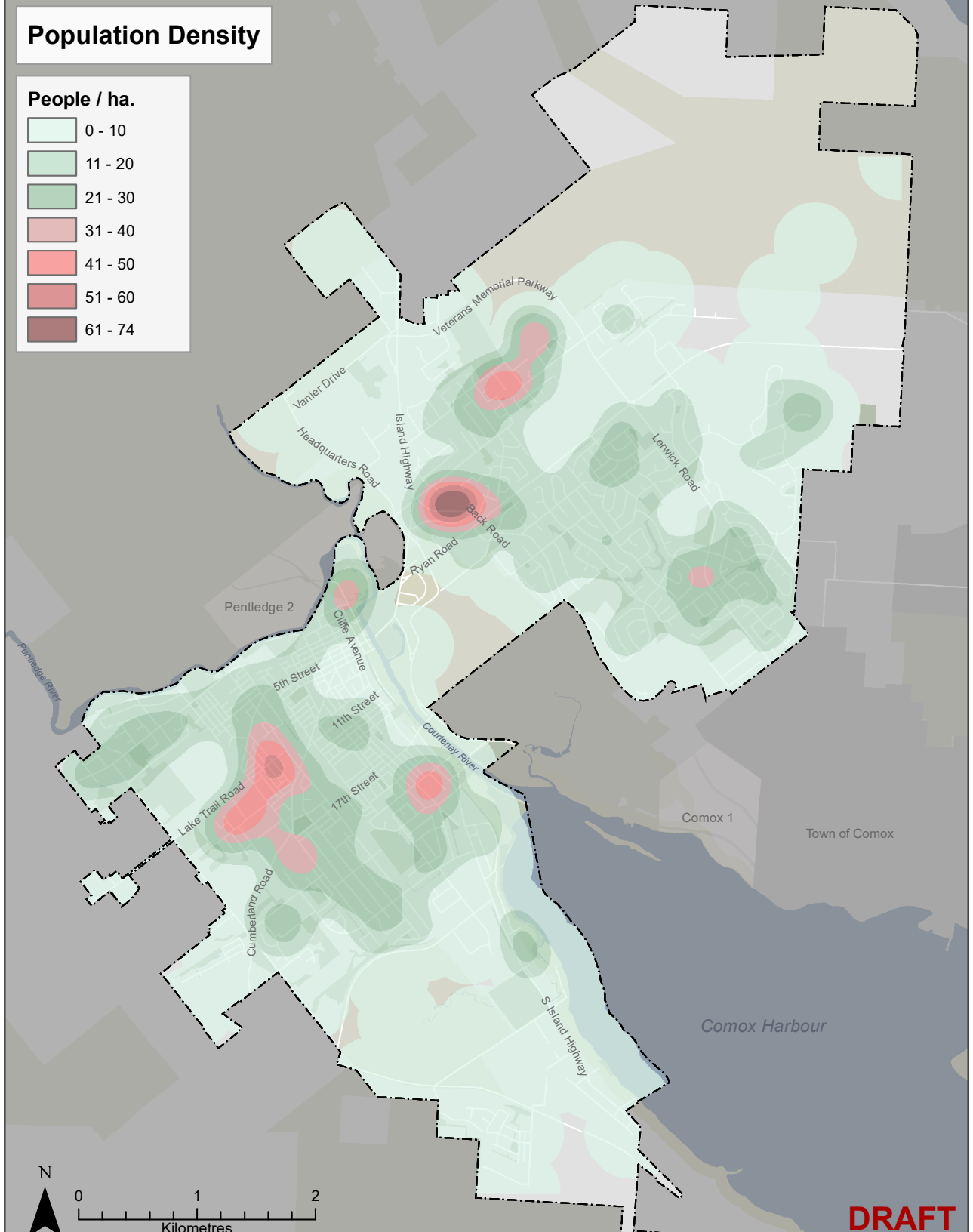
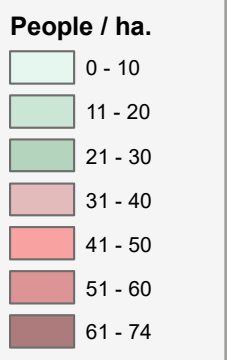


DRAFT

LAND USE POLICY IS CLIMATE POLICY (AND HEALTH POLICY, SOCIAL POLICY, AND MORE)



Population Density

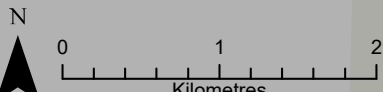
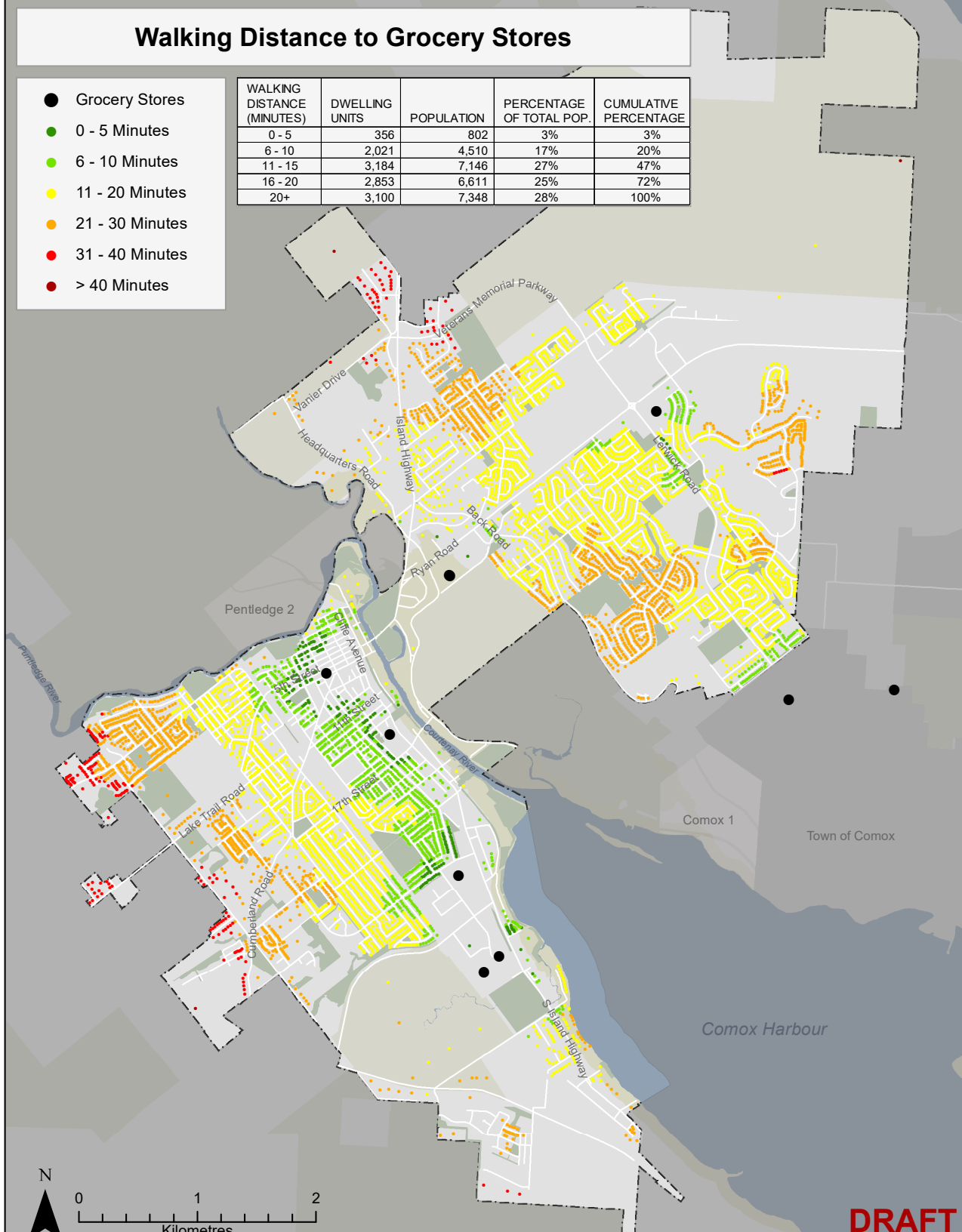


DRAFT

Walking Distance to Grocery Stores

- Grocery Stores
- 0 - 5 Minutes
- 6 - 10 Minutes
- 11 - 20 Minutes
- 21 - 30 Minutes
- 31 - 40 Minutes
- > 40 Minutes

WALKING DISTANCE (MINUTES)	DWELLING UNITS	POPULATION	PERCENTAGE OF TOTAL POP.	CUMULATIVE PERCENTAGE
0 - 5	356	802	3%	3%
6 - 10	2,021	4,510	17%	20%
11 - 15	3,184	7,146	27%	47%
16 - 20	2,853	6,611	25%	72%
20+	3,100	7,348	28%	100%



DRAFT



5th Street

5 mins



Moray Ave

7 mins



Perth Place

14 mins

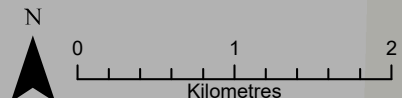
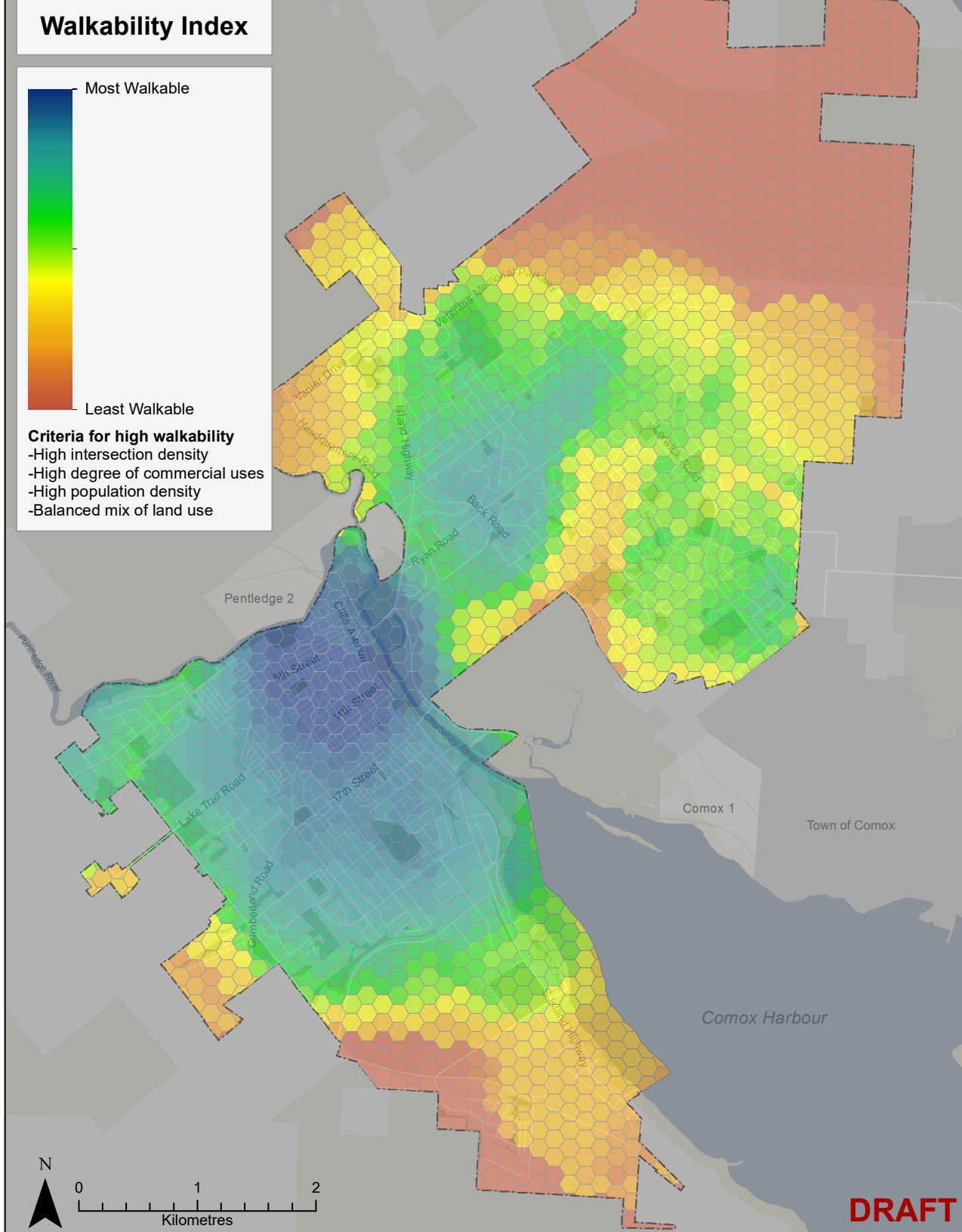
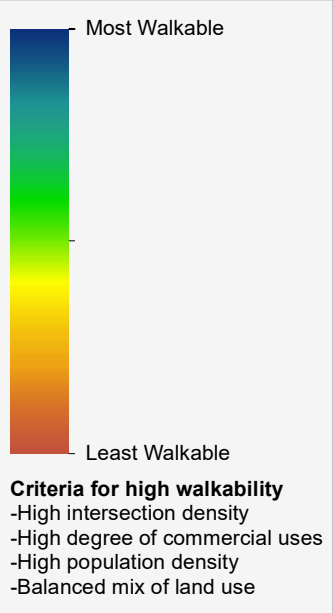
An aerial photograph of a city and its surrounding landscape. The city is densely packed with buildings and roads, situated along a coastline. The surrounding area includes green fields, forests, and a large body of water. A semi-transparent dark green banner is overlaid at the top of the image, containing the text "GROWTH HAS BECOME LESS EFFICIENT OVER TIME".

GROWTH HAS BECOME LESS EFFICIENT OVER TIME

DOWNTOWN IS A STRENGTH AND A PRECEDENT



Walkability Index



DRAFT

THE CITY HAS ACCESS AND CHOICE, BUT NOT IN EVERY NEIGHBOURHOOD



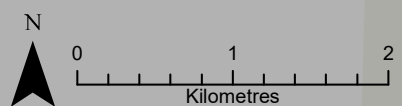
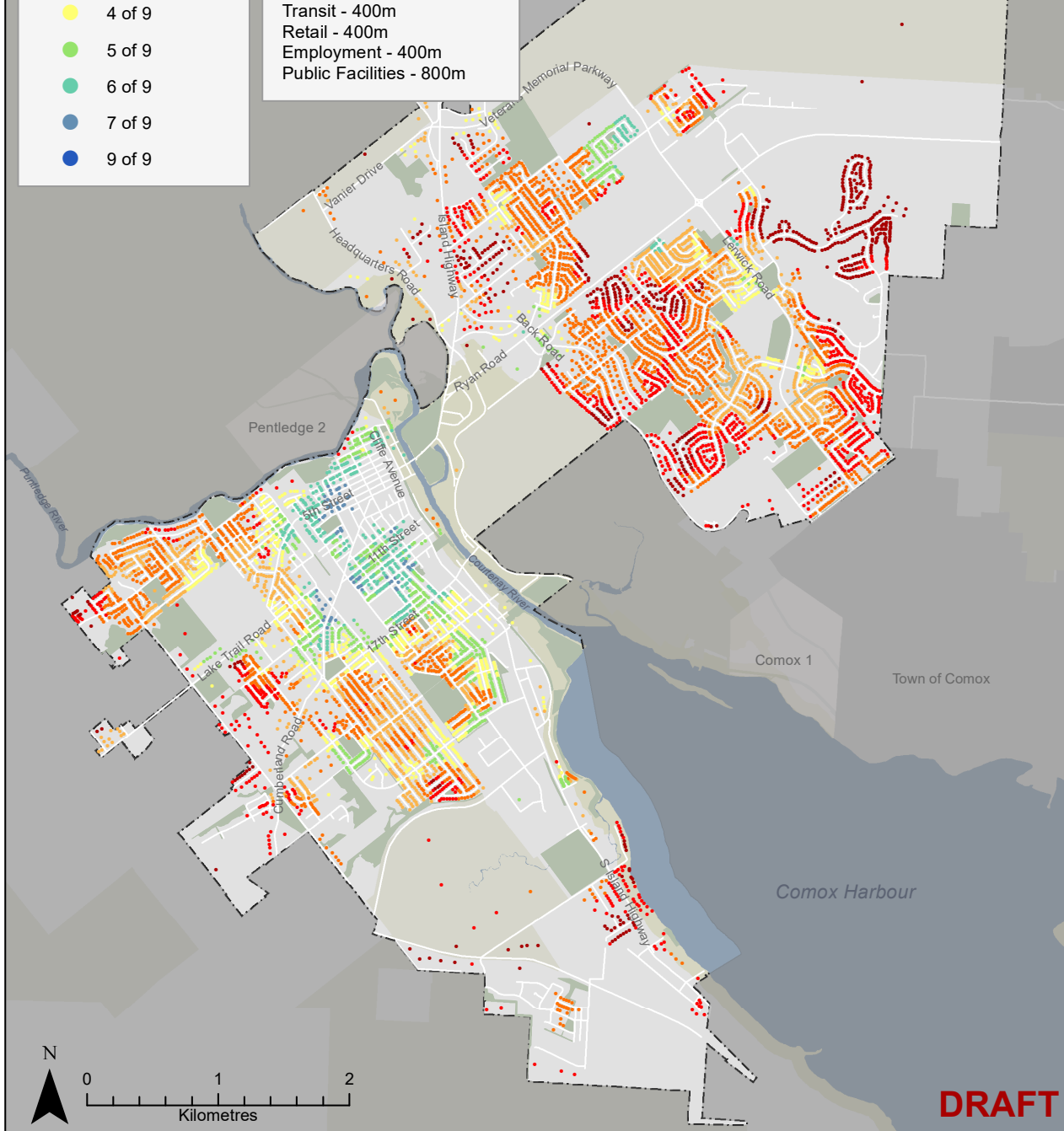
Daily Needs Accessible

- 0 of 9
- 1 of 9
- 2 of 9
- 3 of 9
- 4 of 9
- 5 of 9
- 6 of 9
- 7 of 9
- 9 of 9

Daily Needs and Distances:

- Childcare - 400m
- Elementary Schools - 400m
- Secondary Schools - 800m
- Grocery - 400m
- Parks - 400m
- Transit - 400m
- Retail - 400m
- Employment - 400m
- Public Facilities - 800m

NUMBER OF AMENITIES	DWELLING UNITS	POPULATION	PERCENTAGE OF TOTAL POP.	CUMULATIVE PERCENTAGE
0	1,082	2,458	9%	100%
1	1,477	3,362	13%	91%
2	3,239	7,516	29%	78%
3	2,121	4,899	19%	49%
4	1,894	4,253	16%	31%
5	889	2,048	8%	15%
6	631	1,459	6%	7%
7	181	422	2%	1%
8	-	-	0%	0%
9	-	-	0%	0%



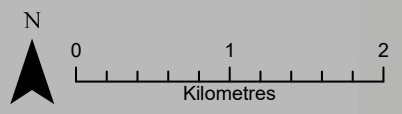
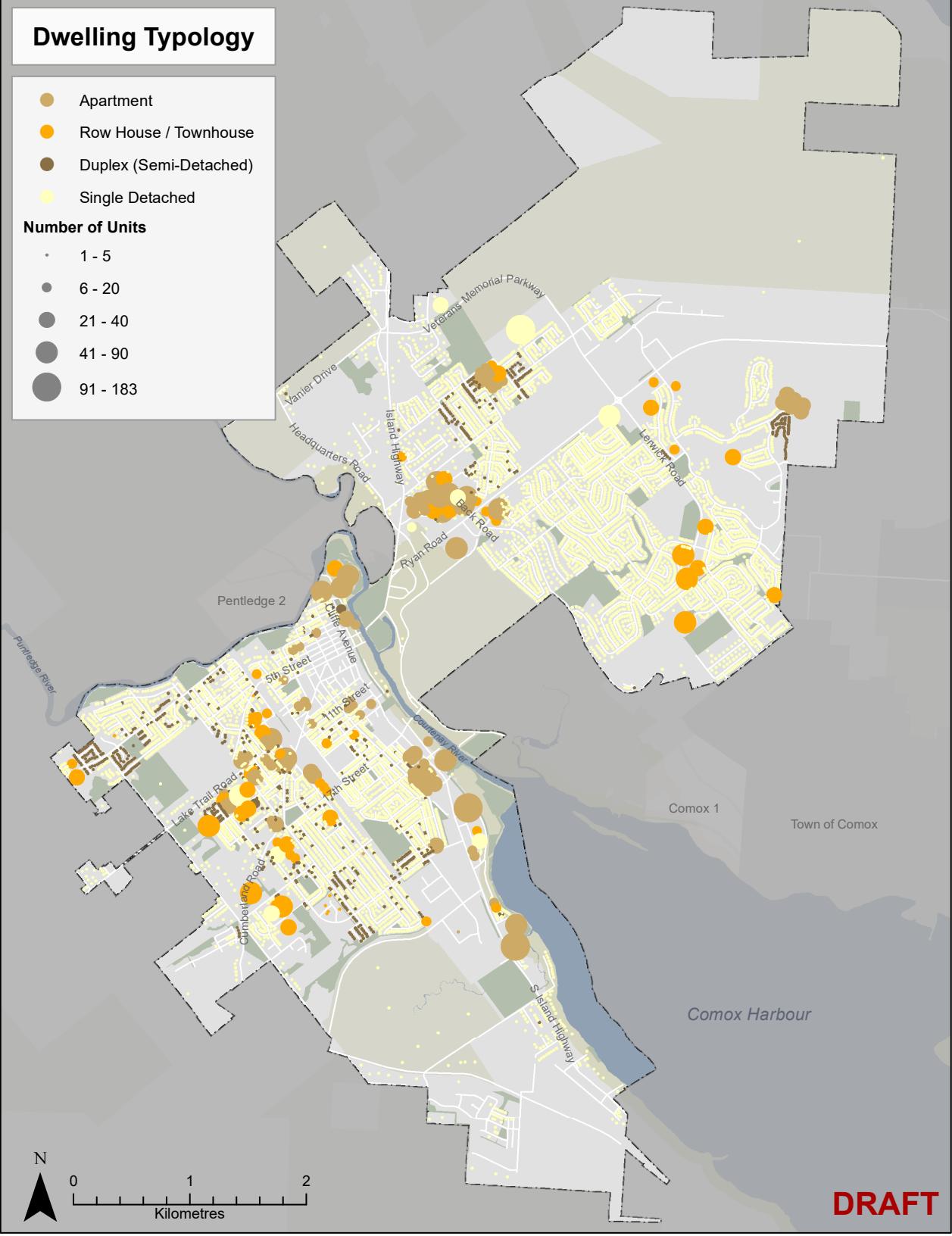
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Dwelling Typology

- Apartment
- Row House / Townhouse
- Duplex (Semi-Detached)
- Single Detached

Number of Units

- 1 - 5
- 6 - 20
- 21 - 40
- 41 - 90
- 91 - 183



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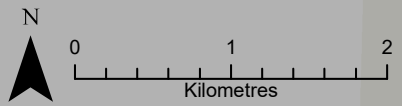
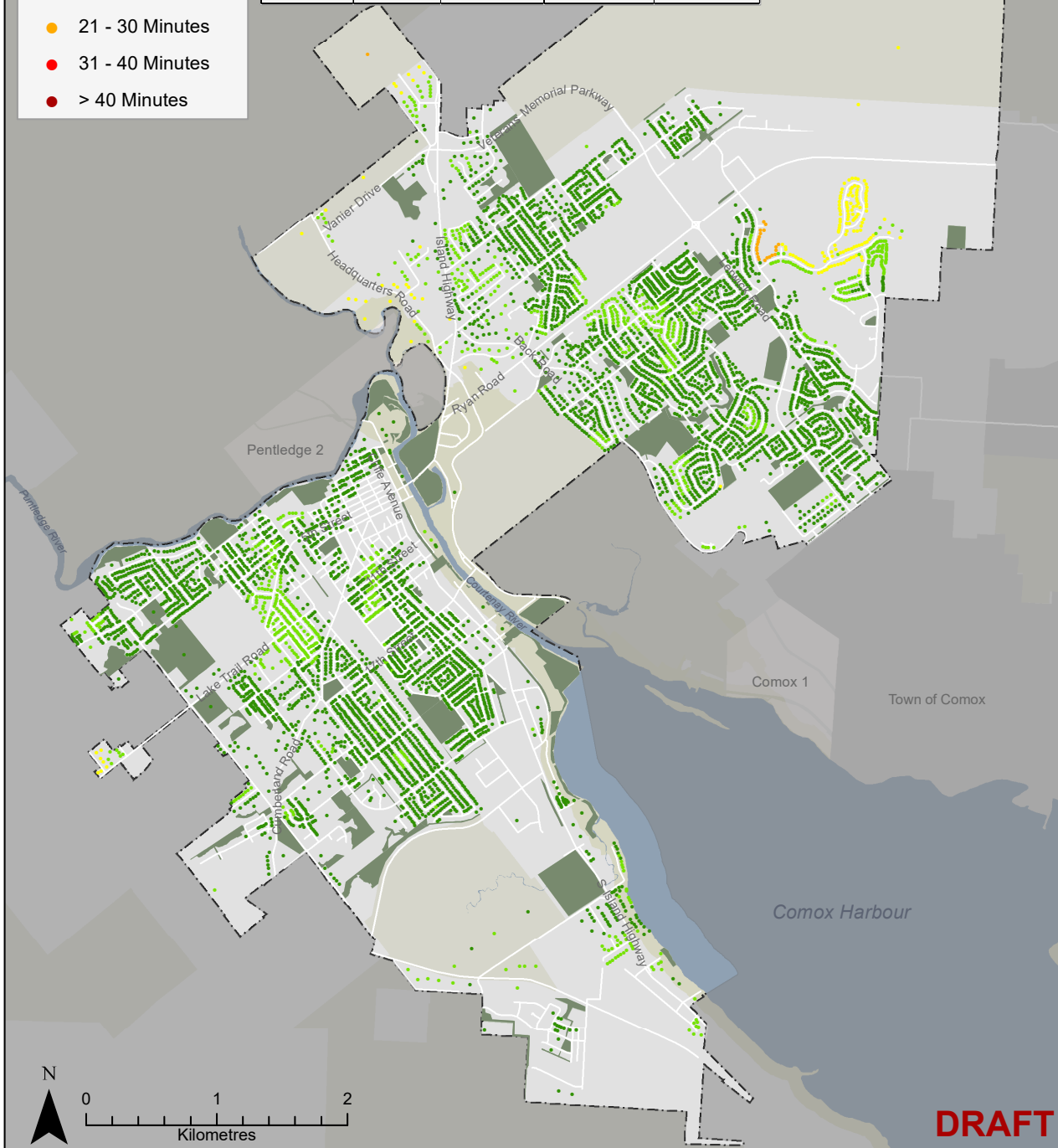


**LOCAL ECOLOGY OFFERS BOTH
UNIQUE CHARACTER AND
THE VITAL SERVICES OF NATURE**

Walking Distance to Public Parks

- Parks
- 0 - 5 Minutes
- 6 - 10 Minutes
- 11 - 20 Minutes
- 21 - 30 Minutes
- 31 - 40 Minutes
- > 40 Minutes

WALKING DISTANCE (MINUTES)	DWELLING UNITS	POPULATION	PERCENTAGE OF TOTAL POP.	CUMULATIVE PERCENTAGE
0 - 5	9,203	21,176	80%	80%
6 - 10	2,044	4,637	18%	98%
11 - 15	187	422	2%	100%
16 - 20	56	127	0%	100%
20+	24	55	0%	100%



DRAFT

COURTENAY'S PEOPLE ARE AT THE HEART OF THIS OCP'S SUCCESS





PUBLIC IDEAS FAIR!

Tomorrow | 10am-8pm | Florence Filberg Centre

NEXT STEPS



NOV - FEB 2020	FEB - APR 2020	APR - JUN 2020	JUL - NOV 2020	DEC - APR 2021
PROJECT LAUNCH	CITY-WIDE VISION AND GROWTH SCENARIOS	NEIGHBOURHOOD PLANNING	DRAFT PLAN	FINAL PLAN



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3090-20-1905

From: Chief Administrative Officer

Date: February 18, 2020

Subject: Development Variance Permit No. 1905 – 515 – Menzies Avenue

PURPOSE:

The purpose of this report is for Council to consider a Development Variance Permit to vary the Zoning Bylaw to permit a reduction of the side yard setback for a side yard flanking a lane and a reduction of the required parking spaces on the property legally described as Lot 40, Block 1, District Lot 127, Comox District, Plan 1951, in order to accommodate the construction of an addition for a secondary suite.

CAO RECOMMENDATIONS:

That based on the February 18, 2020 staff report “**Development Variance Permit No. 1905 – 515 – Menzies Avenue**”, Council approve OPTION 1 and proceed with issuing Development Variance Permit No. 1905.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

The subject property is approximately 445m² (0.10 acre) and is located along Menzies Avenue approximately 63m from the intersection with 5th Street, and is adjacent to a lane (**Figure No. 1**). The applicant is proposing to construct an addition to the home in order to add a secondary suite to the home. Due to the long, narrow nature of the lot, and the existing buildings on property, the applicant is requesting to vary the side yard setback (for a side yard flanking a lane) and a reduction in parking. The applicant’s rationale for the variances can be found in **Attachment No. 2**.

DISCUSSION:

Zoning Bylaw Review:

The subject property is zoned Residential Two (R-2). A secondary suite is permitted in this zone. The proposed secondary suite will be constructed as a two-storey addition to the existing home. The proposal complies with the zoning regulations for the R-2 zone with the exception of the side yard setback for a side yard flanking a lane and the off-street parking requirements. Currently, there is no off-street parking on the

subject property. The plans are shown in **Figure No. 3**. Compliance with the R-2 zone and the proposed variances are summarized below in Table No. 1.



Figure 1. Subject property.

R-2 Zone	Regulation	Proposed
Use	-Single residential dwelling or duplex -Secondary Suite	-Single residential dwelling -Secondary suite
Minimum Lot Size	750m ²	445.8m ² (existing)
Minimum Lot Depth	35.0m	40.6m
Lot Coverage	Maximum 40%	35%
Front yard setback	7.5m	5.23m (existing)
Rear yard setback	9.0m	15.2m
Side yard setback (northwest)	4.5m where a side yard flanks a street (lane)	0.63m
Side yard setback (southeast)	1.5m	4.6m
Height	8.0m	7.69m

Parking	2 spaces per single family dwelling	2 spaces
	1 space per secondary suite	
Total Parking	3 spaces	

Table 1. Zoning Compliance (R-2 zone and proposal)

Variance 1 (Side yard setback): The northwest side of the lot is adjacent to a lane. As per section 8.2.7. (a) (3) of *Zoning Bylaw 2500*, a side yard that flanks a street shall have a minimum distance of 4.5m. The definition of a ‘street’ in the Zoning Bylaw includes a lane. Therefore, the required side yard setback for the proposed secondary suite addition is 4.5m. The applicant is proposing a 1.5m setback from the proposed secondary suite. However, the City measures variances from the furthest degree of encroachment, and as the proposed roof has an overhang, the applicant is asking for a greater reduction in the side yard setback to 0.63m which is less than the side yard setback shown on the site plan. The applicant’s request also includes a 0.10m measuring buffer.

The rationale for the variance to the side yard is two-fold:

- To maintain privacy for the neighboring lot to the southeast of the lot from the secondary suite, as the proposed secondary suite is two storeys and could look into the neighbouring yard if sited closer to the neighbouring property.
- To allow for more sunlight into the rear yard, as the building would otherwise block southern sun exposure due to the layout of the lot.

Staff assess the requested variance as supportable given the low impact to residents, increase to privacy and the sun exposure benefits for the property. Secondary suites help create infill and housing variety in this neighbourhood.

Variance 2 (Parking): The Zoning Bylaw requires that two parking spaces be provided for a single family dwelling, and one space be provided for a secondary suite (for a total of three off-street spaces). The applicant is requesting a reduction in the required off-street parking from three (3) to two (2) spaces. Currently, there is no off-street parking at the subject property. The proposed parking spaces are shown in **Figure No. 3**. The rationale for the requested reduction is that the space between the proposed suite and the existing ancillary building, where the applicant would like to place the parking, is too narrow to accommodate three spaces. Further, while the subject property could potentially accommodate a parking space in the front or rear yards, the applicant is instead requesting the variance because of:

- Concerns over safety for a driveway on Menzies Avenue near the lane.
- Creating a parking space in the front yard would have impacts on the existing character of the property, including the removal of the stone wall in the front yard.
- Removal of trees would be required for parking in either the rear or front yards.

The net increase in off-street parking spaces on the property as a result of this variance application would be two.

The requested variance is supported given the impact a parking space in the front or rear yards would have on the character of the property and the fact that the property currently has no off-street parking.

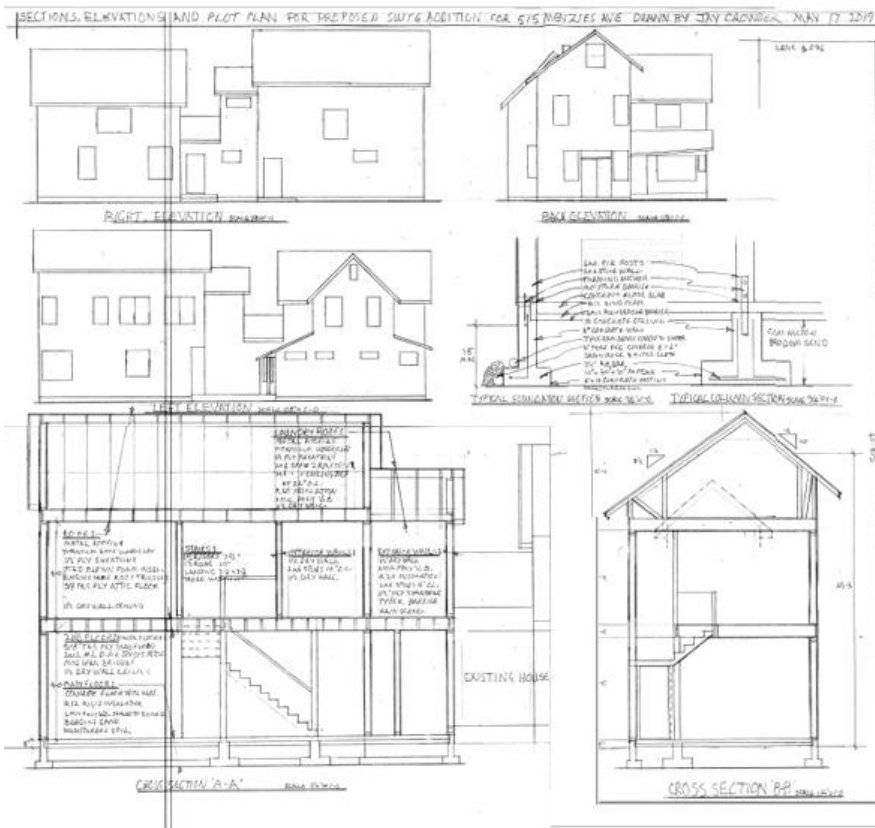
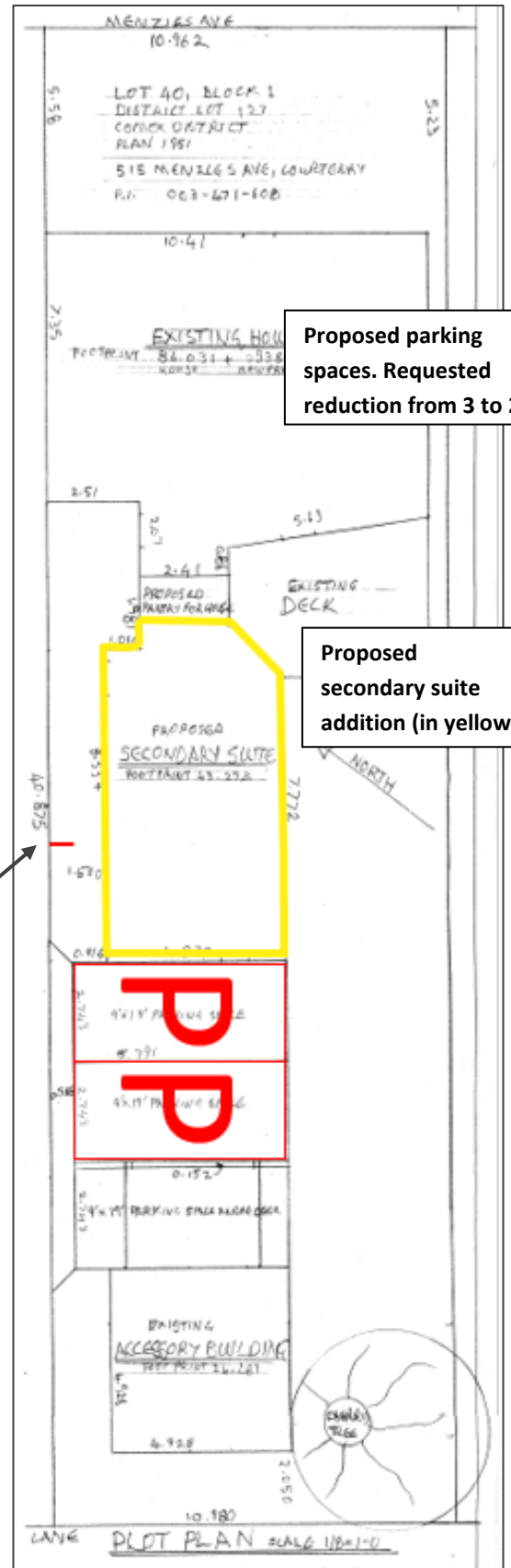


Figure 2. Elevations.



Proposed parking spaces. Requested reduction from 3 to 2.

Proposed secondary suite addition (in yellow).

Requested side yard of 0.63m (in red). Accounts for roof overhang and measuring buffer, not shown on plan.

Figure 3. Site plan showing proposed variances to parking and the side yard setback.

FINANCIAL IMPLICATIONS:

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

ADMINISTRATIVE IMPLICATIONS:

The processing of development applications is included in the current work plan as a statutory component. Staff have spent approximately 45 hours processing this application to date.

Should the proposed Development Variance Permit be approved, an additional two hours of staff time will be required to prepare the notice of permit, have it registered on title, and close the file. Additional staff time will also be required for processing and issuing a Building Permit and related inspections.

ASSET MANAGEMENT IMPLICATIONS:

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

STRATEGIC PRIORITIES REFERENCE:

2019-2022 Strategic Priorities

- Communicate appropriately with our community in all decisions we make
- ▲ Encourage and support housing diversity

The November 2019 Strategic Priorities Check-in does not include any additional relevant references.

OFFICIAL COMMUNITY PLAN REFERENCE:

The subject property is designated Urban Residential in the Official Community Plan (OCP). The Urban Residential land use designation promotes infill, housing variety and building designs that are aligned with neighbourhood character. In the case of the subject property, the neighbourhood has some heritage character, and this is the rationale behind the requested parking variance. The addition of a secondary suite contributes to housing infill and variety. The following OCP policies guide the proposal:

Urban Residential

4.4.2 Goals

- (7) Preserve the integrity and character of existing residential areas with any redevelopment proposal.*

4.4.3 Policies

- (1) Balance land uses to create vibrant and diverse neighbourhoods and community.*
- (2). Create neighbourhoods that will offer a variety of transportation choices.*
- (5) Lead in creating inclusive neighbourhoods for housing.*

4.4.3 Density

- (4) Urban residential designation is for single and duplex residential development with a broad range of fully serviced subdivisions and provision of a variety of lot sizes in a neighborhood. Lot sizes may range from 650 m² to 2500 m² with consideration of smaller lots only after review and approval of an overall design concept. In this regard, limited infill will be considered only in keeping with the character and scale of an existing neighbourhood*

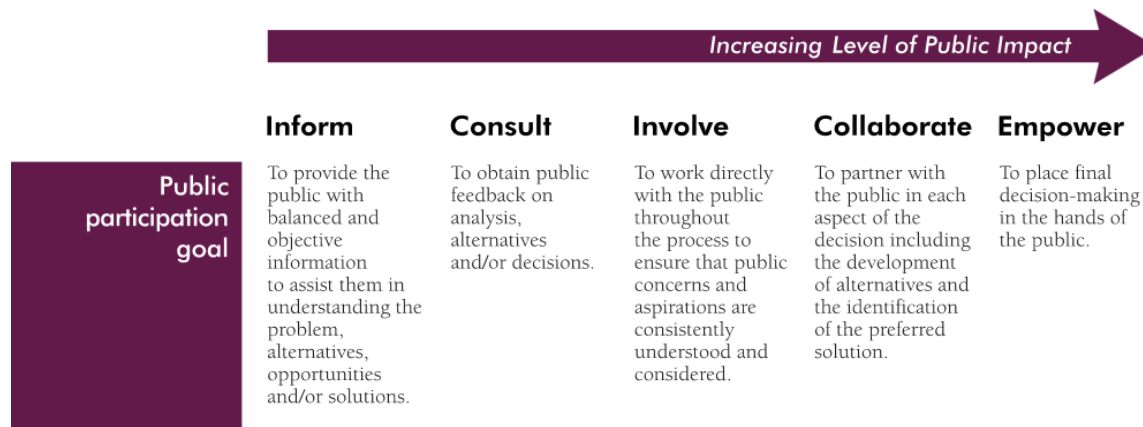
- c) New development will take into account:
- Neighbourhood interests
 - Pedestrian linkages
 - Urban standard municipal roads and services
 - Proximity to services, community facilities, schools, parks and shopping
 - Traffic pattern and overall site design
 - Form of housing

REGIONAL GROWTH STRATEGY REFERENCE:

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

CITIZEN/PUBLIC ENGAGEMENT:

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



A Public Information package was distributed to property owners and occupiers within 30m of the property. The applicant held a public information meeting on January 3, 2020. According to the applicant three people attended. The meeting was held at the Vancouver Island Regional Library in Courtenay. The discussion included the parking options, City storm infrastructure, and the design of the addition for the suite. The applicant’s public information meeting summary is included as **Attachment No. 3**.

OPTIONS:

OPTION 1: (Recommended): Approve Development Variance Permit No. 1905.

OPTION 2: Defer issuance of Development Variance Permit No. 1905 pending receipt of further information.

OPTION 3: Not approve Development Variances Permit No. 1905.

Prepared by:



Cassandra Marsh, B.A.
Planner I

Reviewed by:



Ian Buck, RPP, MCIP
Director of Development Services

Attachments:

1. *Attachment No. 1: Draft Development Variance Permit No. 1905*
2. *Attachment No. 2: Rationale for variance request*
3. *Attachment No. 3: Public Information Meeting documentation*

Attachment No. 1:
Development
Variance Permit

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. 3090-20-1905

DEVELOPMENT VARIANCE PERMIT

February 3, 2020

To issue a Development Variance Permit

To:

Name: Richard Rafuse
Address: 515 Menzies Avenue
Courtenay, B.C. V9N 3C3

Property to which permit refers:

Legal: LOT 40, BLOCK 1, DISTRICT LOT 127, COMOX DISTRICT, PLAN 1951
Civic: 515 Menzies Avenue

Conditions of Permit:

Permit issued to the property legally described as Lot 40, Block 1, District Lot 127, Comox District, Plan 1951 to permit the following variances for the construction of an addition to the existing home to accommodate a secondary suite:

- *Zoning Bylaw No. 2500, 2007*
 - *Section 8.2.7* – minimum building setback on the northwest side yard from 4.5m to 0.63m.
 - *Section 7A (a)* – required off-street parking for a single dwelling unit with a suite from 3 to 2 spaces.

Development Variance Permit No. 1905 is subject to the following conditions:

1. Development must substantially conform to plans for the proposed addition by Jay Crowder dated May 17, 2019, contained in *Schedule No.1*;
2. The development shall meet all other applicable requirements, standards and guidelines; and
3. No alterations or amendments shall be made without the City's permission. A formal amendment application is required if the plans change or additional variances are identified after the permit is issued.

Time Schedule of Development and Lapse of Permit

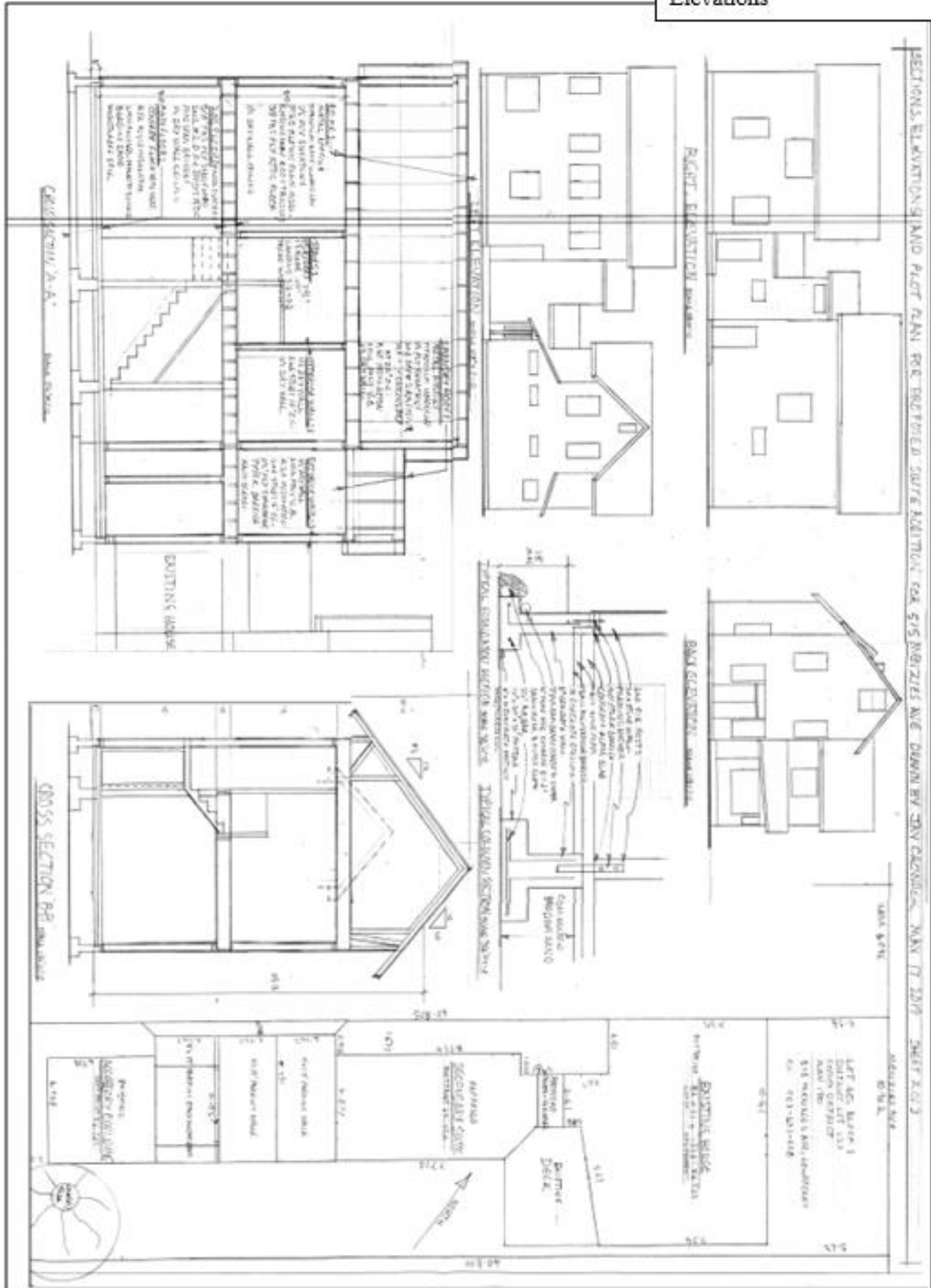
That if the permit holder has not substantially commenced the construction authorized by this permit within (12) months after the date it was issued, the permit lapses.

Date

Director of Legislative Services

DRAFT

Schedule No.1: Site Plan and Elevations



Attachment No. 2:
Rationale for Variance
Request

RICHARD RAFUSE

250-957-7334
rik_rafuse@yahoo.ca

515 Menzies Ave
Courtenay, BC
V9N 3C3

October 17, 2019

City of Courtenay
Planning Services
Re: Development Variance Permit Application
830 Cliffe Avenue
Courtenay, BC, V9N 2J7
Tel. 250-334-4441
Fax 250-334-4241

Dear City of Courtenay,

I would like to build a secondary suite attached to the rear of my house at 515 Menzies Avenue (R-2 zoning). The proposed addition has been designed to meet the secondary suite requirements of a) having a total floor space <90 m²; b) having a floor space <40% of the total habitable building floor space; c) being located in a residential building with only one other dwelling unit and d) being located in a building which is a single real estate entity.

The R-2 zoning designation allows the permitted use of a secondary suite (8.2.1(5)).

I am requesting two variances: 1) two off-street parking spaces instead of the required three and 2) alteration of the side yard setback flanking the laneway from 4.5 metres to 1.4 metres.

There are currently no parking spaces on the property. Schedule 7A states that the minimum number of off-street parking spaces are two per single dwelling unit plus one per secondary suite dwelling unit for a total of three.

There is available space for two parking spaces to the rear of the proposed secondary suite (laneway access with clearance allowances for approach

and “door-swing” space (as proposed parking spaces are located between the proposed secondary suite and the existing accessory building)).

There is the possibility of a parking space in the front yard but this is inadvisable due to 1) safety concerns (raised by the City Planning Department) because of the intersection of Menzies and the laneway and 2) disruption of heritage character aesthetics (cedar hedge and plum tree on city property would have to be cut down, low stone wall would have to be removed and front yard garden would be replaced by a gravel parking space). There is also the possibility of a parking space at the rear of the lot with laneway access beside the accessory building. This would necessitate the removal of a large, heritage cherry tree.

1) I am requesting the parking space requirement be reduced to two spaces for the following reasons:

- Preservation of front yard heritage character aesthetics and laneway intersection safety
- Preservation of large heritage cherry tree in the backyard
- This still increases the number of off-street parking spaces from zero to two

Residential Two Zone (R-2) states that Single Family Residence side yard setback must be a minimum of 4.5 metres if the side yard flanks a street (8.2.7). I am told that the laneway qualifies as a street. If there was no laneway the setback would be 1.5 metres.

2) I am requesting that the side-yard setback for the proposed secondary suite be 1.4 metres¹ for the following reasons:

- Preservation of privacy of neighbour in lot 39. If the suite was built with a 4.5 metre side yard setback the new structure would loom over my neighbour's backyard. If built with a 1.4 metre setback the new

¹ To be built 1.5 metres from property line but 1.4 requested for measurement buffer.

structure is in line with the current accessory building and overlooks my own backyard.

- Building the secondary suite along the laneway side of the lot (1.4 metre setback) maximizes backyard southern sun exposure for improved gardening potential and backyard usability/enjoyment. If the secondary suite is built with a 4.5 metre laneway setback the remaining yard would be in the shade for the vast majority of the day (only receiving late-afternoon sun).

The proposed secondary suite addition corresponds with the Official Community Plan by increasing urban density while maintaining the heritage character of an old Courtenay neighbourhood. Location on Menzies Avenue provides suite occupant access to the 5th Street bike lane and sidewalks with easy pedestrian access to the downtown core, Puntledge Park trails and nearby schools. A secondary suite provides quality, affordable housing in a community with limited rental opportunities while maintaining housing diversity.

Thank you for your considerations.

Sincerely,

Richard Rafuse

Blamire, Susan

From: Rick Rafuse <r_rafuse@me.com>
Sent: Friday, October 18, 2019 3:22 PM
To: Grimsrud, Michael
Subject: Addendum

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Michael,

Thank you for your call.

Please change the variance request to include the eave overhang and gutter so that the “furthest extent of the building” is 0.63 metres from the laneway side property line (1.4 metres to wall as requested (1.5 metres minus measuring buffer) minus 0.77 metres for overhang/gutter).

Also, please change the proposed parking spaces on the drawing as discussed: two adjacent parking spaces starting at rear wall of the proposed secondary suite. The posts for the accessory building balcony will be moved towards the rear of the lot appropriately (to create space for the rear parking space).

Please contact me if you require more information or if further changes are needed.

Sincerely,
Rik Rafuse

Tel. 250.957.7334
Fax 250.871.2707

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Attachment No. 3:
Public Information
Meeting

RICHARD RAFUSE

250-957-7334
rik_rafuse@yahoo.ca

515 Menzies Ave
Courtenay, BC
V9N 3C3

January 6, 2020

City of Courtenay
Planning Services
Re: Development Variance Permit Application
830 Cliffe Avenue
Courtenay, BC, V9N 2J7
Tel. 250-334-4441
Fax 250-334-4241

Dear City of Courtenay,

As detailed in the handout, a public information meeting was held on Friday, January 3rd, 2020 from 3-5 pm at the Courtenay branch of the Vancouver Island Regional Library. Notification letters were delivered and mailed on December 24th, 2019.

Meeting summary:

- 3 people attended (see attached sign-in sheet)
- Information provided at meeting: comment sheets, site plan, floor plan, requested variances, R-2 permitted uses and requirements for secondary suites
- Questions related to parking site options, lack of city storm sewer infrastructure and general secondary suite design

Please contact me if you have any questions.

Sincerely,

Rik Rafuse

PUBLIC INFORMATION MEETING
 January 3, 2020
SIGN IN SHEET
FOR
 Rik Rafuse at 515 Menzies Avenue

NAME (Please Print)	ADDRESS
Debbie Sitar	980 5th Street.
Lison Zunno	555 B ST

PUBLIC INFORMATION MEETING

January 3, 2020

Rik Rafuse, 515 Menzies Avenue

COMMENT SHEET

Name: Debbie Sizer Email: debsizer@gmail.com
Address: 980 5th St. Phone: _____

Rik Rafuse has applied to the City of Courtenay for a Development Variance Permit regarding a proposed secondary suite. 2 variances have been requested: 1) two off-street parking spaces (instead of the required three) and 2) alteration of the sideyard setback flanking the laneway (from 4.5 metres to 1.4 metres). 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

We discussed about the application for Rik

Please return your comments by: January 10, 2020
Comment sheets can be submitted by one of the following methods:
1. Drop your comment sheet off at the Development Services Department, City of Courtenay
830 Cliffe Avenue
2. Email your comment sheet to planning@courtenay.ca
3. Fax your comment sheet to 250-334-4241

PUBLIC INFORMATION MEETING

January 3, 2020

Rik Rafuse, 515 Menzies Avenue

COMMENT SHEET

Name: Joan Seok Choi Email: lchee21@hotmail.net
Address: 908 5th St Courtenay Phone: (778) 867-1236

Rik Rafuse has applied to the City of Courtenay for a Development Variance Permit regarding a proposed secondary suite. 2 variances have been requested: 1) two off-street parking spaces (instead of the required three) and 2) alteration of the sideyard setback flanking the laneway (from 4.5 metres to 1.4 metres). 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

I agree with Rik's opinion.

Please return your comments by: January 10, 2020

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

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



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:** February 18, 2020
Subject: **Third Reading Report - Official Community Plan (OCP) Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 - Lannan Road**

PURPOSE:

The purpose of this report to:

1. Consider Third Reading of OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973;
2. Confirm Council's acceptance of the amenity contributions offered by the applicant;
3. Provide clarity on the proposed stormwater management strategy which was a dominant theme at the Public Hearing; and
4. Summarize the key themes expressed at the Public Hearing and highlight Council's ability to request additional information prior to proceeding with Third Readings of an OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973.

CAO RECOMMENDATIONS:

That based on the February 18th, 2020 staff report entitled "Third Reading Report - Official Community Plan (OCP) Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 - Lannan Road." Council approve OPTION 1 as follows:

1. That Council confirms that the following amenities offered by the applicant are adequate for the proposed OCP and Zoning Bylaw amendments; contributions to the *Parks, Recreation, Culture and Senior's Facilities Amenity Reserve Fund*; the development of Parkland at 2600 Crown Isle Drive; the provision of a furnished modular housing unit to "Dawn to Dawn"; and contributions to the *Affordable Housing Amenity Reserve Fund*;
2. That a condition is added to the Phased Development Agreement prohibiting any stormwater management facility within the forested area immediately south of the subject property and that the Brooklyn Creek Watershed Society be involved in the design stages of the stormwater management system;
3. That Council gives OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 Third Reading; 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.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

DISCUSSION:**Amenities**

The proposed bylaw amendments were first considered by Council at the January 6, 2020 Council meeting. At that meeting, Council gave the bylaws First and Second Readings. A Public Hearing was held on January 20th, 2020. The January 6, 2020 staff report outlined the amenity contributions offered by the applicant in support of the proposal and are summarized below:

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

1. The applicant has offered to improve the existing, undeveloped 4048m² (1.0 ac.) park land dedication at 2600 Crown Isle Drive (shown in Figure 1). Improvements will consist of irrigation, hydroseeding, tree plantings and benches. This land was dedicated as Park to the City as part of the subdivision process in early 2019. The proposed improvements are supported by the Parks Department.

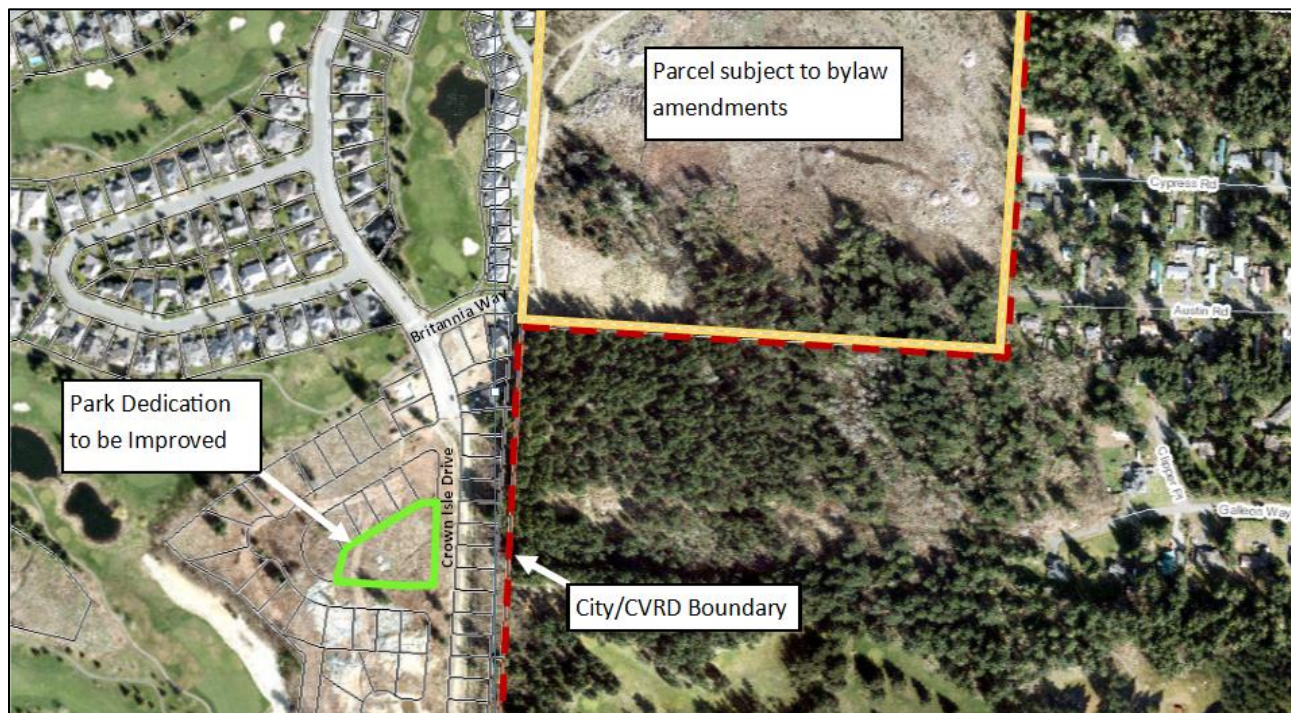


Figure 1: Location of Park Dedication to be improved

2. The applicant has also offered contributions to the *Parks, Recreation, Culture and Senior's Facilities Amenity Reserve Fund* as specified in Section 7.7(5) of the OCP. Based on the conceptual layout, this equates to approximately \$225,000 but is subject to change based on the final lot sizes and other variables such as the final number and area of multifamily units and the location of the stormwater management facilities.

Affordable Housing Amenity Reserve Fund

1. The applicant has offered a furnished modular housing unit to be provided to the organization Dawn to Dawn: Action on Homelessness Society. The unit is intended to be located at an appropriate location

in the City as temporary housing for homeless people. There is no doubt such units provide much needed shelter, however staff note these buildings are not constructed with building permits and accordingly the health and safety of them is unknown. Council may wish to consider alternatives such as a financial contribution to Dawn to Dawn, or some other non-market, affordable housing initiative instead.

2. The applicant has also offered contributions to the *Affordable Housing Amenity Reserve Fund* as specified in Section 7.7(6)(c) of the OCP. Based on the conceptual layout this, again, equates to approximately \$225,000, but subject to change based on the final lot sizes and the final number and area of multifamily units.

Should the OCP and Zoning Amendment bylaws be adopted, the amenities detailed above will be secured through a Phased Development Agreement (PDA).

The Amenity Contribution policies, in their entirety, are provided in the “Official Community Plan Reference Section” below. The policies start by outlining that there is typically an instantaneous property value increase when the City agrees to rezone a property. This is usually the result of an increase in density afforded by the new versus the existing zoning. In this case, the existing RU-8 zone permits a minimum lot size of 2.0ha (4.9 ac.). This results in a potential for the property to be subdivided into eight lots each with one house. The proposed CD-1J will allow 330 units, 122 being single family (some with suites) and 208 being multi-family housing types.

The Section continues by providing examples of the types of amenities that can be offered in support of a proposal followed by the contributions considered reasonable, per lot, to the *Parks, Recreation, Culture and Senior’s Facilities Amenity Reserve Fund*.

The Affordable Housing Policy states that amendments to the zoning bylaw and OCP are expected to include contributions to non-market, affordable housing. Should the City and applicant be unable to negotiate contributions of units then the policy states that contributions should be based on the per lot values specified in Section 7.7(6)(c) of the OCP. It should be noted that the contributions to the reserve funds are typically considered a minimum requirement. Additionally, amendments to the OCP and zoning bylaw are completely discretionary and Council is not obligated to accept the proposed contributions or approve the bylaws.

Stormwater Management Strategy

Stormwater management was a dominant theme at the Public Hearing on January 20th, 2020. Most comments centred on downstream flooding concerns and the need for additional study prior to proceeding with the amendments. Additional comments centred on the location of the conceptual stormwater management facilities on an adjacent property.

Once rezoned, the next step in developing the subject property will be for the applicant to apply to the City to subdivide the parcel. Any subdivision of the property must meet the requirements of the City’s *Subdivision and Development Servicing Bylaw*. In general, the bylaw requires that post development stormwater discharge rates correspond to pre-development flows for the 1 in 25 year period storm events and that any overland flows beyond the 1 in 25 year event are designed in a manner which does not result in the flooding of any properties.

Regarding downstream flooding, as outlined in the January 6, 2020 staff report, the OCP/Zoning amendment proposal leaves questions around stormwater management unanswered. As outlined in some Public Hearing submissions, the majority of rain water runoff from the Lannan property is believed to travel through existing natural 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 stormwater in a newly created stormwater facility on property immediately south of the subject property, within the Comox Valley Regional District (CVRD) which the developer also owns. For clarity this facility is conceptually proposed just off the existing stream channel in a largely un-forested area of the golf course property.

In the case of the proposed pond location in the CVRD, there is added jurisdictional complexity as stormwater within the City is controlled and regulated by the City. Within the CVRD, stormwater is managed and controlled by the Ministry of Transportation whose primary concern is drainage discharge from their highways and into their ditch systems. The applicant has accepted the risk that should the CVRD or Ministry not permit the stormwater facilities in their jurisdiction, or if the City is not agreeable, then the stormwater facilities must be located on the subject property, which will impact the conceptual layout and the total number of units that can be developed. Given these concerns, Council may wish to direct that, as a condition of zoning approval, any required stormwater management facilities must be located on the subject property.

Regarding the location of the proposed stormwater management facilities on an adjacent property, there remains uncertainty and other factors which could dictate the facilities' size and location. Initially the applicant proposed the stormwater facilities be located immediately south of the subject property, and some comments at the public hearing were directed at the original plan. After consulting with the Brooklyn Creek Watershed Society (BCWS) during the initial bylaw consultation phase the applicant proposed these ponds be further south. As outlined in the January 6th staff report, the stormwater management strategy is conceptual and the City is not committed to a specific design as part of the current OCP/zoning process. However, given the concerns expressed by the Brooklyn Creek Watershed Society, staff are recommending a condition in the PDA which prohibits the final design of any stormwater facility being located on the forested area south of the subject property. Staff note that having heard from the BCWS, the applicant is in full agreement with the protection of the forested area immediately south of the subject property. The intent of adding this condition to the PDA is to provide certainty that this area will be protected. The exact area to be protected from stormwater management ponds will be delineated on a plan attached to the PDA. Given the importance of water quality and quantity entering the Brooklyn Creek system staff also recommend, as a condition of the PDA, that the Brooklyn Creek Watershed Society be involved in the design of the stormwater management system to ensure it provides the greatest benefit to stream health and meets their enhancement goals.

While there are additional administrative challenges with locating the pond outside City boundaries, staff are confident that regardless of its final location, an appropriately designed stormwater management system will mitigate flooding concerns.

Tree Preservation

There was also concerns expressed at the Public Hearing with the loss of the remaining forested area. The areas of concern include the remaining trees on the subject property in addition to the trees just south of the subject property on the golf course property.

The City does not have jurisdiction over trees outside of the City's boundaries. Although the CVRD does not have any tree protection regulations, the proposed PDA could ensure stormwater management infrastructure is not located in this area.

The current concept plan provided by the applicant at 1st and 2nd readings shows the removal of approximately 2/3 of the remaining forest. It should be noted these are estimates based on an air photo interpretation and not based on detailed plans that would accompany a tree cutting permit. Council may wish to consider retention of some, or all, of these remaining trees to further enhance the protection and value of the adjacent environmentally sensitive features in the headwaters of the Brooklyn Creek watershed.

Options to Consider

At this stage in the process Council may pass Third Reading, defeat the bylaws, or defer consideration and request additional information on any element of the proposal. Additionally, Council could request modifications to the concept plan on which the zoning application is based prior to further consideration. Staff note that requests for additional information will trigger the requirement for a new public hearing, to provide opportunity for the public to reconsider the proposal in light of the new information.

The matrix below is designed to highlight options that Council may wish to consider concerning the main themes identified through the public process. For efficiency, staff suggest Council address these items (or any others identified by Council) individually. This will assist in providing clear direction for staff and the applicant going forward in the next stages of the process.

Issue	Proposal	Option 1	Option 2	Option 3
Tree Preservation	The applicant is proposing to remove approximately 2/3's of the remaining trees on the subject property.	Proceed with the bylaws without additional tree preservation.	Require protection of all of the remaining trees on the subject property as a condition of the bylaw amendments, with the exception of minimal removal to permit the extension of Britannia Way.	Allow the removal of trees for the proposed extension of the Britannia Place Strata only, but require the protection of all other remaining trees with the exception of minimal additional removal for the extension of Britannia Way.
Stormwater Management (Pond Location)	The applicant is proposing to locate a stormwater detention pond on adjacent property within the CVRD.	Proceed with bylaws without additional analysis and study on the location of stormwater management facilities knowing that the <i>Subdivision and Development Servicing Bylaw</i> mandates that this must be completed prior to subdivisions.	Require that the location of stormwater management facilities is identified to the satisfaction of all relevant authorities prior to further consideration of the bylaws.	Require that the stormwater management facilities be located on the applicant's property within the City.
Stormwater Management (study/design)	The applicant proposes to defer the design of the system to later phases of the development but in accordance with the City's <i>Subdivision and Development Servicing Bylaw</i> requirements	Proceed with the bylaws without additional analysis and study of stormwater management knowing that the <i>Subdivision and Development Servicing Bylaw</i> mandates that this is complete prior to subdivisions.	Require that the stormwater management design is completed prior to final consideration of the bylaws.	Require that the stormwater management design is completed prior to Third Reading of the bylaws.

Issue	Proposal	Option 1	Option 2	Option 3
Amenities (Affordable Housing)	Contributions to the Affordable Housing Amenity Reserve Fund and contribution of a modular unit to Dawn to Dawn	Proceed with the bylaws based on the amenities offered to the <i>Affordable Housing Amenity Reserve Fund</i> and the contribution of a modular unit to Dawn to Dawn	Identify additional or alternative amenity contributions Council deems appropriate given the scale of the project.	Request additional information such as an appraisal of the land's value pre and post bylaw amendments to help inform Councils' decision on amenities
Amenities (Parks, Recreation, Culture and Senior's Facilities)	Contributions to the Parks, Recreation, Culture and Senior's Facilities Amenity Reserve Fund and the improvements to the park at 2600 Crown Isle Drive	Proceed with the bylaws based on the amenities offered to the <i>Parks, Recreation, Culture and Senior's Facilities Amenity Reserve Fund</i> and the improvements to the park at 2600 Crown Isle Drive	Identify additional or alternative amenity contributions Council deems appropriate given the scale of the project.	Request additional information such as an appraisal of the land's value pre and post bylaw amendments to help inform Councils' decision on amenities
Land Uses, Housing Form and Density	The applicant is proposing 330 units. A maximum of 122 of the 330 units are single family dwellings with or without suites. A maximum of 208 multi-family units are permitted.	Proceed with the bylaws based on the density and unit mix proposed.	Require changes to unit mix	Require changes to the maximum permitted unit density.

FINANCIAL IMPLICATIONS:

The development is subject to City and the Regional District Development Cost Charges. Amenity contributions as outlined above to parks facilities reduce the overall park improvement needs that are financed through property taxation.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff has spent 60 hours processing and reviewing this application.

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 operations and/or 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

Section 7.7 Provision of Amenities

The Plan identifies a range of items to be considered in the review of new development in the City. For example, the provision of major roads, sidewalks, parks and open space, affordable housing, recreational and cultural facilities, and protection of environmentally significant features are potential contributions of any proposed development. These items can be negotiated as “amenities” to be incorporated as part of rezoning or comprehensive development zone approval. The basic premise of amenity packages is that the increased value often conveyed with rezoning or comprehensive development approval, should be shared between the community and the developer.

Goal

1. To ensure that the provision of community amenities is considered as part of the rezoning process.

Policies:

1. In recognition of the increased value usually conferred on land and the additional pressure on municipal services that results from an increase in density; development proposals that require rezoning are expected to include community amenities as part of the project.
2. Amenities that may be considered as amenities in applications to amend zoning or OCP designations include the following (not in any particular order):
 - extra road dedication, street works and landscaped buffer areas;
 - sidewalk and trailway improvement;
 - affordable housing units (detailed in the following Section 6);
 - park land (in the case of subdivision, in excess of 5% required under the Local Government Act);
 - contributions to greenbelts, open spaces, environmental corridors;
 - covenants to protect environmentally sensitive areas;
 - recreational space, equipment or facilities;
 - community activity centre or other facilities (ie. daycare, arts, culture, library facilities);
 - transit pull-outs, bus stop shelters;
 - cash-in-lieu contributions.
3. Site-specific conditions will suggest what amenities maybe considered with specific rezoning or comprehensive development zone approval. Criteria for determining priority among possible amenities may include:

- specific site characteristics: natural features that are environmentally, historically or archaeologically sensitive and needing protection, viewsapes, outdoor recreational opportunities;
 - the changing needs of the community and/or surrounding neighbourhood(s);
 - the size of the proposed development and its relationship to the surrounding area;
 - the nature of proposed development;
 - projected population on site.
4. The City should only consider rezoning property following the submission of an application to amend the Zoning Bylaw consistent with the policies of this Plan and related City bylaws.
 5. “Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund”

For residential units approved through the rezoning process the following contributions are payable at either the time of subdivision or issuance of Building Permit. These contributions shall be deposited in a “Parks, Recreation, Cultural and Seniors Facilities Amenity Reserve Fund” to be used for capital projects and upgrades:

Residential Development Contributions per lot

Lot Size	Contribution
Up to 650m ²	\$1,000
651 – 850 m ²	\$1,500
851 – 1250 m ²	\$2,000
1251 – 2500 m ²	\$2,500
2501 – 4000 m ²	\$3,000
4001 – 1 ha	\$3,500
Greater than 1 ha	\$5,000

*Multi – Residential Development Contributions per m²
(more than one residential dwelling unit in a building or a development)*

Floor Area	Fee
Up to 100m ²	\$500
101 – 150m ²	\$750
151 – 200m ²	\$1,500
Greater than 200m ²	\$2,500

Note: for the development of Affordable Housing Projects/units which will be subject to a housing agreement with the City or agency by the City an exemption from these fees will be considered.

6. Affordable Housing Policy
Canada Mortgage and Housing Corporation (CMHC) defines affordable housing as adequate shelter that does not exceed 30% of household income; housing related costs that are less than this are considered affordable. For homeowners, CMHC uses a slightly higher gross debt service ratio of 32%, which includes the cost of servicing the mortgage, property taxes and heating costs. For tenants, housing costs include rent and the cost of utilities such as heating, electricity and water. Applications

for changes in zoning or amendments to the OCP are expected to include a contribution to non-market affordable housing. The follow section outlines the 3 options available for negotiation. Preference is given to the creation of new non-market affordable housing units within proposed developments. Failure to negotiate successfully for units or land contributions will result in a contribution to the “Affordable Housing Reserve Fund”.

a) Non-market affordable housing units

As housing prices rise, many low to moderate-income families, and young people with low home-buying power, are unable to purchase their first homes.

Housing prices have increased so much in the last five years that these people are either unable to purchase housing, or can only afford housing that is inadequate to meet their housing needs. Securing affordable dwelling units, in the form of condominiums or townhouses, is an effective way to ensure entry-level ownership is possible in this housing market. Housing agreements, phased development agreements, and/or covenants may be used to ensure the unit remains “affordable” for a set amount of time.

Developers are encouraged to considered earmarking a percentage of proposed residential units to non-market affordable housing or for inclusion in a below market rental pool.

b) Freehold title land contributions

An adequate supply of serviced land should be made available at a reasonable cost for residential development, and high quality affordable and social housing should be located in close proximity to community services and infrastructure. The intensification of residential land uses addresses issues in relation to “smart growth”, minimizing costs of transportation and provision of infrastructure, and improves accessibility of residents to important community services and supports.

Developers are encouraged to considering donating land, where appropriate, for future development as non-market housing.

c) Contributions to the “Affordable Housing Amenity Reserve Fund”

When a proposed developed is in an area not suitable for affordable housing development (i.e. not serviced by public transit or near schools) a cash-in-lieu contribution will be appropriate. The following tables shall be used to calculate appropriate levels of contributions:

Residential Development Contributions per lot

Lot Size	Contribution
Up to 650 m ²	\$1,000
651 - 850 m ²	\$1,500
851 – 1250 m ²	\$2,000
1251 – 2500 m ²	\$2,500
2501 – 4000 m ²	\$3,000
4001 – 1 ha	\$3,500
Greater than 1 ha	\$5,000

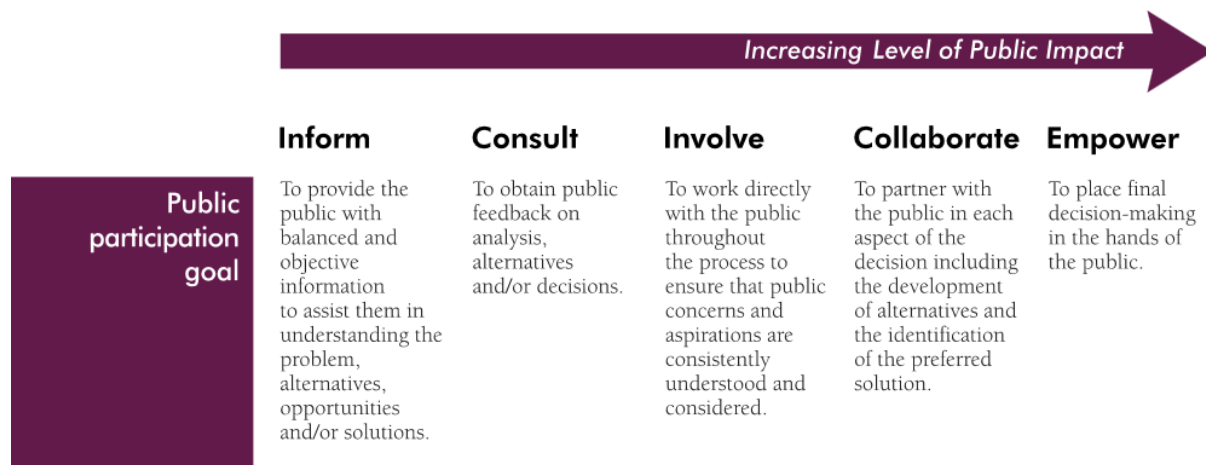
Multi – Residential Development Contributions per m²

(more than one residential dwelling unit in a building or in a development)

Floor Area/ per unit	Contribution
Up to 100 m ²	\$500
101 – 150 m ²	\$750
151 – 200 m ²	\$1,500
Greater than 200 m ²	\$2,500

CITIZEN/PUBLIC ENGAGEMENT:

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



A statutory public hearing was held for both bylaws on January 20, 2020 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.

Should Council request additional information from the applicant or staff related to the proposal a new Public Hearing will be required.

OPTIONS:

OPTION 1: (Recommended)

That based on the February 18, 2020 staff report entitled “Third Reading Report - OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 – Lannan Road.” Council approve Option No. 1 as follows:

1. That Council confirms that the following amenities offered by the applicant are adequate for the proposed OCP and Zoning Bylaw amendments; contributions to the *Parks, Recreation, Culture and Senior’s Facilities Amenity Reserve Fund*; the development of Parkland at 2600 Crown Isle Drive; the provision of a furnished modular housing unit to “Dawn to Dawn”; and contributions to the *Affordable Housing Amenity Reserve Fund*;
2. That a condition is added to the Phased Development Agreement prohibiting any stormwater management facility within the forested area immediately south of the subject property and that the Brooklyn Creek Watershed Society be involved in the design stages of the stormwater management system;
3. That Council gives OCP Amendment Bylaw No. 2972 and Zoning Amendment Bylaw No. 2973 Third Reading; 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 Third Reading of Bylaws 2972 and 2973 and request that staff return to Council with a draft resolution that addresses specific items identified by Council related to the proposed bylaws.

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:

Public Hearing Minutes

Notes of a Public Hearing held Monday, January 20, 2020 at 5:00 p.m. in Council Chambers, City Hall, for the purpose of receiving representations in connection with:

Bylaw No. 2972 - A bylaw which proposes an amendment to the Official Community Plan Bylaw No. 2387, 2005 by changing the land use designation of the property legally described as Lot 1, District Lot 206, Comox District, Plan VIP76495 (Lannan Road) to Mixed Use to accommodate a mixed use multi residential development.

Bylaw No. 2973 - A bylaw which proposes an amendment to the Zoning Bylaw No. 2500, 2007 by rezoning from CVRD RU-8 Zone to a new Comprehensive Development One J Zone (CD-1J) the property legally described as Lot 1, District Lot 206, Comox District, Plan VIP76495 (Lannan Road) and the lands shown on the attached zoning bylaw, (legally described as: BLOCK 72 COMOX DISTRICT EXCEPT PARTS OUTLINED IN RED ON PLANS 1691R AND 2117 RW AND EXCEPT PART IN PLANS 49168, VIP53544, VIP53936, VIP55887, VIPS63451 VIP56997, VIP57216, VIP61372, VIP61373, VIP61374, VIP61375, VIP64932, VIP67278, VIP68539, VIP71399, VIP72239, VIP73546, VIP74891, VIP74892, V1P74893, VIP75389, VIP76675, VIP76772, VIP77537, VIP78213, VIP78293, VIP78614, VIP79916, VIP80521, VIP81206, VIP81881, VIP82174, VIP84549, EPP11548, EPP20585, EPP27748, EPP31093 EPPS9150, EPP65702, EPP83016, EPP77407, AND EPP77408).

Present:

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

Staff:

D. Allen, 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
A. Guillo, Manager of Communications
M. Fitzgerald, Manager of Development Planning
R. Matthews, Executive Assistant

Acting Mayor Morin opened the public hearing at 5:00 p.m. There were 42 members of the public in attendance.

Bylaw No. 2972 - Official Community Plan Amendment to change the land use designation to mixed use (Lannan Road).

Bylaw No. 2973 - Zoning amendment to create a new CD1-J subsection of the CD-1 Zone and rezone the area (Lannan Road).

Bob Kitchen, #185 - 3399 Crown Isle Drive, Britannia Place Strata, Courtenay, President of Britannia Place Strata (VIS 6195) - (*Written and Verbal Submission*) Mr. Kitchen spoke in favour of Bylaw Nos 2972 & 2973 and advised that Britannia Place Strata is adjacent to the applicant property located east of Crown Isle and part of the Lannan Road development.

Mr. Kitchen proceeded with reading his letter dated January 20th, 2020 to Council (attached).

Gillian Anderson, 2561 Sackville Road, Merville - (*Written and Verbal Submission*) Ms. Anderson did not verbally state whether she was in favour or opposed to Bylaw Nos 2972 & 2973 but spoke on behalf of postponing the Bylaws; Ms. Anderson asked Council to postpone the rezoning process that will result in a major change to the Official Community Plan. Ms. Anderson stated that a lot of this forest has already been destroyed, unfortunately against community wishes; (the community did raise the money for it) and further stated that we must conserve biodiversity and important ecosystems wherever they're found, not in some far-away place, we have to think globally and act locally; we really need to save this forest in its entirety.

Ms. Anderson proceeded with reading her letter dated January 19th, 2020 to Council (attached).

Doug Forbes-King, 1854 Birkshire Boulevard, Courtenay - Mr. Forbes-King spoke in favour of Bylaw Nos 2972 & 2973 and in favour of the development (as a neighbour, up the street and around the corner) Mr. Forbes-King thinks it is a natural progression to develop this property; across the road is a recent development, Cambridge Park, that turned out to be one of very nicest developments in the area. As a 17 year resident, we've seen Crown Isle and various neighborhoods' grow and thinks it a natural progression of that development and thinks across the road may be somewhat similar to Cambridge Park.

Mr. Forbes-King thinks the plan the applicants have come up with really incorporates a lot of benefits that are there such as combining trails, making some combined linkages throughout the neighbourhood. Mr. Forbes-King feels it's going to be very attractive and it meets the multi-family and single family needs within our community.

We have a need, there are still people wanting to move here and we have people here who can't find places to live; though not all will want to live in this area, it will create a chain and will help overall to provide more housing in our community which is a benefit. Mr. Forbes-King feels that more development of this nature is a benefit, and as a neighbour that this is a positive; it's going to be good for Courtenay, good for our area, good for the neighbourhood and good for us.

Bruce Holding, 1975 Atlas Road, Comox - Mr. Holding did not verbally state whether he was in favour or opposed to Bylaw Nos 2972 & 2973 but expressed concern for his family related to the amount of traffic that is going to be increased along Anderton Road and along that stretch; Mr. Holding stated that they find it hard to walk along Anderton as it is at present, and would like to know if the development plans are to incorporate walkability so they can walk from Ryan Road and Anderton Road right to Ryan Road and Lerwick Road safely.

Mr. Holding stated that the speed limit is at 60 km/h, people are exceeding that speed and it's putting a lot of stress on families in the area. Mr. Holding's concern is related to speed and traffic; he understands that we need some development but finds this proposal a little bit aggressive. Mr. Holding stated that he went to a meeting a few years ago and there was supposed to be walkways along Anderton Road that pedestrians can walk but that has not been fulfilled.

Wilfred Dreher, #381 - 3399 Crown Isle Drive, Britannia Place Strata, Courtenay - Mr. Dreher did not speak in favor or opposed to Bylaw Nos 2972 & 2973 or the proposed development but stated he came to the public hearing to express a concern. Mr. Dreher is a new resident of Britannia Place Strata and attended an info meeting at which time he did not voice any objections to the development; Mr. Dreher looked at the proposal a little bit closer and sees there is a proposed layout and understands that this is sample layout (not a final detail). He further understands that the public hearing is not to discuss the detail but to discuss zoning that permits certain densities, the density for this area is on 16 hectares and for 330 residential units; Mr. Dreher had concerns about tall buildings in proximity to the Britannia residential area, Mr. Dreher stated that the sample layout shows 122 single family dwellings which leaves 210 multi-family dwellings (rough numbers) it's about 4 hectares of land that is shaded in the proposal that would have to accommodate the other 200 units; if you look at the current apartment buildings at Crown Isle there is 6 buildings that contain approx. 138 units; the new proposal is likely going to be more dense but if we look at same building model that would mean 9 buildings on that 4 hectares; the mix of single and multi-family is a concern that may be addressed at the point where the detailed proposals come out, Mr. Dreher is not aware if the zoning itself has the provision that would allow for the mix of single vs. multi-family units, in most of the descriptions Mr. Dreher has seen it's just overall density; Mr. Dreher is voicing that concern.

Mr. Dreher stated that on an overall level, this is going to be the most densely settled area of Crown Isle and he finds it "ass-backwards" that the densest area is in the furthest part of Crown Isle. If we want to have densification, Mr. Dreher thinks from a transportation perspective he would want to see them closer to the centre of town. The other item Mr. Dreher noted in the 60 page report is that there is no discussion of transportation anywhere in the report. There is discussion of greenways, but with all this development and secondary suites allowed, there will be a fair bit of population looking to use public transportation and Mr. Dreher does not think Crown Isle is particularly well serviced for public transportation and maybe could be addressed in the detailed proposal.

Lorne Seitz, #160 - 3399 Crown Isle Drive, Britannia Place Strata, Courtenay - Mr. Seitz spoke on behalf of he and his wife in favour of Bylaw Nos 2972 & 2973 and in support of the rezoning application. Mr. Seitz and his wife have lived in Britannia Place Strata since 1998; for some period of time they've had uncertainty of what would happen with this piece of property which has had an impact on sale-ability of some of the units in Britannia Place; until there is certainty what the rezoning will provide, it leaves sale-ability of units up in the air. Mr. and Mrs. Seitz definitely support the rezoning.

Mr. Seitz has been on the Council for Britannia Place Strata for many years and has a very good relationship with Crown Isle; Mr. Seitz found Crown Isle to be very consultative and have never had any problems sitting down with them to talk about any issues that have arisen and expects that that relationship will continue. Mr. Seitz's neighbour raised some very important issues concerning the number of units that will be on the property, that's an issue that they we will be looking carefully at in future subdivision applications; if you go up to 330 residential units how do you get that many units in that piece of property? In Mr. Seitz's point of view the rezoning that is proposed right now is the correct zoning.

Mr. Seitz stated that part of the map that was presented, there is a proposal for 10 units which would be the final phase of Britannia Place; Mr. Seitz stated that they are dealing with the developer who has been the developer since 1998, they have had an excellent relationship with the developer and they have not proceeded to doing anything without consulting with Britannia Place Strata; Mr. Seitz stated that they have had discussion at the general Britannia Place Strata meetings and there has been very strong support from the owners for the development that is proposed right now.

Mr. Seitz strongly urges Council to take this into consideration. With 61 units in their strata and located right next to the proposed development, they have as much or more interest in this proposal as almost anyone else and “we have very strong support” for the development.

Heide May, 1164 Parry Place, Comox - (*Written and Verbal Submission*) - Ms. May spoke in opposition to Bylaw Nos. 2972 & 2973 Ms. May has lived there since 1978, Ms. May’s property is located in the Anderton corridor, in Comox Valley Regional District (CVRD), bordering Longlands Golf Course and Crown Isle is located to the east of Ms. May’s property.

Ms. May proceeded with reading her email dated January 20th, 2020 to Council (attached).

On the surrounding areas when this property was purchased, Crown Isle and Longlands were heavily forested with many marshes and swamps acting as catchment basins for rainwater. The development of these areas and deforestation, filling in of swamps and channelization of waters, serious drainage issues have ensued. In 1981 the Brooklyn Creek drainage plan was established prepared by Koers and Associates; the drainage plan has been altered many times to suit the developers allowing great amounts of water to be drained downhill, through drainage pipes from retention Pond No. 20 and into the easement of lot E; that drainage has been a concern since 1981 and Ms. May feels they have not been listened to. Crown Isle has done further development and another drainage study ensued and the amount of storm water has since doubled though Crown Isle states they cannot abide whether the storm water discharge will be more or not.

To make the drainage more complicated, being in the regional district, the Ministry of Transportation and Infrastructure (MoTI) is responsible for the drainage. There is a 20 ft. easement where Crown Isle drains into retention Pond No. 20, the easement has not been maintained properly and is causing erosion to Ms. May’s driveway.

Ms. May spoke to the history of Lannan forest: half of it is logged off and half of it is now proposed for development. Ms. May has read the proposal and it hasn’t had a drainage study but speaks to off-site drainage.

Ms. May stated that drainage from Longlands Golf Course has negatively impacted her property on the northwest and most southeastern portion of Lot D for many years; a pipe had to be installed by Longlands that circumvents Ms. May’s property and the storm water from this pipe drains illegally onto Ms. May’s property.

With the proposed development no drainage study has been done but the developer is indicating that the drainage will be done in a southeastern direction (cannot dump any more drainage into Parry Place as it is overloaded already) the southeastern direction involved Ms. May’s property which she has gone to court over previously.

In the last month, Ms. May stated that somebody walked into her property placing blue flagging on the property which no one owns up to, strangely the blue flag tape coincides with blue flagging on the adjacent Longlands property.

Ms. May is requesting a drainage study involving the City, CVRD and Comox so all 3 entities work together on the study and find a solution to drainage that has been going on for 40 years before any development proposal goes ahead. “We have not been heard.”

Richard Cook, Professional Planner, Jordan Cook Associates, 2689 Hardy Crescent, North Vancouver (on behalf of the Applicant) - (*Written and Verbal Submission*) Mr. Cook spoke in favour of, and in support of, Bylaw Nos. 2972 & 2973 and Lannan Lands; Mr. Cook stated that he is at the public hearing to speak on behalf of the applicant, Silverado Land Corporation, owners of Crown Isle.

Mr. Cook stated that he would like to address some of the comments expressed during the public hearing this evening; what we've heard is that there is a need for balancing between various interests: density, environmental values and municipal values.

Since May 2019 the developers have worked with City staff and area neighbours on this application, including public information meeting attend by 45 - 50 attendees. Materials presented during the public information meeting were included in the information package to Council at first and second bylaw readings and posted on the City's website; there has been broad support for the development from the attendees at the public meeting and subsequent as well as public submissions.

Brooklyn Creek Watershed society wrote on October 8th, 2019 that "Silverado had met our concerns about Brooklyn Creek and the changes you have made, address our concerns." (some of the folks at the public hearing this evening may be referencing a previous version of the concept plan) Mr. Cook stated they had a letter last week from Mr. Ian Moul (not sure if he is here tonight) Rick Waldhaus, CFO, Silverado Corporation, went out and met with Ian and he subsequently sent a second letter that recognizes there have been changes made particularly with respect to preservation of the trees that were referenced earlier. Both of the letters from the two groups Comox Valley Conservation Partnership and Brooklyn Creek Watershed Society were submitted to staff in late October 2019 and are attached to this written submission which will be provided to the City Clerk.

Mr. Cook continued reading from a prepared statement to Council (attached)

Chair Morin - Clarified the purpose of the public hearing is to receive information, it is not to receive questions unless it is a point of clarification that needs to be made.

Tanya D'Aoust, 1179 Parry Place, Comox - (*Written and Verbal Submission*) - Ms. D'Aoust spoke in opposition to Bylaw Nos. 2972 & 2973 and is seeking clarification for people who are referencing "talking to neighbours" whether or not if those neighbours all have a Crown Isle address or if that includes neighbours who border the Crown Isle properties? Ms. D'Aoust is a neighbour and stated that they have not been informed or invited to a public information meeting.

Ian Buck, Director of Development Services - Responded to Ms. D'Aoust's question; Mr. Buck stated that notices are sent to properties within 100 metres of the property that is under application; in this case, notification included both properties within the City of Courtenay and in the Comox Valley Regional District.

Nick D'Aoust, 1179 Parry Place, Comox - (*Written and Verbal Submission*) - Mr. D'Aoust spoke in opposition to Bylaw Nos. 2972 & 2973.

Mr. D'Aoust proceeded with reading his email dated January 20th, 2020 to Council (attached).

Mr. D'Aoust stated he is objecting to the OCP/zoning amendment of the Lannan property, we have reviewed the submitted documents, specifically the conceptual servicing report submitted by Koers Engineers Ltd. it proposes two possibilities, to drain storm water from the site. The Lannan Road ditch or through Longlands (which is actually now Crown Isle) to Brooklyn Creek. In no way can storm water from this site be permitted to flow into Brooklyn Creek drainage system. We have lived adjacent to Crown Isle retention pond for 17 yrs. We have a long history with the storm water management of Crown Isle and the City of Courtenay the storm water from Lake 20 has been a recurring nuisance for us and Heide May who spoke earlier (since the 70's I guess) we believe the infrastructure outside the City has been upgraded to meet the doubled outflow from Lake 20 as a result of the updated drainage study performed by Koers Engineers some years ago. (I can't recall the exact dates but Mr. D'Aoust met with David Allen and there was an updated drainage study that doubled the outflow from Lake 20 that went from $\frac{3}{4}$'s of a cubic metre per second to $1\frac{1}{2}$ it was arbitrary as the storms have been more frequent, last longer and are a higher intensity). Mr. D'Aoust stated that he was the one who forced the City to share this private study with the Town of Comox and the CV Regional District; the study was done by Crown Isle and submitted to the City, there was no communication to the CV Regional District or Town of Comox about the upgraded flow. Given our history, a development of this size cannot proceed without a comprehensive drainage study being completed, not only to the subject property but also the effected properties and jurisdictions downstream.

Ms. D'Aoust asked, "have you notified parties downstream because we were not notified."

Mr. D'Aoust has notes from a meeting he had with the City's engineer in 2010 about Lake 20 overflowing; Lake 20 overflowed in 2009 and flooded Mr. D'Aoust's property and house. This was rectified but his meeting with City staff was in 2010 and the repairs were completed last year along with the Hudson sewer trunk line. There was to be a swell for the 1:100 flood event to keep the water off Mr. D'Aoust's property.

Mr. D'Aoust wondered for 10 years, "when am I going to get flooded? when is it going to happen and when is the sheet of plywood going to block the outflow?" Previous (female) engineer promised the City would take over and control the mechanism that control's the outflow of Lake 20; storm water is still a private easement owned by Crown Isle, the storm water goes through pipe on registered easement then goes through someone's private property. Thought has to be given where is storm water is going to go, it's a big issue. Mr. D'Aoust used to be a developer, agrees with higher density that leaves more greenspace to absorb water and preserve nature. The City needs to give lots of thought how you want to deal with neighbours.

The last development of Lake 20 subdivision; when Comox and Courtenay met, the biologist agreed that Lake 20 subdivision was not done properly as a section of houses drains into Lake 20 with no time to settle; Brooklyn Creek is salmon bearing and Lake 20 is fish bearing (wasn't known at time of application) now it is known. There has been precedence; the outflow is doubled outflow; if plan is built out over next 15 – 20 years who's to say the water won't double again.

Article from Comox Valley Record titled - *Crown Isle Defends Lannan Forest Clearance* - Mr. D'Aoust quoted from the article "Ron Coulson quote - I wish to set out the facts; as to the process that Silverado Land Corp. has established prior to and during the logging and clearing of Lannan property. In early January, engineering team assessed the timber stands and established property boundaries, they were specifically asked to identify the wetlands and any potential water flow across property boundaries but Coulson noted they found none that flowed towards Brooklyn Creek."

Mr. D'Aoust stated historically there was no water going through Brooklyn Creek and now there will be a detention pond constructed on Longlands that will flow into Brooklyn Creek; it is multi-jurisdictional - they will be taking City water and will store it in CVRD; the water will keep flowing into CV Regional District and Comox.

Perhaps sending water through Beaver Meadows Farm; maybe they can take the water as it is a little less developed; if there is a drainage study, it should be done first before development is done, not after - contractors building Crown Isle have been caught by storm water, putting in sump pumps and pumping sediment laden waters is questionable - drainage should be done before, not after.

Chair Morin - Clarified the purpose of the public hearing is to receive information and asked speakers to please refrain from directing comments to specific members of the public, and to refrain from engaging in a back-and-forth, members and Council are present to listen

Ed Fudge, #365 - 3399 Crown Isle Drive, Britannia Place Strata, Courtenay - (*Written and Verbal Submission*) - Mr. Fudge spoke in opposition to Bylaw Nos. 2972 & 2973. Mr. Fudge expressed his opposition to the destruction of wetland associated to Britannia Place Strata.

Mr. Fudge proceeded with reading his email dated January 10th, 2020 to Council (attached).

Mr. Fudge presented a summary of the concerns expressed in his letter to Council and stated that he and his wife are not opposed to the general development of the property itself (the land) and stated it's stripped to bare earth right now; their main concern is about the drainage of this area and are really concerned where there is existing trees and existing wetland.

Mr. Fudge added that he is concerned for salmon habitat (there isn't a chance that a fish could possibly survive in the new ditch that was built as a drainage ditch going in to Lake 20).

Kelly Klassen, 2142 Comox Logging Road, Courtenay - Mr. Klassen spoke in favour of Bylaw Nos. 2972 & 2973. Mr. Klassen stated he is the owner of Klass Enterprises and the builder of Britannia Place Strata 20 years ago. Mr. Klassen's expressed interest in this proposal as he is planning to purchase a portion of this land from Crown Isle; Mr. Klassen acknowledges this is a larger project with a lot of complexity and thanked staff and Council for the careful consideration put into this project and the work done by Crown Isle and staff to date. Mr. Klassen stated that a lot of concerns have been brought forward by the public, and as a concerned citizen who has lived and contributed to the community for 40 years and due to nature of his work, he is keenly interested in responsible development. Mr. Klassen has worked with Crown Isle for 20 years and learned they share mutual goals such as a commitment to quality and sensitivity to demands of this segment of the housing market.

Mr. Klassen spoke personally on his feelings about the project; as noted there has been a change in Crown Isles methodology related to densification and sustainability, around the Comox Valley there has been talk about making this a more age friendly community, aging in place, and when these broad terms are being discussed he wants to make sure that it is understood that we are speaking of people who are friends, neighbours and families. Mr. Klassen stated that he is getting to the stage in life where his parents are getting older, health concerns are becoming more frequent; and his parents are talking about downsizing so he is pleased to see that this application is directly addressing some of these concerns in our community right now.

Mr. Klassen further stated that he spends a lot of time outdoors, hiking/fishing/camping; looking after the environment and developing responsibly is something very important to him so he is pleased to see that in this application Crown Isle is working toward cooperating with local agencies and local community groups to deal with the challenges on this property.

Mr. Klassen also spoke to the need for buildable land in this market segment; there are another 10 units coming in for Britannia Place and if everything proceeds here (he does not have a development permit or has started marketing for these units yet); he has received 25 expressions of interest already for these units and at least 5 would be willing to provide a cheque tomorrow if there was something he had to offer to them; this is definitely a clear need in the community. Mr. Klassen is pleased that land that has long been in the Regional Growth Strategy as settlement expansion area is finally being able to be looked at and fulfill its potential.

Megan Ardyche, 693 Lancaster Way, Comox - Ms. Ardyche did not verbally state whether she was in favour or opposed to Bylaw Nos 2972 & 2973 but brought forward questions phrased as principles; when evaluating this application will Council look at values other than housing and generating profits for developers and Ms. Ardyche asked Council to seriously consider how this project fits into the Urban Forest Strategy and Municipal Natural Assets Initiative (MNAI); these are values that often get set aside in the interest of building more housing. A gentleman earlier this evening mentioned Dawn to Dawn Action on Homelessness Society; Ms. Ardyche stated she personally has a difficult time imagining that Crown Isle will be welcoming homeless people into the area. Ms. Ardyche asked Council that if Crown Isle talks about affordable housing and providing housing for homeless citizens that Council holds them to that and that it's more than just one affordable unit set aside for affordable housing. Ms. Ardyche said that often these types of things end up just disappearing; and doesn't feel Crown Isle is going to encourage homeless population to move into the area.

Ms. Ardyche expressed concern about the environment, and asked that Council consider the Urban Forest Strategy and the importance of the MNAI to mitigate climate change and as stated by a few people during the public hearing, storms are stronger and there is more water coming. Ms. Ardyche stated that it's important to plan for that in the future and not just focus on providing more houses for more rich people to come here, raise the property values for everyone who already lives in the Comox Valley and raise living costs for our children who want to live here.

Arzeena Hamir, 2641 Kirby Road, Courtenay - Ms. Hamir did not verbally state whether she was in favour or opposed to Bylaw Nos 2972 & 2973 but stated she is speaking on behalf of residents of Area B and to reiterate the call for a hydrological and drainage study of the property before giving assent to make changes to bylaws. Ms. Hamir said that she was informed by residents of Area B, who couldn't attend the public hearing, how difficult and worried they are about this application and the exacerbation of problems that already exist due to previous development. As stated by residents of Parry Place, there are residents in the area of Hudson Road who have found water is already crossing Anderton Road from the ditches, hitting Hudson Road and flooding the area around Atlas Road and Hudson Road.

Ms. Hamir said that the idea of draining property elsewhere is a 20th century method of engineering and Ms. Hamir hopes that Council considers a more modern and ecological response to water to infiltrate the water on-site without impacting downstream. Many jurisdictions lie downstream from this property including Area B and the Town of Comox; and, the Ministry of Transportation and Infrastructure (MoTI) will be involved as some of the ditches are within MoTI's jurisdiction. Ms. Hamir commented that as more jurisdictions get involved it becomes more difficult to resolve a problem once it's already in place. In Area B there have been impacts to previous developments all the way to Lazo through drainage that is now costing millions of dollars to remediate.

Ms. Hamir asked that before Council makes a decision on something that could impact residents outside of the City's jurisdiction she hopes that Council will agree that a professional hydrologist be hired and a proper hydrological study be done on the site.

Paul Jordan, 2221 Idiens Way, Comox (Area B) - Mr. Jordan did not verbally state whether he was in favour or opposed to Bylaw Nos 2972 & 2973 but spoke as a rural resident that has been impacted by decisions of previous City Councils with disregard for life of residents in rural areas and stated that this is another stone in the water to add to the problems they are already having in rural areas. Mr. Jordan has lived in the area for 26 years; Crown Isle development first impacted Mr. Jordan by raising the water table under his house, the water table has risen 3 - 4 metres since the area was clear-cut and now developed as Crown Isle.

Mr. Jordan stated that it used to be a quiet area and that Idiens Way used to be a dead-end road. Mr. Jordan said that the City of Courtenay unilaterally decided, with he assumes the approval of the CV Regional District and Ministry of Transportation and Infrastructure (MoTI), to put the road through. This decision has had a heavy impact on residents (Mr. Jordan included) residents have been putting up with construction from Crown Isle non-stop for at least 9 years, construction vehicles, people racing up and down their once quiet rural road; it's completely changed the way they live in this area.

Mr. Jordan said that people have talked about how it used to be a safe place to walk; the urbanization of rural areas and impact to Lannan forest and permission to clear-cut the headwaters to Brooklyn Creek (second growth forest 90 years old) has had a huge impact to drainage with no prior study. The past clear-cutting was done with no expectation that the land would be brought into the City of Courtenay or rezoned from single family rural category to residential just so people can make money. Mr. Jordan stated that people who have bought property in Crown Isle have seen increases in property value (this development could see the value of these houses increasing by 10 - 20%) but the development hasn't increased quality of life or how Mr. Jordan feels about the number of traffic going by his house every day. Initially there were 120 vehicles going by each day while it was a dead-end road, now its closer to 2,000 - 3,000 vehicles each day as it is the only exit point from Crown Isle other than Ryan Road and Lerwick Road and Guthrie Road. Mr. Jordan said that the City has installed so many lights on Lerwick Road that people are now using Crown Isle Boulevard as a short cut. There are no stops signs or impediments until you get to Idiens Way; all this urban development has impact to rural residents. Mr. Jordan said there has never been any interaction between Crown Isle and the City other than the petition initiated by residents to try to stop Idiens Way from going through; there was no conversation with rural residents who were negatively impacted by development and rezoning.

Mr. Jordan stated that Crown Isle now owns the golf course which is probably the headwaters to Brooklyn Creek; increased rural development and what's left of Lannan forest is going to have a huge impact on what is left of the drainage system in the entire area. Mr. Jordan added that he may have to install a sump pump in his house following this development to address the rising water table; it needs a proper riparian study of the area from the City of Courtenay.

Ron Barrow, 2120 Lannan Road, Comox - Mr. Barrow did not verbally state whether he was in favour or opposed to Bylaw Nos 2972 & 2973 but stated he did not receive any correspondence or notice about this development and said he seconds everyone's concerns about drainage. Mr. Barrow stated that the clear-cut drains up against his property on the other side of the fence for the past 10 years and he doesn't think the drainage will get any better. The plans came out referencing Ministry of Transportation and Infrastructure (MoTI) easements with old easements that were changed 10 years ago; the changes are not reflected in the new plans. Mr. Barrow stated that this has raised more concerns for him as the current culvert that runs along his property is at maximum capacity and may need to be upgraded as well as the holding pond.

Mr. Barrow reiterated that he seconds everyone's concerns related to hydrology.

Michael Linton, 1600 Embleton Crescent, Courtenay - Mr. Linton did not verbally state whether he was in favour or opposed to Bylaw Nos 2972 & 2973 but spoke to his recollection that the previous City council who approved the expansion of Crown Isle development provided employment to the retiring Mayor the day after he retired. It is important when considering issues such as this to remember that where people are looking (location) and who are considering this a good idea; all too often we see that money is involved and it is flowing in one direction with as much of inevitability as water flows in the direction of town. Mr. Linton stated that he hopes this Council has reached a higher level of maturity than the predecessors of those days.

Nick D'Aoust, 1179 Parry Place, Comox - Mr. D'Aoust returned to the podium to make additional comments. Mr. D'Aoust stated that there has been little communication, one example is based on a personal interaction he had with a Koers engineer on-site; when they cleared the land for the car dealership between Lake 20 and Mr. D'Aoust's property, Mr. D'Aoust took the time to repair his fence and installed new gate (workers observed Mr. D'Aoust doing this) when the workers began to build the swell for the overland overflow of Lake 20 they constructed a retaining wall right in front of Mr. D'Aoust's gate and he was unable to open or use his gate to access the public pathway. When Mr. D'Aoust tried to communicate this to the engineer the engineer stated "We do not need to talk to you, our development doesn't concern you."

The retaining wall has been made one layer of blocks higher than property next to Mr. D'Aoust where the water drains over; Mr. D'Aoust is still waiting for a response from Koers and Associates through the City as to why the retaining wall is higher along his property; there is a long history of mistreatment of people outside of Crown Isle.

Mr. D'Aoust stated that notification within 100 metres of the development should be expanded and includes those residents of the area who have spoken before.

Bruce Holding, 1975 Atlas Road, Comox - Mr. Holding returned to the podium to confirm that the people who were worried about hydrology and water run-off from Crown Isle since the last clearing, (Mr. Holding lives on Atlas Road) the amount of water that comes through his culvert has tripled. Mr. Holding said that if people want salmon to swim upstream "good luck" there is so much run-off it's unbelievable, it happens all year and not just during max time; it has to be dealt with.

Richard Cook, Professional Planner, Jorden Cook Associates, 2689 Hardy Crescent, North Vancouver (on behalf of the Applicant) - Mr. Cook returned to the podium to raise a point of clarification and to request staff that for third reading of the bylaw, staff confirm the City's policies regarding drainage studies for the benefit of Council either tonight or in a briefing to Council at 3rd reading since we've heard from many neighbours about the issue of drainage studies.

Mr. Cook stated that it is their understanding that they need to be fully compliant with Subdivision and Development Servicing Bylaw No. 2919, 2018 which requires drainage studies/drainage works to be done comprehensively and subject to the Approving Officer of the City of Courtenay. Mr. Cook stated that because the development is bordering on the Comox Valley Regional District (CVRD) and proposing works within the CVRD, it would also involve the MoTI Approving Officer. Mr. Cook said that's the appropriate place to do those studies and they are certainly cognizant of the comments that have been made at tonight's public hearing and respects the right the public has to speak to Council and share their opinions.

Gillian Anderson, 2561 Sackville Road, Merville - Ms. Anderson returned to the podium to comment on a remark made by Mr. Cook; Ms. Anderson said that if she was understanding correctly, Mr. Cook is asking Council to put through the rezoning and then will comply with a drainage strategy but Ms. Anderson stated that the point could be made that the drainage strategy (there are fundamental problems here) could be far reaching, to put through the development without knowing what information the drainage hydrology report will bring forward, is not a prudent thing to do. This rezoning may need to have far reaching actions taken so there is a sink for all this water and Ms. Anderson stated that you don't know until you have the studies; to do the zoning without the studies is a dangerous action.

Ms. Anderson further stated that she finds it very infuriating that representatives of the development and spokespeople are saying that Crown Isle has provided sustainable development when it was done on clearing of forests that was initially funded by the public.

Lorne Seitz, #160 - 3999 Crown Isle Drive, Britannia Place Strata, Courtenay - Mr. Seitz returned to the podium for clarification and noted that there tends to have been some comment about the public being opposed to cutting of trees in Lannan forest; Mr. Seitz stated he is a member of the public and lives right next to the Lannan forest and he definitely was not opposed to the cutting and that he knows a lot of people who weren't. Mr. Seitz stated that yes, some were, but would prefer it portrayed that some were opposed and not that everybody was opposed; Mr. Seitz does not believe that was the case at all.

Secondly, Mr. Sietz wished to point out that there are many professionals and organizations that have a responsibility to assess everything respecting hydrology and fisheries issues; they are the ones that he believes Council should look at, and Council review the reports and comments produced by these professionals and not the well-meaning opinions of others. There are professionals that are hired to review these things and Mr. Seitz would certainly give a high level of consideration to what the professional organizations have to say; there may be a broad regional issue with respect to drainage which will not be resolved unless there is a major change in governance of the whole Valley. Mr. Seitz said he thinks that Area B residents that are concerned would advocate for and urge incorporation into the City of Courtenay because then Courtenay will have to take these issues into account immediately. Right now the CVRD, Town of Comox, Fisheries, Ministry of Environment and Ministry of Transportation all have a responsibility and he is sure they are taking it all into consideration.

Gillian Anderson, 2561 Sackville Road, Merville - Ms. Anderson returned to the podium to clarify her remarks regarding broad support for public forests is because there was public money put forward, when people put money where their mouth is it is because it is something that is very near and dear to them. Secondly if Council is asking professionals to make these decisions that is absolutely right, Mr. Moul who asked for the hydrological survey is a biologist and landscape ecologist and he is calling for this and as a note, the biologist hired by Crown Isle is working for proponent and is not peer reviewed by other scientists and could supply names of several other scientists.

Chair Morin - Clarified the purpose of the public hearing is to receive information, to refrain from directing comments to specific people in the gallery and to address the Chair and Council when speaking.

Paul Jordan, 2221 Idiens Way, Courtenay (Area B) - Mr. Jordan returned to the podium to rebut the comments made by Mr. Seitz about Area B joining Courtenay to have more say as a result of the City approving development in the area around Area B to be an interesting comment; when speaking to annexation and having more land incorporated in the City of Courtenay, it is something Mr. Jordan is vehemently opposed to. Mr. Jordan thinks that the continued settlement/expansion as part of OCP is a very scary thing for residents as taxes would increase with no more services.

Mr. Jordan stated that they already feel disenfranchised and do not need to be enveloped by City of Courtenay as everything the City does has a huge impact on the surrounding and it's more so every time Silverado Corp. adds another proposed development.

Councillor Hillian - Brought forward a point of order, Councillor Hillian expressed hope that if there are more speakers to come forward, the discussion is confined to the rezoning in question and not a debate about amalgamation or related issues; Councillor Hillian acknowledged that people have been passionate in their comments and hopes that people are comfortable knowing that Council has heard what they have to say.

Chair Morin - clarified the purpose of the public hearing is to receive information regarding the rezoning.

Acting Mayor Morin declared the public hearing for Bylaw Nos. 2972 & 2973 closed at 6:28 p.m.

PUBLIC HEARING SUMMARY OF REPRESENTATIONS

There were **5** representations at the Public Hearing in favour of Bylaw Nos. 2972 & 2973; of the 5 representations 3 provided verbal representations only and 2 provided both verbal representations and written comments (1 being the Applicant's representative).

There were **2** written submissions received prior to the Public Hearing (authors not present at the Public Hearing) in favour of Bylaw Nos. 2972 & 2973.

There were **8** representations at the Public Hearing neither in favour nor opposed to Bylaw Nos. 2972 & 2973; of the 8 representations, 7 provided written verbal representations only and 1 provided both a verbal representation and written comments.

There were **5** written submissions received prior to the Public Hearing (authors not present at the Public Hearing) neither in favour nor opposed to Bylaw Nos. 2972 & 2973.

There were **4** representations at the Public Hearing opposed to Bylaw Nos. 2972 & 2973; of the 4 representations 4 provided both verbal representation and written comments.

There were no written submissions received prior to the Public Hearing opposed to Bylaw Nos. 2972 & 2973.



Wendy Sorichta,
Manager of Legislative & Corporate Administrative Services/
Deputy Corporate Officer



Written Submissions
in Favour of Bylaw No:



Written Submissions
General Comments By



Written Submissions
Opposed to Bylaw Nos



Email Distribution
Cover Sheets - Bylaw

VERBAL AND WRITTEN
SUBMISSION

**Britannia Place VIS 6195
3399 Crown Isle Drive
Courtenay, British Columbia
V9N 9X7**

January 20, 2020

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

Dear Mayor and Council,

I am writing on behalf of Britannia Place strata council in support of residential rezoning of the lands immediately east of Crown Isle and a part of the Lannan Road Development. The pertinent item is OCP Bylaw Amendment No. 2972 to amend the land use designation of the Lannan Road property (to Mixed Use) & Zoning Amendment Bylaw No. 2973 to rezone the Lannan Rd. property from the CVRD RU-8 Zone to a new CD-1J Zone.

Britannia Place is a 61 unit residential patio home strata adjacent to the lands under rezoning consideration by Council. The strata was developed over a 10-year period from 1998 to 2008. With rezoning of the above lands, the original developer, Klass Enterprises, intends to construct a 10-unit strata of the same design and amalgamate it with Britannia Place. Our council has worked closely with the developer and Crown Isle to ensure the interests of our owners are taken into consideration and that amalgamation of the new strata with Britannia Place is successful. This development will complete our strata and owners look forward to the security of knowing how their neighbourhood may be impacted by rezoning and new construction.

In closing, we seek to assure Council that we support residential rezoning of the lands and are satisfied that as new parcels come into the plan for Crown Isle no buildings adjacent to Britannia Place will be more than two stories high.

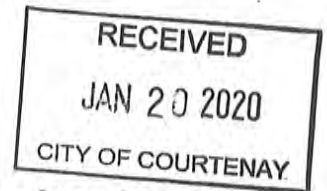
Respectfully submitted,



Bob Kitchen, President
Britannia Place Strata Council

LANNAN Rezoning and OCP Bylaws 2972 and 2973 Public Hearing— 2019-01-20:

Presentation to City of Courtenay Council, on behalf of Silverado Land Corp.



Richard Cook, a Registered Professional Planner and principal of Jordan Cook Associates based in North Vancouver, acting tonight on behalf of the applicants, Silverado Land Corp., owners of Crown Isle, support Bylaws 2972 and 2973 for rezoning and a related OCP amendment for what is commonly called the Lannan lands¹.

As we have noted previously to Council, we have worked diligently with staff and neighbours since May 2019 on this application. That included a public information meeting with 45-50 attendees. Materials from that meeting are part of your information package. There has been broad support for the development from the attendees at that public information meeting and subsequent written submissions. Our clients have responded for example to questions 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, Crown Isle has advised neighbours of multiple access points to the Lannan property that will help alleviate and spread out the construction traffic while development occurs.

Crown Isle confirmed by letter of July 23, 2019 to Britannia Place strata that "Silverado Land Corp. will restrict the construction of any residential units that are built on a lot, or lots, that are immediately adjacent to the Britannia Place development to a maximum of two stories."

Following consultation, Comox Valley Conservation Partnership has provided a letter of support for the project dated October 23, 2019.

¹ Lot 1, Plan VIP76495, DL206 Comox Land District and Part of Block 72. Proposed zoning of CD1-J. Proposed OCP designation of Mixed Use.

Similarly, Brooklyn Creek Watershed Society wrote on October 8, 2019 that “Silverado had met our concerns about Brooklyn Creek and the changes that you have made, address our concerns.” Both of these letters were submitted to staff in late October 2019, and are attached to our written submission for your convenience.

In summary Crown Isle has engaged with the neighbours on the project and have received strong support.

The City of Courtenay has rainwater management standards incorporated into its Subdivision and Development Servicing Bylaw, which has been recently updated in 2018 and reflects hydrologic forecasts which considers the effects of climate change.²

- The site has been subject to detailed review and recommendations by a Registered Professional Biologist and Registered Professional Forester, and their reporting is part of your package.
- The site designs have been amended in response to those reviews and in a cooperative effort with the Brooklyn Creek Watershed Society. We believe the current design reflects a best management approach to the site hydrology.
- the rainwater management measures, including a proposed detention pond downstream of the site on the Longlands golf course will be in full compliance with City and provincial approving officer requirements at the time of subdivision design and review.

The development concept has been crafted to respond to emerging trends in the Courtenay residential market --- including a wider range of housing consumers from townhomes to secondary suites, smaller single

² The historical hyetographs ‘have also been adjusted to reflect a 15% increase in rainfall intensities’ (Sec. 4.4 Runoff Analysis, City of Courtenay Subdivision & Development Servicing Bylaw, 2018)

detached units, as well as duplexes and apartments. The goal is to broaden the affordability and lifestyle choice matrix at Crown Isle.

We will be extending the continuous web of green space which the larger Crown Isle master planning has pioneered in Courtenay. Lannan pedestrian paths will help complete important links in support of the Courtenay OCP.

In a December 13, 2019 letter Crown Isle made additional commitments. These included additional clarity on the commitment to multi-family units, to secondary suites as a permitted use with single family units, to solar and electric vehicle readiness, early delivery of park sites and improvements.

Subject to City approval, Crown Isle is looking to work with the Dawn-to-Dawn Action on Homelessness Society to deliver affordable housing to the homeless at an early date. That commitment is also described in your package.

We are actively engaged with the City's legal advisor to formalize these commitments into an agreement that can be registered on title. We were hoping to have that agreement ready for our response to the Council by today's hearing date, but we expect a draft to be sent for our consideration from the City's lawyer this week, and we will respond as soon as practical after receipt and review by our own lawyer.

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 site will encourage that commitment to a vibrant community and local entrepreneurship to remain stable and hopefully growing as Crown Isle expands into new market segments.

We support 3rd reading and adoption of the bylaws 2972 and 2973.

If Council has any questions, it is my pleasure to do my best to answer them.

Thank you.

Sincerely
Jordan Cook Associates
Richard Cook, MCP, RPP, MLAI

From: Rick Waldhaus rwaldhaus@crownsisle.ca
Subject: Fwd: Message from "RNP002673C8511E"
Date: January 17, 2020 at 15:29
To: Richard Cook rcook@jordencook.com



----- Forwarded message -----
From: **Rick Waldhaus** <rwaldhaus@crownsisle.ca>
Date: Mon, Oct 28, 2019 at 3:43 PM
Subject: Fwd: Message from "RNP002673C8511E"
To: Fitzgerald, Matthew <mfitzgerald@courtenay.ca>

RECEIVED
JAN 20 2020
CITY OF COURTENAY

(PART OF RICHARD
COOK'S SUBMISSION
PACKAGE)

Hi Matthew.

I meant to send this to you and Ian today but for some reason it just went to Ian.

Please review at your earliest convenience and let me know if you have any comments or questions.

Thanks,

Rick W.

----- Forwarded message -----
From: **Rick Waldhaus** <rwaldhaus@crownsisle.ca>
Date: Mon, Oct 28, 2019 at 10:53 AM
Subject: Fwd: Message from "RNP002673C8511E"
To: Buck, Ian <ibuck@courtenay.ca>

Hi Ian.

We have now met with both the Brooklyn Creek Watershed Society and the Comox Valley Conservation Partnership. Both groups are satisfied with the amendments we have made to the site planning (as noted in the letter from BCWS). Please find attached the support letters from both the Brooklyn Creek Watershed Society and the Comox Valley Conservation Partnership regarding the Lannan rezoning.

I have also attached our draft letter, including the original and revised site plans, in preparation for first and second reading for your review and comments. Richard Cook is available for our delegation in support of the first and second reading.

Please review at your earliest convenience and contact me to discuss.

Thanks Ian.

Rick W.



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

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

Office:

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.

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/

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



October, 08, 2019
Rick Waldhaus
CFO Silverado Corporation

Rick, here is our formal reply to the proposal that we have been discussing. The italics are your changes with our reply.

- stormwater pond to be relocated to the golf course area of the Longlands property in order to preserve the freed area.

Agreed, anything that helps to maintain the existing forest is preferable. This will be much better than locating the pond in the forest

- existing drainage patterns to be maintained where at all feasible.
Agreed

- the smaller southwestern treed area of the Lannan property will need to be removed but the larger southern treed section will be maintained (as shown highlighted in green on the attached map).

It is regrettable that the SW treed area will be removed but the ameliorating procedures should maintain current flows

- we will work with the City to have the walking trail/greenway constructed through the forested area.

Agreed - this is one area that we are very much in favour of. Perhaps a sign pointing out the importance of the area to Brooklyn Creek and species in it.

I would also mention that that the tours of the Crown Isle facility, by the Brooklyn Creek Watershed Society were very much appreciated. We have a much better understanding of how storm water is held back and released in a controlled manner.

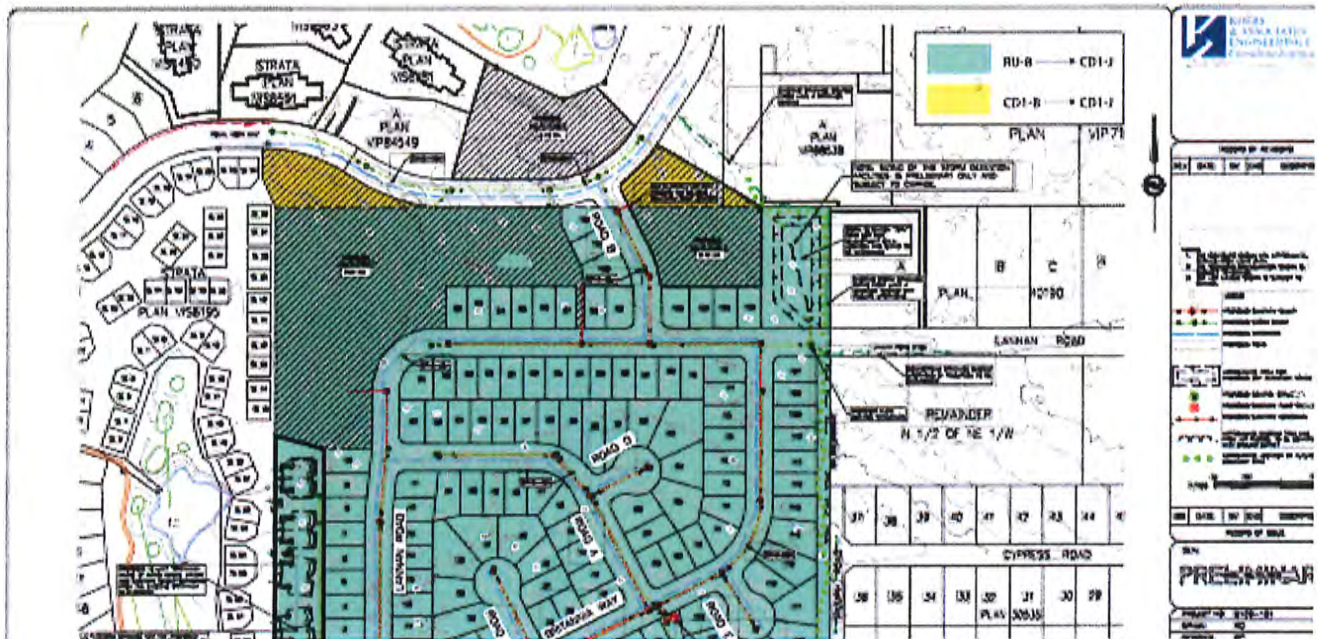
Though we would prefer that no development took place we understand that this is an urban area and Silverado had met our concerns about Brooklyn Creek and the changes that you have made, address our concerns.

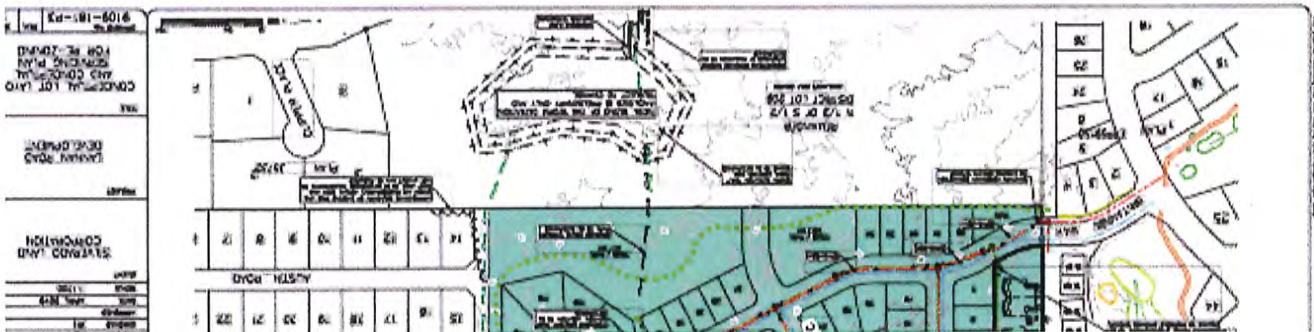
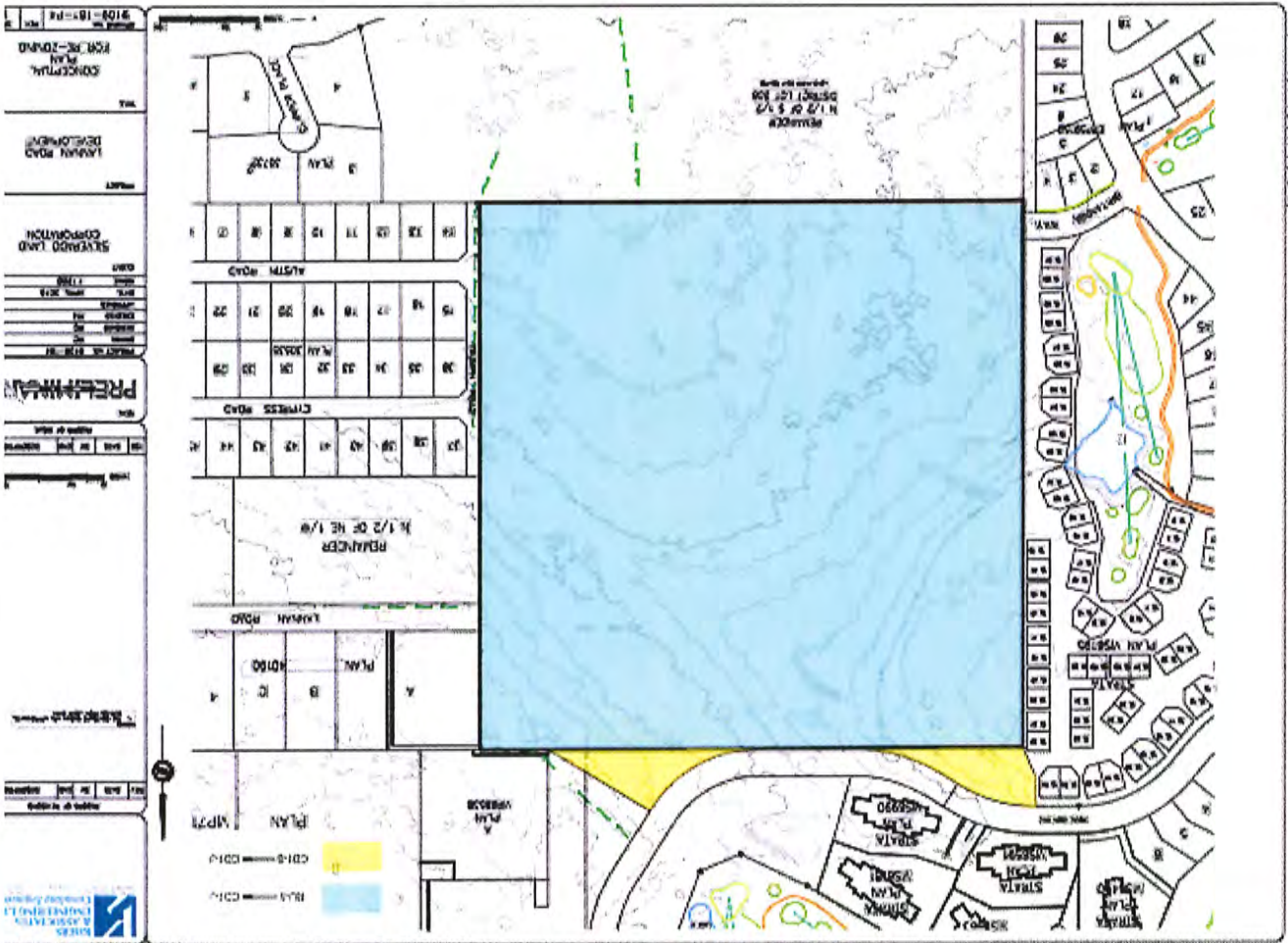
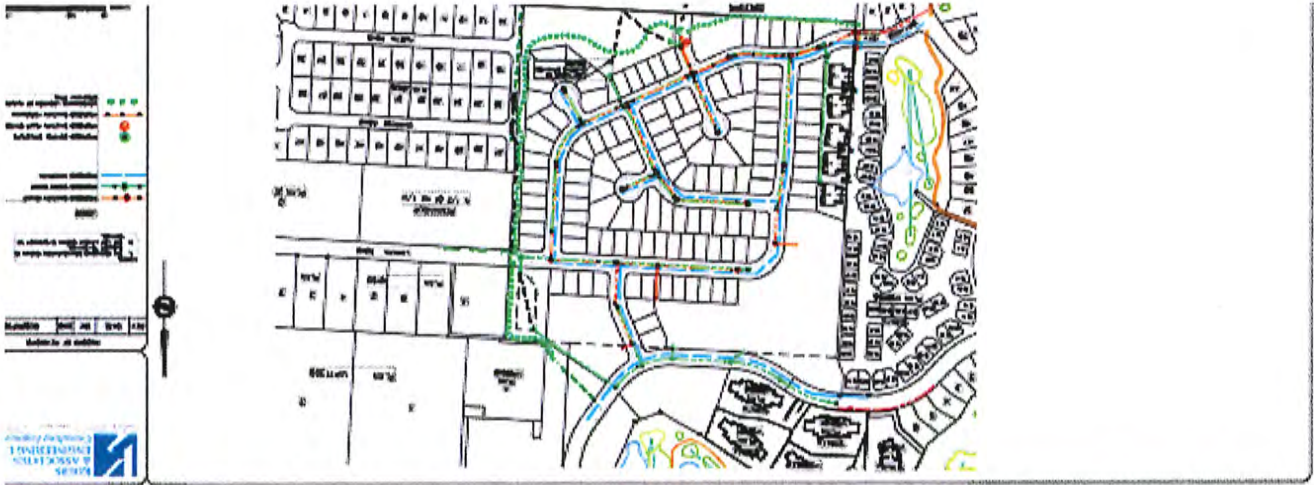
I trust that we will be able to work together in the future along mutually agreeable targets.

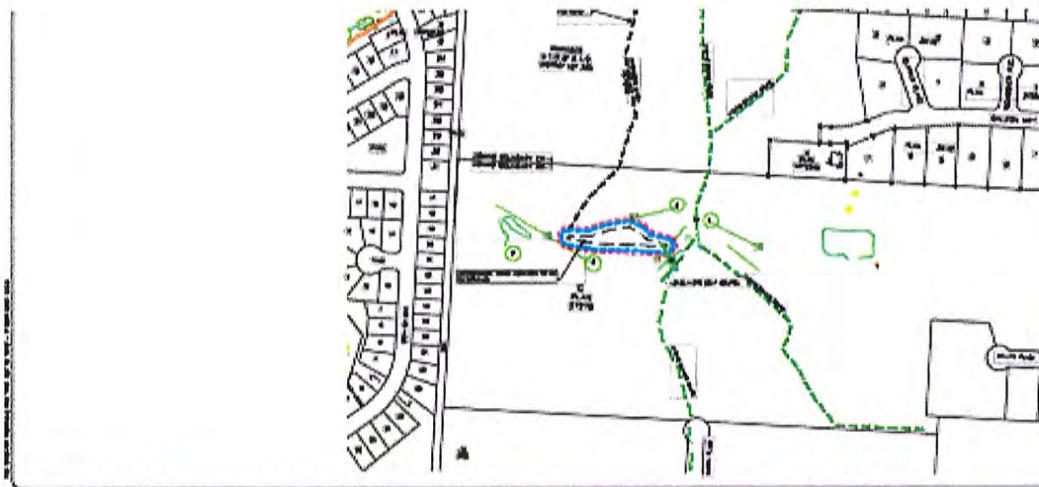
Sincerely
Robert Deane
President, BCWS
cc Ian Buck, Director, Development Services



Lannan
Letter.pdf







DATE	SCALE	BY	CHKD	REVISIONS
PROJECT NO.				
PRELIMINARY				
PROJECT NO. 9109-187-5K1				
SHEET NO. 02				
SHEET TOTAL 04				
DATE 04/15/09				
SCALE 1"=50'				
DRAWN BY				
SILVERADO LAND CORPORATION				
PROJECT				
LANSHAN ROAD DEVELOPMENT				
TITLE				
CONCEPTUAL LAYOUT SHOWING DOWNSTREAM DRAINAGE AND DETENTION POND				
SHEET NO. 9109-187-5K1				REV. 0

WRITTEN SUBMISSION
ONLY

INTEGRA

Jan 20, 2020

Mayor Bob Wells

Courtenay Council Members:

This letter is in support of the intended rezoning of the Lannan property by Crown Isle.

This is a well-designed project with a good mix of single and multi-housing options. Crown Isle has maintained quality in its developments and Lannan is a logical extension of that.

There is high demand for these types of properties and would be welcomed by the community.



Bill Larson

Integra Holdings Ltd.

3800 Beach Terrace

Courtenay BC V9N9T5

250-331-1877

bill@integrahomescv.ca



Dawn to Dawn

ACTION ON HOMELESSNESS SOCIETY
Unit 6C - 821 Shamrock Place, Comox, BC Canada V9M 4G4

WRITTEN
SUBMISSION
ONLY

January 20, 2020

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

RE: OCP/Zoning Amendment of Lot 1, VIP76495 (Lannan Rd) and Rem. Blk 72 (333 Clubhouse Dr.), File No. OCP 00007

Dear Mayor Wells and Courtenay City Council

I write this letter on behalf of Dawn to Dawn Action on Homelessness in Support of Silverado Land Corp. in their application for OCP/Zoning Amendment of the above property.

Silverado Land Corp. have been generous community supporters over the years and specifically generous to Dawn to Dawn raising money on our behalf during the Christmas walk, plus their recent contribution of a WeCan Shelter Unit. When asking Crown Isle and Silverado Land Corp. for charitable donations I have never been turned away.

The type of development that they propose with mixed-use residential including both single family and multi-family units is what is needed in the Comox Valley. It will address both affordability and density. New multi-family units and smaller lot sizes will allow for people in the rental market currently to afford to enter the housing market. This in turn will create much needed rental space within the community to help house those in need.

I urge you to approve this amendment.

Sincerely

Steve Finneron
President

Dawn to Dawn Action on Homelessness Society

January 19, 2020

Mayor and Council
City of Courtenay

By email: planning@courtenay.ca

Your Worship and Councillors:

Re: Public Hearing OCP/Zoning Amendment - Lot 1 Lannan Road and 333 Clubhouse Drive –
Bylaw 2972 and 2973

We ask Council to postpone this rezoning process that will result in a major change to the Official Community Plan. Council has not been presented with sufficient information on the hydrology of the Brooklyn Creek watershed or the value of this remnant forest, which should be conserved in its entirety as a condition of rezoning.

Some of the issues that present themselves for further consideration are:

- Lack of a comprehensive hydrological survey of the Brooklyn Creek watershed
- Lack of discussion of the need to conserve the entire remnant forest to help replenish the aquifer and as wildlife habitat.
- An inadequate environmental review of the property which did not contain a bird, insect or amphibian survey.

Lack of a comprehensive hydrological survey of the Brooklyn Creek watershed

In his excellent letter, Ian Moul notes that two of three Brooklyn Creek tributary streams begin in this area so that it functions as a portion of the upper headwaters of the Brooklyn Creek watershed, a salmon bearing waterway. Ian Moul's professional opinion is that,

“... In stark contrast [to efforts in the Town of Comox], the ... Brooklyn Creek watershed in the City of Courtenay ... has seen phased development with no apparent understanding of overall watershed function. The result has been a systematic piecemeal destruction of the natural hydrology of most of the upper watershed on this tributary... most of the natural creek system is now in settling ponds, ditches or buried in culverts.”

This highlights the critical necessity that Council have a full understanding of the natural hydrology of the area: Mr. Moul's request for an ecological review of the “biological function of the Brooklyn Creek watershed” that would analyze this proposed development in the context of the larger picture is prudent.

Lack of discussion of the need to conserve the entire remnant forest to help replenish the aquifer and as wildlife habitat.

I ask Council and Mr. Waldhaus to consider the hydrological advantages of conserving in its entirety the remaining seasonal wetland forest on this proposed property. Conservation of this remnant forest with its seepage areas retaining and slowly releasing water into the watershed will greatly aid not only in ensuring stable environmental flow levels for the Brooklyn Creek but in also replenishing the aquifer so much of the Valley relies on for well supply. The current stable level of our aquifer is probably due to the final melting of the Comox Glacier; but the aquifer level is likely to drop in coming years. As Jack Minard, former Executive Director of both the Tsolum River Restoration Society and the Comox Valley Land Trust, former chair of the Local Government Implementation Team for the Comox Valley Conservation Strategy's Community, and former Chair of the Salmon Enhancement and Habitat Advisory Board explains,

“Shallow wells along a ridge of the landscape from Sackville Road to the top of Mission Hill had been drying up over several years. This was due to new ditching intercepting rainfall and running it off the landscape faster and faster. Many homes, after relying on shallow wells for generations, had to drill to at least 250 ft. to get water. These two aquifers (shallow and deep) are separated by a layer of clay and many feet deep of glacial till. Water from the shallow aquifer does recharge the deeper aquifer in a slow manner through seeps and cracks in this separating layer. As development proceeded more ditching intercepted more ground water, runs it off to the streams faster leaving a number of impacts: the shallow aquifer is no longer a viable water source, the deeper aquifer is receiving far less recharge, streams and rivers are impacted by high and fast run off and the landscape becomes extremely dry in the summer, streams dry up and fish populations that require fresh water habitat in the late summer expire. Yes, ditching!” (Jack Minard email to G. Anderson May 2018)

The more water we can keep out of ditches and drainage systems, the more water will seep through to the underlying aquifer, and wild areas where water can pool are also valuable assets in flood control. The biological report commissioned by the developer has not been peer-reviewed, and parts of it were done at one of the driest times of the year. The report does not address the fundamental issue of the broader context of the hydrology of the watershed. Instead it acknowledges that “further assessment would be required to determine connectivity to fish” (page 3) for the north-east corner”. It also appears from photo 6 in this report that a storm drain is located nearby, which is likely draining this property at an abnormally rapid rate and thus distorting the hydrology of the forested seasonal wetland. Climate change mitigation and adaptation is one of the City’s goals, and there is no better ally for climate change mitigation than the conservation of natural wetlands, seasonal or year round.

By delaying this rezoning and investing in a comprehensive understanding of this watershed’s hydrology, Council will be safeguarding the health of Courtenay and attempting to repair some of the damage inflicted on the watershed over the last 30 years.

An inadequate environmental review of the property which did not contain a bird, insect or amphibian survey.

The study also did not include a bird, insect and amphibian survey, a normal component of any environmental report. That study would likely show the value of even a small patch of woods to birds, some in declining or threatened populations, competing for the decreasing availability of nesting and feeding sites. The Canadian Wildlife Service notes,

“In order to help ensure that you are complying with the Migratory Birds Convention Act, 1994 and the Migratory Birds Regulations, you should first determine the likelihood of the presence of migratory birds and their nests or eggs when planning activities to be carried out. It is recommended to use a scientifically sound approach that considers the available bird habitats, the migratory bird species likely to be encountered in such habitats, and the likely time period of encounters.” (Cut, Cut, Cut Sierra Club Canada, July 2019).

The proponent’s environmental report noted as many as 50 snags on the property, and in their blog, Conservation Northwest notes,

“Standing dead trees, called snags, provide birds and mammals with shelter to raise young and raptors with unobstructed vantage points. Large downed trees also provide important habitat for wildlife. Hundreds of species of birds, mammals, amphibians, reptiles and fish benefit from snags for food, nesting or shelter! ... Only 30 bird species are capable of making their own nest cavities in trees. The pileated woodpecker is a famous example. Another 80 animal species, like fishers, depend upon previously-excavated or natural tree holes for their nests... The insulation of a tree-trunk home allows wildlife to survive high summer and low winter temperature extremes. Tree cavities and loose bark are used by many animals to store their food supplies, while insects living inside the dead wood eat thousands of forest pests, which can harm living trees. Woodpeckers and creepers feast on the wood-eating insects and provide “sawdust” for ants to process. ... When they eventually fall into or near water and wetlands, fish and amphibians hide under and around dead wood. This aquatic “structure” provides important shelter for juvenile salmon, steelhead, char and trout. Without woody debris in our rivers and streams, these watersheds can’t provide adequate habitat for many native fish species.” (<https://www.conservationnw.org/our-work/wildlands/snag-trees/>)

Earlier surveys of the former larger Lannan Forest showed “two red-listed and one blue-listed plant communities, including an extremely rare occurrence of Aspen-crabapple and slough sledge.” (\$73 million crown land sell-off Revs Up, Tyee, March 26 2004). These woods are maturing second growth forest of about 60 to 80 years of age, with a significant height that makes them a beautiful feature on the landscape, and this small urban forest will be a valuable asset to the city as it represents so well the natural ecology of post-logging Courtenay. As well as their role as wildlife habitat and carbon sinks, urban trees aid with cleaning air and water, providing cooling benefits in summer, and increasing human psychological and physical health.

Given their value to the community and the stated objectives of community plans, saving this forest in its entirety should be a priority. One of the goals of the Official Community Plan is to ‘protect environmentally sensitive areas and support sustainable development practices.’ A major change to the Official Community Plan must make this goal a priority.

Again, in section 4.10, Environmental Goals are listed as “To preserve and protect environmentally sensitive and unique natural areas, particularly areas along the rivers, streams, and shorelines; To preserve and protect riparian areas; To protect and enhance fish and wildlife habitats; To protect the crucial hydrological functions of the area; ... To work with watershed and stream stewardship groups on environmental related matters.”

Under the section 4.10.4, Environmentally Sensitive Areas are defined as including “watercourses including the sea, ponds, lakes, rivers, streams, natural drainage courses and wetlands, riparian and wildlife habitat” which the City pledges to protect.

And finally, one of the goals of the Parks and Open Space section (4.6.3) 1 is “to identify and protect environmentally sensitive areas, wildlife areas, streams and riparian areas.”... and to support ... “nature parks or ecological parks ... representative of Courtenay’s natural diversity, wildlife or plant protection ... [and] to protect wildlife and riparian habitat.” Permitting the destruction of much of an almost ten acre forest is in direct conflict to all of those objectives. Partial removal of the forest will further affect hydrology and make remaining trees susceptible to blowdown. It is imperative the forest be conserved in its entirety.

Conserving the Forest

It is very troubling that, given the appalling environmental destruction some years ago of most of the Lannan Forest, against the direct wishes of the community that had raised funds to buy those woods, this current development proposal would continue this further destruction of the remaining forest. The municipal staff could not advise the value that will be realized with the rezoning of this property from RU-8 to mixed use residential development, but with the average price of a lot in Crown Isle at \$350,000 (using what appears to be the lowest end price), 330 residential units will yield \$115.5 million dollars. Of course they will not all be single family lots, and there are costs such as the initial land purchase, infrastructure contributions for roads, etc., but it is clear that a great deal of money is going to be made if this major change to the Official Community Plan is approved.

Surely the developer would donate the remaining remnants of the Lannan Forested seasonal wetland, approximately 4 ha (10 acres) of the estimated 16.5 ha (41 acres) proposed development site, to the taxpayers and citizens of Courtenay. This is roughly one quarter of the property to be dedicated in exchange for major development rights.

In the Southlands (the former Spetifore farm) development approval process in Tsawwassen, another major land development similar to Crown Isle, the developer agreed to donate 80% of

the land, including a 90 acre forest, to the municipality of Delta for community gardens, wildlife habitat, public greenways and walkways, in exchange for zoning to develop the remaining 20%. Putting aside the arguments about that project's merit, even at that ratio of land donation it was still immensely worth the developer's decades of effort and project work.

Simply because we are out of the Metro Vancouver area doesn't mean we shouldn't have the same high standards for development. These are the standards of commitment that are now necessary for zoning approvals in the face of the climate and species crisis that is the result of past environmental destruction. Given that Mr. Moul has noted 'some commendable efforts being made by the Crown Isle Golf Course to enhance remnant portions of the upper creek,' (Ian Moul letter), we hope Mr. Waldhaus and the Crown Isle corporation will make this gesture to the community in a spirit of ecological concern and as part of their commitment to 'an expanding parks, natural areas and greenways system'. (Crown Isle letter January 6 2020).

It is critical that this forest be formally committed to City nature reserve in the application before Council contemplates this zoning application again. Your own staff report notes,

"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."

In setting high standards for environmental protection in development, Council not only sets precedent that holds future development to similar high standards, but benefits both current and future residents of the Valley. Developers make more money when they sell lots in attractive areas, and nothing makes an area more attractive to prospective residential and commercial buyers than the presence of conserved natural areas, forests and widespread tree plantings and greenway walking paths.

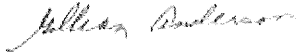
The Star Editorial Board opined that "...The stark consequences of global failures to protect habitat have been well-documented. Most recently, a landmark UN report found that one million species of plants and animals — out of a total of eight million — are at risk of extinction because of human action... Destruction of habitat and loss of biodiversity erodes economies, livelihoods, food security, health and quality of life... We must conserve biodiversity and important ecosystems **wherever they're found**, not just in places where few people live and work and commercial interests are low.... The longer we put off doing that, the less there will be to protect now and forever. "(Canada should move faster on protecting land from development, Star Editorial Board July 28, 2019).

If we are to have a town with a place for wildlife, if we are to have a province and a country replete with wildlife, it is critical that local urban woods are protected. When you look back on your legacy, you will never be sorry if people remember you as someone who stood for conservation of ecologically sensitive areas.

We urge you to postpone this rezoning application. One of the goals outlined in the Official Community Plan is “to continue to develop a strong community image through park development”. The community image we do NOT want is that of a remnant wood being logged and bulldozed yet again.

Thank you for your attention to our concerns.

Sincerely yours,



Frank and Gillian Anderson
PO Box 307
Merville, B.C.
V0R 2M0

WRITTEN SUBMISSION
ONLY

#442, 3666 Royal Vista Way

Courtenay, BC V9N 9X8

January 16, 2020

Attn: Manager of Development Planning, Matthew Fitzgerald

Dear Mr. Fitzgerald,

Re: Zoning Amendments Lot 1, VIP76495 (Lannan Rd.) and Rem. Blk 72 (333 Clubhouse Dr.)

I would like to submit the following proposals regarding the Lannan Road project.

* I would like to see the two smaller parcels (the two triangle parcels) be rezoned into park areas for the current and future residents.

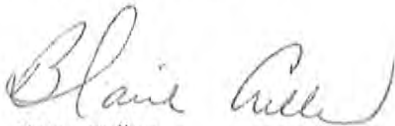
* I would like to see Lannan Street as an access to and from this project alongside Britannia and Royal Vista Way exits.

* The traffic increase from this project on Royal Vista Way will create a great inconvenience if we don't get a percentage of the vehicles using Anderton via Lannan.

* All construction and heavy equipment to use access via Anderton. Using Royal Vista Way will be very disruptive to the current residents.

I would like to thank you for considering my recommendations on this issue. I look forward to your reply.

Respectfully yours,



Blaine Cullen

WRITTEN SUBMISSION
ONLY
#1

Ian Moul RPBio.
1585 Birch Avenue
Comox, BC, V9M 2N5

250 890-0713
imoul@shaw.ca

City of Courtenay
380 Cliffe Avenue
Courtenay, BC
V9N 2I7

14 January 2020

Mayor Wells and Council,

I have a background as a Registered Professional Biologist. I call myself a Landscape Ecologist and for the past 25 years my focus of interest has been the interface between human settlement and natural areas. I hope that with this letter I am able to offer constructive comment with regards to the proposed OCP Amendment Bylaw No. 2972 and proposed Zoning Bylaw Amendment No. 2973 – Lannon Road (henceforth referred to as the Lannon Development Site)

I am familiar with the area of the proposed Lannon Development Site. In November of 2009, I was invited by the former owners of the Longlands Golf Course (now called The Park at Crown Isle) to tour the forest immediately to the south. At that time, I observed a maturing second growth forest with seasonally saturated soils and fish presence right up to the south boundary of the Lannon Development Site (See attached Photographs). The report and photographs by Strategic Natural Resource Consultants, May 2019, suggests this area remains largely as I saw it. This area represents a portion of the upper headwaters of the Brooklyn Creek Watershed. Two of the three Brooklyn Creek tributary streams originate from this area, and flow south across The Park at Crown Isle property.

Over many years I have attended meetings, conferences and workshops hosted by the Partnership for Water Sustainability in British Columbia. Participants at these gatherings are a mix of civic planners and engineers plus local environmental groups. Much of the purpose of this group is to promote land development that embraces the conditions of the local environment. Communities from around the world have realised that it is more cost effective to work with the natural systems (ecosystem services) within local watersheds than to attempt to re-engineer nature

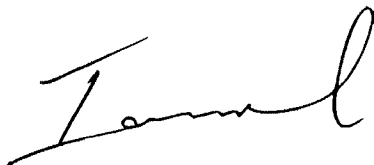
In Parksville in the spring of 2019 a whole segment of the water sustainability meeting focused on Brooklyn Creek. The presentation profiled the excellent conservation and restoration work along the portion of Brooklyn Creek where it flows through the Town of Comox. In stark contrast, the health of the Brooklyn Creek watershed in the City of Courtenay is another story. For the past 30 years the area of the west tributary has seen phased development with no apparent understanding of overall watershed function. The result has been a systematic piecemeal destruction of the natural hydrology of most of the upper watershed on this

tributary. While there are some commendable efforts being made by the Crown Isle Golf Course to enhance remnant portions of the upper creek, most of the natural creek system is now in settling ponds, ditches or buried in culverts.

From the perspective of many communities attempting to restore damaged watersheds, the intact portion of the Brooklyn Creek headwaters within the Lannon Development Site would be considered as extremely valuable. The existing forest and seasonally saturated soils offer ecosystem services whereby water and rainfall can be viewed as a valuable resource and not a waste product to be disposed of. The Lannon Development Site proposal presents a site plan showing removal of the existing forest in exchange for housing, a manufactured park, and an engineered stormwater facility on property immediately to the south, The Park at Crown Isle (where there are two fish bearing tributaries of Brooklyn Creek – see the attached photographs). I suggest that this plan represents archaic planning and engineering practices. I suggest that it is fully possible to have this residential subdivision and to protect the existing biological function of this area.

I recommend that as Mayor and council, you hold off on approving these proposed OCP and Zoning bylaw amendments and request that this area be looked at within the greater context of the biological function of the Brooklyn Creek Watershed. We are in the first month of the third decade of the 21st century. I urge you to start this decade by making a choice that can result in a development where human settlement is in harmony with the natural environment.

With best regards,

A handwritten signature in black ink, appearing to read 'Ian Moul', written in a cursive style.

Ian Moul RPBio.



Photograph 1: Near the south boundary of the Lannon Development Site, showing seasonally flooded soils and fish habitat - 24 November 2009.



Photograph 2: Near the south boundary of the Lannon Development Site, showing maturing forest, flowing water and fish habitat - 24 November 2009.



Photograph 3: Near the south boundary of the Lannon Development Site, showing maturing forest, seasonally flooded soils and fish habitat - 24 November 2009.

WRITTEN SUBMISSION
ONLY
#2

Ian Moul RPBio.
1585 Birch Avenue
Comox, BC, V9M 2N5

250 890-0713
imoul@shaw.ca

City of Courtenay
380 Cliffe Avenue
Courtenay, BC
V9N 2I7

17 January 2020

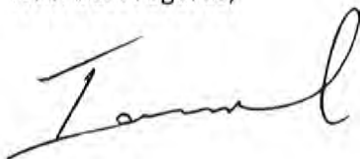
Mayor Wells and Council,

With this letter I wish to update comments sent in my previous letter of 14 January 2020 with regards to concerns about proposed OCP Amendment Bylaw No. 2972 and proposed Zoning Bylaw Amendment No. 2973 – Lannon Road (henceforth referred to as the Lannon Development Site).

My original letter was developed from information in a Staff Report and a Biologist Report found in an Agenda Package for first and second readings at a council meeting on 6 January 2020. On 16 January I met with Mr. Waldhaus of Silverado Land Corp. and discussed my concerns. Mr. Waldhaus explained to me how the project has evolved since the compilation of that Agenda Package. We discussed water flow through the area, the addition of rain gardens and swales to bring rainfall into the ground, the retention of the existing forest along the south-east boundary, the importance and understanding of the forest and the hydrology on the property to the south, (The Park at Crown Isle). Mr. Waldhaus showed me a site plan with a proposed retention pond, moved from the forested area of The Park, further south and into an existing cleared area. We also discussed the two tributaries of Brooklyn Creek, where they originate from the water flowing across the area of the Lannon Development Site and the forested north portion of The Park property.

Given the information presented by Mr. Waldhaus I feel far less critical of these OCP and zoning bylaw amendments. To synch my support for this project I would very much like to see a development prospectus that presents the above mentioned understanding of hydrology and natural features as a valuable amenity. I would also like to see the site plan shown to me by Mr. Waldhaus available at the public hearing. This site plan identifies a proposed retention pond on The Park at Crown Isle property (in Area B of the Regional District) in relation to an overall understanding of the Brooklyn Creek headwaters.

With best regards,



Ian Moul RPBio.

Matthews, Rayanne

From: PlanningAlias
Sent: Friday, January 17, 2020 8:39 AM
To: Ward, John; Buck, Ian; Fitzgerald, Matthew; Sorichta, Wendy
Subject: Public Comments RE: Bylaw Nos 2972 & 2973 - OCP & Zoning Amendment (Lannan Road - Crown Isle Development) - MUNROE

From: Pam Munroe [mailto:dpmunroe@gmail.com]
Sent: Thursday, January 16, 2020 5:58 PM
To: PlanningAlias
Cc: Wells, Bob ; Frisch, David ; Hillian, Doug ; Theos, Manno ; McCollum, Melanie ; Morin, Wendy ; Cole-Hamilton, Will
Subject: OCP/Zoning Amendment. Lot 1 Lannan Rd and 333 Clubhouse Dr

I am unable to attend the public hearing on Monday, January 20 at City Hall.

I was one of the people involved in the attempt to purchase and protect this Crown land in 2003 and was very disappointed when we lost in the bidding process. Cutting the trees down in 2010 was another slap in the face to the people of this community. Although it was now "private" land, it had community benefits that could have been preserved with more careful logging practices.

I urge Council to remember the values that protecting watersheds can offer to a municipality. Protecting the upper reaches of the Brooklyn Creek Watershed is more cost effective than dealing with the issues that can result from less tree canopy and covering over functioning streams. It is time for the City of Courtenay to step up and make protection of this area of Brooklyn Creek a priority. Comox has done their bit in the lower reaches. Mr. Coulson can still have his development and the community benefits of this area can be protected.

Pam Munroe
Courtenay BC

WRITTEN SUBMISSION
ONLY

Matthews, Rayanne

From: PlanningAlias
Sent: Friday, January 17, 2020 9:40 AM
To: Ward, John; Sorichta, Wendy; Buck, Ian; Fitzgerald, Matthew
Subject: Public Comments RE: Bylaw Nos 2972 & 2973 - OCP & Zoning Amendment (Lannan Road - Crown Isle Development) - COLQUHOUN
Attachments: IMG_2432(1).jpg; IMG_2432.jpg; IMG_2431.jpg; IMG_2428.jpg; IMG_2430.jpg; IMG_2429.jpg; IMG_2423.jpg

From: ollie32 [mailto:ollie32@gmail.com]
Sent: Friday, January 17, 2020 9:38 AM
To: PlanningAlias
Subject: FW: Re: OCP00007

Good Morning Mathew,

I dont have alot of time as I'm off to Alberta for work shortly.

I was made aware that today is the deadline for public appeal of the rezoning of Lannan Road on Crown Island property.

In the future I am requesting that you notify me directly via email the schedule of upcoming events regarding this proposed development. As we discussed prior it will directly impact the safety of my kids and public safety. Everyone in this area has the "right" to be informed other then a simple notification on the internet.

Safety along Anderton is a problem as is, people believe it is a highway and speed continuously. Adding 120 more homes plus multi family homes plus existing Crown Isle with access from Lannan is going to increase traffic flow and lower public safety. The proposal for "future" multi family homes is a joke. Prior to allowing single family homes the developer should be mandated to build high density first. Courtenay city council should be accountable for this action.

Mostly recently with the snow on the roads it's a prime example of how public safety will be comprised. People can argue climate change and warming temperatures, simple fact is there has been considerable snow on the ground for the last 4 years in a row. My road still hasn't been plowed by the ministry and it's a mess with freeze thaw cycles. Funny enough someone plowed Lannan and the other road to the south with access to the Par 3 golf course back road. I've included some pictures from this morning including people stuck on Anderton trying to get out of the driveway.

Once again the people in this area are against this development and in the coming weeks I will be gathering signatures and support to appeal access to this development from Lannan Road. There needs to be concessions from the developer such as building sidewalks, traffic lights and so forth to insure the public's safety with the added traffic flow.

Please see attached and I looked forward to having an agenda sent to me.

Thanks

Greg Colquhoun

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: Greg Colquhoun <ollie32@gmail.com>
Date: 2019-12-31 10:52 a.m. (GMT-08:00)
To: planning@courtenay.ca
Subject: Re: OCP00007

Can you also please provide a Traffic impact study of this proposal development?

Thank you

Greg Colquhoun

On Tue, Dec 31, 2019 at 9:02 AM Greg Colquhoun <ollie32@gmail.com> wrote:

Further to my questions yesterday, can you please define the property in question "REZONE LANNON ROAD PROPERTY FROM CVRD RU-8 TO CD-15? It's not clear on the application map.

Thank you

Greg Colquhoun
1604-8373917

----- Forwarded message -----

From: **Greg Colquhoun** <ollie32@gmail.com>
Date: Mon, Dec 30, 2019 at 9:23 PM
Subject: OCP00007
To: <planning@courtenay.ca>

Hello Mathew Fitzgerald

I am writing in regards to the current zoning amendment OCP00007 currently in the works at your office. I am property owner and land resident on Lanson Road and have some concerns about the future proposal.

Questions I have for you at this time are,

- 1)What road improvements/future traffic control plans are there in store for Lannon Road at the intersection of Anderton?
- 2)What measures are in place to increase safety along Anderton due increased traffic volume? High density housing in a somewhat remote location means more people will be in cars.
- 3)Who will pay for the increased road usage and required maintenance (TAX) on Lannon Road on CVRD SIDE?
- 4) What safety and monetary concessions is the developer offering to current residents in the CVRD area to mitigate the increased population?

I look forward to your response,

Thank you

Greg Colquhoun

COLQUHOUN





COLQUHOUN



COLQUHOUN



COLQUHOUN



COLQUHOUN

COLQUHOUN



Dawn Christian
1922 Thurber Rd
Comox, BC V9M 3Z5

City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2I7

14 January 2020

re: OCP Amendment Bylaw No. 2972 and proposed Zoning Bylaw Amendment No. 2973 – Lannon Road

Mayor Wells and Council,

I am writing to you to express concerns about the above OCP Zoning Bylaw Amendment.

I am very much concerned that according to the map there is no riparian protection planned for the 2 fish bearing tributaries of Brooklyn Creek. When the "Lannan Forest" was clear cut in January 2010 by feller bunchers, DFO regulations regarding fish bearing streams were violated by clearcutting to the stream side. To my knowledge there was no penalty for this violation. Nothing short of remediation and protection for these tributaries should be the minimum requirement for these important tributaries in this proposed amendment.

What I find sad is that the excellent conservation and restoration of Brooklyn Creek, by many volunteers, that flows through Comox is acclaimed throughout the province. In stark contrast the Upper Brooklyn Creek headwaters and its tributaries that flow through Courtenay, are treated in archaic planning processes with no regard to the importance of healthy watershed functions. As subdivisions have been phased in in the Upper Brooklyn Watershed (primarily Crown Isle developments) Most of the natural creek is in settling ponds and ditches with water and rainfall regarded as wastewater. As a member of the Provincial Water Watch network I am very aware of the amazing work that is being done throughout the province to restore and protect invaluable creeks and their watersheds. As climate change advances every drop of water is so important to support healthy communities.

I note that a significant area of what is left of Lannan Forest is planned for clearcutting to make way for this subdivision. Please note:

Lannan forest is representative of the very dry maritime coastal western hemlock sub zone (CWH xm 1). This zone is very under represented in terms of protected areas. According to the Provincial Overview and Status report less than 2% of this sub zone and variant is in fact protected. I suggest that these cut blocks be left intact or greatly reduced in their size.

Mayor and Council please consider not approving the OCP in its current form. Please move into the 21st Century and consider a plan that harmonizes our environment and human settlement, acknowledging Climate Change and our future generations. Please consider that the subdivision is in the Brooklyn Watershed with serious consequences downstream.

For a historical perspective and reminder of how Silverado acquired the Crown Land know as Lannan Forest please read:

"As the government sells public lands to private developers across B.C., angry locals say they're cut out of the deals."

By Andrew Findlay 26 Mar 2004 | TheTyee.ca

[https://thetyee.ca/News/2004/03/26/%2473 Million Crown Land Sell-off Revs Up/](https://thetyee.ca/News/2004/03/26/%2473%20Million%20Crown%20Land%20Sell-off%20Revs%20Up/)

As some of you will remember this was a very contentious land deal where Public Crown Land all over the province was being sold, often behind closed doors with no public input or opportunity to buy for the public good.

Our community was hugely galvanized by this issue. Hundreds and hundreds (from all political stripes) gathered and supported opposition to the sale of Lannan Forest to Silverado by:

1. Preventing the annexation of the Forest from Area B to Courtenay. Much to the surprise to Silverado and some of the Council of the day our petition which gathered 10% signatures from the City of Courtenay. This made the annexation request to go to a referendum. Since annexation was a requirement for the original sale that fell through
2. Once the petition was successful the Province decided to put the Crown Land up for sale through a bidding process with a very short deadline. Our community and the Regional District worked very hard to raise a significant amount of money for our bid. Close to \$1,000,000 (far exceeding the original price offered to Silverado). Some even put their property up for a 2nd mortgage. Although we lost the bid it did bring to light how the province was disposing of Crown Land for Development purposes. Also the Comox Valley Land Trust was formed at this time and as we all know The Trust has been instrumental in preserving much land in the Valley

Thank you for your time and consideration,

Dawn Christian

January 19, 2020

Mayor and Council
City of Courtenay

By email: planning@courtenay.ca

Your Worship and Councillors:

Re: Public Hearing OCP/Zoning Amendment - Lot 1 Lannan Road and 333 Clubhouse Drive –
Bylaw 2972 and 2973

We ask Council to postpone this rezoning process that will result in a major change to the Official Community Plan. Council has not been presented with sufficient information on the hydrology of the Brooklyn Creek watershed or the value of this remnant forest, which should be conserved in its entirety as a condition of rezoning.

Some of the issues that present themselves for further consideration are:

- Lack of a comprehensive hydrological survey of the Brooklyn Creek watershed
- Lack of discussion of the need to conserve the entire remnant forest to help replenish the aquifer and as wildlife habitat.
- An inadequate environmental review of the property which did not contain a bird, insect or amphibian survey.

Lack of a comprehensive hydrological survey of the Brooklyn Creek watershed

In his excellent letter, Ian Moul notes that two of three Brooklyn Creek tributary streams begin in this area so that it functions as a portion of the upper headwaters of the Brooklyn Creek watershed, a salmon bearing waterway. Ian Moul's professional opinion is that,

“... In stark contrast [to efforts in the Town of Comox], the ... Brooklyn Creek watershed in the City of Courtenay ... has seen phased development with no apparent understanding of overall watershed function. The result has been a systematic piecemeal destruction of the natural hydrology of most of the upper watershed on this tributary... most of the natural creek system is now in settling ponds, ditches or buried in culverts.”

This highlights the critical necessity that Council have a full understanding of the natural hydrology of the area: Mr. Moul's request for an ecological review of the “biological function of the Brooklyn Creek watershed” that would analyze this proposed development in the context of the larger picture is prudent.

Lack of discussion of the need to conserve the entire remnant forest to help replenish the aquifer and as wildlife habitat.

I ask Council and Mr. Waldhaus to consider the hydrological advantages of conserving in its entirety the remaining seasonal wetland forest on this proposed property. Conservation of this remnant forest with its seepage areas retaining and slowly releasing water into the watershed will greatly aid not only in ensuring stable environmental flow levels for the Brooklyn Creek but in also replenishing the aquifer so much of the Valley relies on for well supply. The current stable level of our aquifer is probably due to the final melting of the Comox Glacier; but the aquifer level is likely to drop in coming years. As Jack Minard, former Executive Director of both the Tsolum River Restoration Society and the Comox Valley Land Trust, former chair of the Local Government Implementation Team for the Comox Valley Conservation Strategy's Community, and former Chair of the Salmon Enhancement and Habitat Advisory Board explains,

“Shallow wells along a ridge of the landscape from Sackville Road to the top of Mission Hill had been drying up over several years. This was due to new ditching intercepting rainfall and running it off the landscape faster and faster. Many homes, after relying on shallow wells for generations, had to drill to at least 250 ft. to get water. These two aquifers (shallow and deep) are separated by a layer of clay and many feet deep of glacial till. Water from the shallow aquifer does recharge the deeper aquifer in a slow manner through seeps and cracks in this separating layer. As development proceeded more ditching intercepted more ground water, runs it off to the streams faster leaving a number of impacts: the shallow aquifer is no longer a viable water source, the deeper aquifer is receiving far less recharge, streams and rivers are impacted by high and fast run off and the landscape becomes extremely dry in the summer, streams dry up and fish populations that require fresh water habitat in the late summer expire. Yes, ditching!” (Jack Minard email to G. Anderson May 2018)

The more water we can keep out of ditches and drainage systems, the more water will seep through to the underlying aquifer, and wild areas where water can pool are also valuable assets in flood control. The biological report commissioned by the developer has not been peer-reviewed, and parts of it were done at one of the driest times of the year. The report does not address the fundamental issue of the broader context of the hydrology of the watershed. Instead it acknowledges that “further assessment would be required to determine connectivity to fish” (page 3) for the north-east corner”. It also appears from photo 6 in this report that a storm drain is located nearby, which is likely draining this property at an abnormally rapid rate and thus distorting the hydrology of the forested seasonal wetland. Climate change mitigation and adaptation is one of the City’s goals, and there is no better ally for climate change mitigation than the conservation of natural wetlands, seasonal or year round.

By delaying this rezoning and investing in a comprehensive understanding of this watershed’s hydrology, Council will be safeguarding the health of Courtenay and attempting to repair some of the damage inflicted on the watershed over the last 30 years.

An inadequate environmental review of the property which did not contain a bird, insect or amphibian survey.

The study also did not include a bird, insect and amphibian survey, a normal component of any environmental report. That study would likely show the value of even a small patch of woods to birds, some in declining or threatened populations, competing for the decreasing availability of nesting and feeding sites. The Canadian Wildlife Service notes,

“In order to help ensure that you are complying with the Migratory Birds Convention Act, 1994 and the Migratory Birds Regulations, you should first determine the likelihood of the presence of migratory birds and their nests or eggs when planning activities to be carried out. It is recommended to use a scientifically sound approach that considers the available bird habitats, the migratory bird species likely to be encountered in such habitats, and the likely time period of encounters.” (Cut, Cut, Cut Sierra Club Canada, July 2019).

The proponent’s environmental report noted as many as 50 snags on the property, and in their blog, Conservation Northwest notes,

“Standing dead trees, called snags, provide birds and mammals with shelter to raise young and raptors with unobstructed vantage points. Large downed trees also provide important habitat for wildlife. Hundreds of species of birds, mammals, amphibians, reptiles and fish benefit from snags for food, nesting or shelter! ... Only 30 bird species are capable of making their own nest cavities in trees. The pileated woodpecker is a famous example. Another 80 animal species, like fishers, depend upon previously-excavated or natural tree holes for their nests... The insulation of a tree-trunk home allows wildlife to survive high summer and low winter temperature extremes. Tree cavities and loose bark are used by many animals to store their food supplies, while insects living inside the dead wood eat thousands of forest pests, which can harm living trees. Woodpeckers and creepers feast on the wood-eating insects and provide “sawdust” for ants to process. ... When they eventually fall into or near water and wetlands, fish and amphibians hide under and around dead wood. This aquatic “structure” provides important shelter for juvenile salmon, steelhead, char and trout. Without woody debris in our rivers and streams, these watersheds can’t provide adequate habitat for many native fish species.” (<https://www.conservationnw.org/our-work/wildlands/snag-trees/>)

Earlier surveys of the former larger Lannan Forest showed “two red-listed and one blue-listed plant communities, including an extremely rare occurrence of Aspen-crabapple and slough sledge.” ((\$73 million crown land sell-off Revs Up, Tyee, March 26 2004). These woods are maturing second growth forest of about 60 to 80 years of age, with a significant height that makes them a beautiful feature on the landscape, and this small urban forest will be a valuable asset to the city as it represents so well the natural ecology of post-logging Courtenay. As well as their role as wildlife habitat and carbon sinks, urban trees aid with cleaning air and water, providing cooling benefits in summer, and increasing human psychological and physical health.

Given their value to the community and the stated objectives of community plans, saving this forest in its entirety should be a priority. One of the goals of the Official Community Plan is to ‘protect environmentally sensitive areas and support sustainable development practices.’ A major change to the Official Community Plan must make this goal a priority.

Again, in section 4.10, Environmental Goals are listed as “To preserve and protect environmentally sensitive and unique natural areas, particularly areas along the rivers, streams, and shorelines; To preserve and protect riparian areas; To protect and enhance fish and wildlife habitats; To protect the crucial hydrological functions of the area; ... To work with watershed and stream stewardship groups on environmental related matters.”

Under the section 4.10.4, Environmentally Sensitive Areas are defined as including “watercourses including the sea, ponds, lakes, rivers, streams, natural drainage courses and wetlands, riparian and wildlife habitat” which the City pledges to protect.

And finally, one of the goals of the Parks and Open Space section (4.6.3) 1 is “to identify and protect environmentally sensitive areas, wildlife areas, streams and riparian areas.”... and to support ... “nature parks or ecological parks ... representative of Courtenay’s natural diversity, wildlife or plant protection ... [and] to protect wildlife and riparian habitat.” Permitting the destruction of much of an almost ten acre forest is in direct conflict to all of those objectives. Partial removal of the forest will further affect hydrology and make remaining trees susceptible to blowdown. It is imperative the forest be conserved in its entirety.

Conserving the Forest

It is very troubling that, given the appalling environmental destruction some years ago of most of the Lannan Forest, against the direct wishes of the community that had raised funds to buy those woods, this current development proposal would continue this further destruction of the remaining forest. The municipal staff could not advise the value that will be realized with the rezoning of this property from RU-8 to mixed use residential development, but with the average price of a lot in Crown Isle at \$350,000 (using what appears to be the lowest end price), 330 residential units will yield \$115.5 million dollars. Of course they will not all be single family lots, and there are costs such as the initial land purchase, infrastructure contributions for roads, etc., but it is clear that a great deal of money is going to be made if this major change to the Official Community Plan is approved.

Surely the developer would donate the remaining remnants of the Lannan Forested seasonal wetland, approximately 4 ha (10 acres) of the estimated 16.5 ha (41 acres) proposed development site, to the taxpayers and citizens of Courtenay. This is roughly one quarter of the property to be dedicated in exchange for major development rights.

In the Southlands (the former Spetifore farm) development approval process in Tsawwassen, another major land development similar to Crown Isle, the developer agreed to donate 80% of

the land, including a 90 acre forest, to the municipality of Delta for community gardens, wildlife habitat, public greenways and walkways, in exchange for zoning to develop the remaining 20%. Putting aside the arguments about that project's merit, even at that ratio of land donation it was still immensely worth the developer's decades of effort and project work.

Simply because we are out of the Metro Vancouver area doesn't mean we shouldn't have the same high standards for development. These are the standards of commitment that are now necessary for zoning approvals in the face of the climate and species crisis that is the result of past environmental destruction. Given that Mr. Moul has noted 'some commendable efforts being made by the Crown Isle Golf Course to enhance remnant portions of the upper creek,' (Ian Moul letter), we hope Mr. Waldhaus and the Crown Isle corporation will make this gesture to the community in a spirit of ecological concern and as part of their commitment to 'an expanding parks, natural areas and greenways system'. (Crown Isle letter January 6 2020).

It is critical that this forest be formally committed to City nature reserve in the application before Council contemplates this zoning application again. Your own staff report notes,

"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."

In setting high standards for environmental protection in development, Council not only sets precedent that holds future development to similar high standards, but benefits both current and future residents of the Valley. Developers make more money when they sell lots in attractive areas, and nothing makes an area more attractive to prospective residential and commercial buyers than the presence of conserved natural areas, forests and widespread tree plantings and greenway walking paths.

The Star Editorial Board opined that "...The stark consequences of global failures to protect habitat have been well-documented. Most recently, a landmark UN report found that one million species of plants and animals — out of a total of eight million — are at risk of extinction because of human action... Destruction of habitat and loss of biodiversity erodes economies, livelihoods, food security, health and quality of life... We must conserve biodiversity and important ecosystems **wherever they're found**, not just in places where few people live and work and commercial interests are low.... The longer we put off doing that, the less there will be to protect now and forever. "(Canada should move faster on protecting land from development, Star Editorial Board July 28, 2019).

If we are to have a town with a place for wildlife, if we are to have a province and a country replete with wildlife, it is critical that local urban woods are protected. When you look back on your legacy, you will never be sorry if people remember you as someone who stood for conservation of ecologically sensitive areas.

We urge you to postpone this rezoning application. One of the goals outlined in the Official Community Plan is “to continue to develop a strong community image through park development”. The community image we do NOT want is that of a remnant wood being logged and bulldozed yet again.

Thank you for your attention to our concerns.

Sincerely yours,



Frank and Gillian Anderson
PO Box 307
Merville, B.C.
V0R 2M0

VERBAL AND WRITTEN
SUBMISSION
#1

Matthews, Rayanne

From: Blamire, Susan
Sent: Friday, January 17, 2020 4:07 PM
To: Ward, John; Sorichta, Wendy; Buck, Ian
Cc: Fitzgerald, Matthew
Subject: Public Comments RE: Bylaw Nos 2972 & 2973 - OCP & Zoning Amendment (Lannan Road - Crown Isle Development) - MAY

-----Original Message-----

From: Fitzgerald, Matthew
Sent: Friday, January 17, 2020 3:34 PM
To: 'hhmay@icloud.com' <hhmay@icloud.com>
Subject: RE: Lannan Road Development Crown Isle)

Good Afternoon Heide,

To confirm - are your comments below in response to the Public Hearing Notice?

Matthew Fitzgerald RPP MCIP
Manager of Development Planning
P: 250-334-4441 (ext. 7255)
E: mfitzgerald@courtenay.ca

The City of Courtenay proudly serves our community by providing a balanced range of sustainable municipal services.
OUR CORE VALUES: People Matter | Be Accountable | Depend on Each Other | Pursue Excellence | Celebrate Success

-----Original Message-----

From: Heide May [mailto:hhmay@icloud.com]
Sent: Wednesday, January 15, 2020 11:24 AM
To: Arzeenahamir@shaw.ca
Cc: Gothard, Nancy <ngoehard@courtenay.ca>
Subject: Lannan Road Development Crown Isle)

Have read Koers & Associates Eng. Ltd Conceptual Servicing Report on Lannan Road Dev.
Their conceptual Storm Drainage indicates that drainage from ridge will be south through Longland's Golf Course property and then to Brooklyn Creek?

Drainage in this area has been problematic and ever more compounding issues for many years.

A drainage pipe at southeastern portion of Longland's Golf Course ("The Park") circumvents my bordering property but illegally drains unto my land into overgrown ditch at most easterly point of Lot D . - then slowly drains thru an overgrown ditch on Adamas property to Anderton Rd.

Drainage from Crown Isle has also overloaded easement on Lot E and is becoming a "Choke Point" at Parry Place with erosion etc. taking place along my driveway.

As noted before blue flagging was noticed on my property done by unknown surveyors.

I strongly feel that a proper drainage study has to be done by developer before approval by the City of Courtenay.

Thank you for your response.

Heide May

VERBAL AND WRITTEN
SUBMISSION
#2

Matthews, Rayanne

From: Blamire, Susan
Sent: Monday, January 20, 2020 8:43 AM
To: Ward, John; Sorichta, Wendy; Buck, Ian
Cc: Fitzgerald, Matthew
Subject: Public Comments RE: Bylaw Nos 2972 & 2973 - OCP & Zoning Amendment (Lannan Road - Crown Isle Development) - MAY - Submission #2 FW: Lannan Forest Development and Drainage Problems

Good Morning

This looks like another set of comments sent to Matthew from the same Individual of your follow up question email Wendy, but these look like additional comments.

Happy Planning
Sue Blamire
Planning Clerk, City of Courtenay
Tel: 250-703-4839
Email: sblamire@courtenay.ca
Development Services Info Page: www.courtenay.ca/dev

-----Original Message-----

From: Fitzgerald, Matthew
Sent: Monday, January 20, 2020 8:30 AM
To: Blamire, Susan <sblamire@courtenay.ca>
Subject: FW: Lannan Forest Development and Drainage Problems

Public Hearing comments for distribution please

Matthew Fitzgerald RPP MCIP
Manager of Development Planning
P: 250-334-4441 (ext. 7255)
E: mfitzgerald@courtenay.ca

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-----Original Message-----

From: George [<mailto:george.mcfarlin@shaw.ca>] On Behalf Of hhmay@icloud.com
Sent: Saturday, January 18, 2020 1:54 PM
To: Fitzgerald, Matthew <mfitzgerald@courtenay.ca>
Cc: arzenahamir@shaw.ca; town@comox.ca
Subject: FW: Lannan Forest Development and Drainage Problems

Subject: Lannan Forest Development and Drainage Problems

Name. Heide May

I have resided on Lot D, District Lot 83, Plan 277276, Comox District, since 1978. This property is located in the Anderton Rd Corridor, CVRD and is bordering Longland's Golf Course to the north.

The surrounding areas, (Crown Isle , Longland's Golf Course etc.) then were heavily forested with many marshes and swamps acting as catchment basins for rainwater.

With development of these areas, deforestation, filling in of swamps and channelization of waters, serious drainage issues have ensued.

In 1981 a. Master Brooklyn Creek Drainage Plan was completed but was altered to suit developers allowing ever greater amounts of water to be drained downhill through drainage pipes. Choke points of water collection were created on Parry Place, Comox.

Hydrology of these areas was forever changed and negatively impacted the surrounding properties and downhill lands. Three jurisdiction, (City of Courtenay, CVRD and Town of Comox.) are involved.

To make the drainage problem even more complicated the Ministry of Transportation and Highways is responsible for CVRD drainage. The Anderton Corridor is wedged inbetween the City of Courtenay and the Town of Comox.

Post development flows greatly exceed pre development flows as there was no drainage of waters before development started...

Drainage from Longland's Golf Course has been negatively impacting my property at the north western and south eastern portion of Lot D for many years . A pipe now circumvents part of the southeastern areas and drainage water is emptying unto my property without my consent then slowly draining through neighboring overgrown ditch to Anderton Rd , and eventually unto Sim's Farm and the Town of Comox .

Recently I have discovered blue surveyor tapes on my property at southeastern portion and nobody is owning up to having placed them there.

Lannan Forest Development has now applied for a development permit. Crown Isle is now owner of Longland's Golf Course renamed The Park .

It is imperative before the Lannan Forest Development application is granted, that a THOROUGH DRAINAGE STUDY, that includes all three jurisdiction, be completed.

This must include "off-site" retention ponds, impact of drainage to downhill lands and a feasible SOLUTION of these ever compounding drainage issues.

Thank you

Heide May

Sent from my iPad

VERBAL AND WRITTEN
SUBMISSION
1

Sorichta, Wendy

From: Sorichta, Wendy
Sent: Monday, January 20, 2020 12:48 PM
To: Blamire, Susan; Ward, John; Buck, Ian
Cc: Fitzgerald, Matthew
Subject: DONE: Public Comments RE: Bylaw Nos 2972 & 2973 - OCP & Zoning Amendment (Lannan Road - Crown Isle Development) - D'AOUST -FW: Public hearing to the Lannam forest zoning amendment

Good afternoon,

Public comments were forwarded to Council for information this afternoon, January 20th.

Sincerely,
Wendy

From: Blamire, Susan
Sent: Monday, January 20, 2020 11:21 AM
To: Sorichta, Wendy; Ward, John; Buck, Ian
Cc: Fitzgerald, Matthew
Subject: Public Comments RE: Bylaw Nos 2972 & 2973 - OCP & Zoning Amendment (Lannan Road - Crown Isle Development) - D'AOUST -FW: Public hearing to the Lannam forest zoning amendment

From: Fitzgerald, Matthew
Sent: Monday, January 20, 2020 11:11 AM
To: Blamire, Susan <sblamire@courtenay.ca>
Subject: FW: Public hearing to the Lannam forest zoning amendment

Public Hearing comments below. Thanks.

Matthew Fitzgerald RPP MCIP

Manager of Development Planning

P: 250-334-4441 (ext. 7255)

E: mfitzgerald@courtenay.ca

The City of Courtenay proudly serves our community by providing a balanced range of sustainable municipal services.

OUR CORE VALUES: **People Matter** | **Be Accountable** | **Depend on Each Other** | **Pursue Excellence** | **Celebrate Success**

From: Nicholas D'Aoust [<mailto:nickincomox@hotmail.com>]
Sent: Monday, January 20, 2020 10:55 AM
To: Fitzgerald, Matthew <mfitzgerald@courtenay.ca>
Subject: Public hearing to the Lannam forest zoning amendment

Hello Matthew.

I would like to submit a written statement regarding my objection to the proposed drainage of the zoning amendment. There was bad weather on Friday and the notice states that it can only be submitted until Friday.

Here is a picture of the last upgrade to the Stormwater management that appears to be missing pieces to actually control and hold back storm water.

I ask you to allow me to submit a written statement this afternoon to you for you to have for the public hearing this afternoon.

Nick D'Aoust
1179 Parry Place

Sent from my iPhone



VERBAL AND WRITTEN
SUBMISSION
2

Matthews, Rayanne

From: PlanningAlias
Sent: Monday, January 20, 2020 2:01 PM
To: Sorichta, Wendy; Ward, John; Buck, Ian; Fitzgerald, Matthew
Subject: Public Comments RE: Bylaw Nos 2972 & 2973 - OCP & Zoning Amendment (Lannan Road - Crown Isle Development) - D'AUOST -(Submission #2) FW: OCP/Zoning Amendment File # OCP00007 (Lannan rd)

From: Nicholas D'Aoust [mailto:nickincomox@hotmail.com]
Sent: Monday, January 20, 2020 1:42 PM
To: PlanningAlias
Cc: Fitzgerald, Matthew
Subject: OCP/Zoning Amendment File # OCP00007 (Lannan rd)

To the councillors of the city of Courtenay,

We are notifying you of our objection to this O.C.P. / Zoning amendment of the Lannan Property. We have reviewed the submitted documents, specifically the conceptual servicing report submitted by Koers Engineering Ltd. It proposes two possibilities to drain storm water from this site; the Lannan road ditch or through Longlands(Crown Isle) to Brooklyn Creek. In no way can storm water from this site be permitted to flow into the Brooklyn Creek drainage system. We have lived adjacent to Crown isles Lake 20 retention pond for 17 years. We have a long history with the storm water management of Crown Isle and the City of Courtenay. The storm water from lake 20 has been a recurring nuisance for us. We believe the infrastructure outside the city of Courtenay has been upgraded to meet the **doubled outflow** form Lake 20 as a result of the updated drainage study performed by Koers Engineering some years ago.(I was the one that forced the city to share this with the Town of Comox and RD)

Given our history we can say that a development of this size cannot proceed without a comprehensive drainage study being completed looking at not only the subject property but also the affected properties and jurisdictions downstream. Have you notified parties down steam? because we were not!

Furthermore, the lake 20 experience has taught us that the work suggested in the drainage study should be done before the development and not after. When I was worried about being flooded again (Lake 20 overflowed and breached it's banks in 2009 flooding my property and house) my last communication with Rich Feucht in October 2016 regarding a swale to prevent overland flooding of my property was that I would have to wait for Hudson Trunk sewer. That meant waiting 3 more years with the possibility of flooding. During those 3 years my property had sediment laden water pumped on it directly and indirectly through Longlands into fish bearing habitat. (Pumped by contractors dealing with storm water during development. This was reported to fisheries.

We are the first private property on the other side of Longlands (Crown Isle) that would receive this storm water. We are in the RD and drain our storm water into ditches on Parry Place. The city of Courtenay can not drain their storm water in rural ditches designed for our storm water.

It took 10 years for the City and Crown Isle to resolve the Lake 20 drainage issues. I still have my meeting notes from May 25th 2010 with Kevin Lagen, Richard Cave and Rick Jackson.

As I said 10 years ago, I am not against development but we are a community and need to work together.

Nick & Tonya D'Aoust
250-339-2245
1179 Parry Place

VERBAL AND WRITTEN
SUBMISSION

Jan. 10, 2020

365 – 3399 Crown Isle Dr
Courtenay, BC, V9N9X7

Attention: Mayor Wells and Courtenay Council:

CC Matthew Fitzgerald - City of Courtenay

Subject:- Destruction Of Wetland associated with a Crown Isle Proposed Development OCP00007
(Lannan)

The purpose of this letter is to encourage the Courtenay Council to intervene in the case of Development Application OCP00007. Halting the destruction of a patch of wetland along with the sole remaining trees of the old "lannan forest". The area we are focusing on is described in the developer's environmental wetland report in submission OCP00007 to the and highlighted by documentation supplied by the Brooklyn Creek Watershed Society (attached). Worthwhile noting that while The Brooklyn Creek Watershed Society, backed up by various sources, has declared the area in question a wetland, Crown Isle has hired a consultant who has declared the same area to not be a wetland.


This is not surprising, in the light of Crown Isles' past desecration of the upper Brooklyn Creek to the west of the new Crown Isle Drive. That section of the creek was a valuable salmon habitat, nurtured by volunteers, now gone forever. How Crown Isle was permitted by the various responsible oversight agencies (including Courtenay Development Services) to get away with this travesty is profoundly disturbing! One asks, where was the oversight that was and still is, needed to protect the estuary.

In light of the above and in the face of more destruction, we should be taking a stand showing at least some determination to act as stewards of the environment.

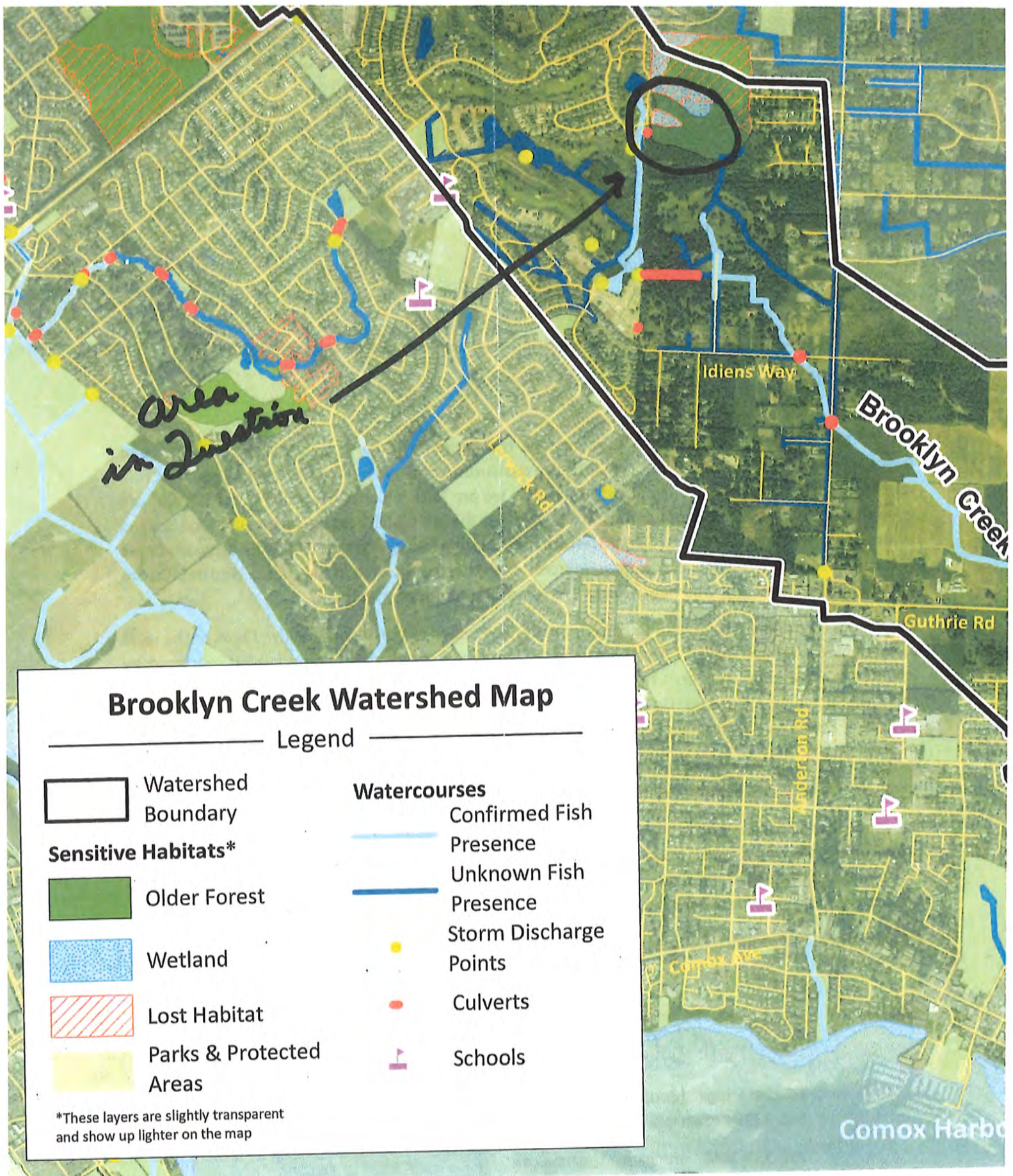
The gradual eroding away of habitat has to stop. We are practicing "Death by a Thousand Cuts". The proposed development of 10 patio homes in the wetland area should be halted immediately. Such a gesture would make a strong symbolic statement to residents and developers alike. Preservation of the estuary has to be in the forefront! Taking a stand for the environment is critical and timely!

Please support this request for the general good of the Comox Valley and its residents.

Sincerely,


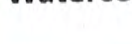










Edward Fudge (Courtenay Resident)
365-3399 Crown Isle Dr, Courtenay, BC V9N9X7
250-334-2068 <fudgeocan@shaw.ca>



Brooklyn Creek Watershed Map

Legend

- | | | | |
|--|-------------------------|---|-------------------------|
|  | Watershed Boundary |  | Confirmed Fish Presence |
| Sensitive Habitats* | |  | Unknown Fish Presence |
|  | Older Forest |  | Storm Discharge Points |
|  | Wetland |  | Culverts |
|  | Lost Habitat |  | Schools |
|  | Parks & Protected Areas | | |

*These layers are slightly transparent and show up lighter on the map



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 1705-20 / 1830 - 05

From: Chief Administrative Officer

Date: February 18, 2020

Subject: 2020 - 2024 MUNICIPAL SOLID WASTE, RECYCLABLES, AND YARD WASTE BUDGETS

PURPOSE:

The purpose of this report is to consider the 2020 - 2024 operating budget for Municipal Solid Waste (MSW) and to establish the applicable solid waste, recyclables, and yard waste user fees.

POLICY ANALYSIS:

Section 194 of the *Community Charter* allows Council to charge a user fee to cover the cost of delivery of a service.

EXECUTIVE SUMMARY:

The costs associated with providing solid waste, recyclables, and yard waste collection are reviewed annually and user fees are established to cover the projected cost to deliver the services in the upcoming year. These services are not funded from general property taxation. For 2020, a general user fee increase of 5.5% is required to ensure that the 2020 costs to deliver the service are fully covered.

CAO RECOMMENDATIONS:

That based on the February 18, 2020 staff report "2020 - 2024 Municipal Solid Waste, Recyclables, and Yard Waste Budgets" Council approve OPTION 1 and increase 2020 user fees by 5.5%, and;

That Bylaw Number 2982,2020 a bylaw to amend the "City of Courtenay Fees and Charges Bylaw No. 1673, 1992", proceed to first, second and third reading in order to revise the proposed 2020 Municipal Solid Waste, Recyclables and Yard Waste user fees.

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Council sets the Solid Waste user fee rate schedule by bylaw each year to ensure costs for the provision of solid waste, recyclables and yard waste collection services are fully recovered. These services are not funded from the general property taxation levy.

DISCUSSION:

The City provides weekly curb side pickup of Municipal Solid Waste (MSW) / yard waste and bi-weekly pickup of recyclables for residential properties, and scheduled MSW/cardboard pickup for commercial properties. The user fee charged for this service must cover:

1. The costs of the contractor engaged to provide MSW/recyclables collection and transport services.

The cost of the solid waste and recyclables collection contract has increased by 7.5% in 2020. This is largely due to increased labour, fuel, and insurance costs faced by the contractor.

Approximately 51% of the user fee covers the collection contract costs and 3.5% of the 5.5% recommended increase to the user fee is attributable to these increases.

2. The costs of regional landfill fees for disposal of mixed waste.

Effective September 1, 2020, the regional landfill tipping fee will be \$140 per tonne. (2019 \$130 per tonne).

Approximately 43% of the user fee covers tipping fees and 2% of the 5.5% recommended increase to the user fee is related to these increases.

3. The internal costs to deliver the service.

Internal costs recovered include costs related to utility billing and collection, as well as of the administration of the service, and represents approximately 2% of the overall user fee.

RecycleBC - Revenues

In October 2018, the City signed a second five year contract with RecycleBC to provide recycling services to residential units in Courtenay. The City will continue to receive financial incentives through the program which covers the cost of providing the bi-weekly curb side pickup of recyclables to single and multi-family residences.

2021 – 2024 Financial Plan:

At the current service level, operating budget expenditures for 2021 – 2022 are projected to increase by about 5% annually based on growth, and increased contractual and tipping fee costs. 2023-2024 are projected to increase by about 3%. In order to ensure these cost increases are not a direct burden to the general tax base, it is projected that revenue generated from community growth of 1% and a user fee rate increase of 5%-2021, 4.5%-2022, 3.25%-2023, 3%-2024, will provide revenues sufficient to offset the operating costs. However, these are estimations based on existing operational circumstances. Future rate adjustments may be needed based on updated information and changing requirements.

Attachment #1 provides the proposed financial plan for 2021-2024.

FINANCIAL IMPLICATIONS:

In order to provide the same level of service to customers in 2020, a 5.5% user fee rate increase is required. The general impact to customers will be:

1. Annual flat levy fee for residential and commercial will increase from \$164.67 to \$173.73, a difference of \$9.06 per year;
2. Multi-family apartments and stratas (excluding yard waste) will increase from \$144.67 to \$152.63 a difference of \$7.96 per year;
3. Additional service fee charges for extra yard waste pickup will change from \$19.47 to \$20.54, a difference of \$1.07 per year.

Attachment #2 identifies all applicable rate changes in comparison to 2019.

ADMINISTRATIVE IMPLICATIONS:

Staff will update the utility billing system and Financial Plan documentation to reflect the approved rates for 2020 once the amended bylaw is adopted. This will take approximately 3 hours.

ASSET MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC PRIORITIES REFERENCE:

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

- **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

Operational Strategies – Public Works Services

1. Waste Collection Contract

OFFICIAL COMMUNITY PLAN REFERENCE:

Section 6.5 Solid Waste

Policy: 1

1. The City will pursue steps to reduce solid waste through a variety of approaches including:
 - education, promotion, advertising
 - encouraging recycling
 - encouraging home composting

- review user fees
- supporting recycling facilities within major commercial and industrial developments
- encouraging mandatory garbage collection for the Comox Valley

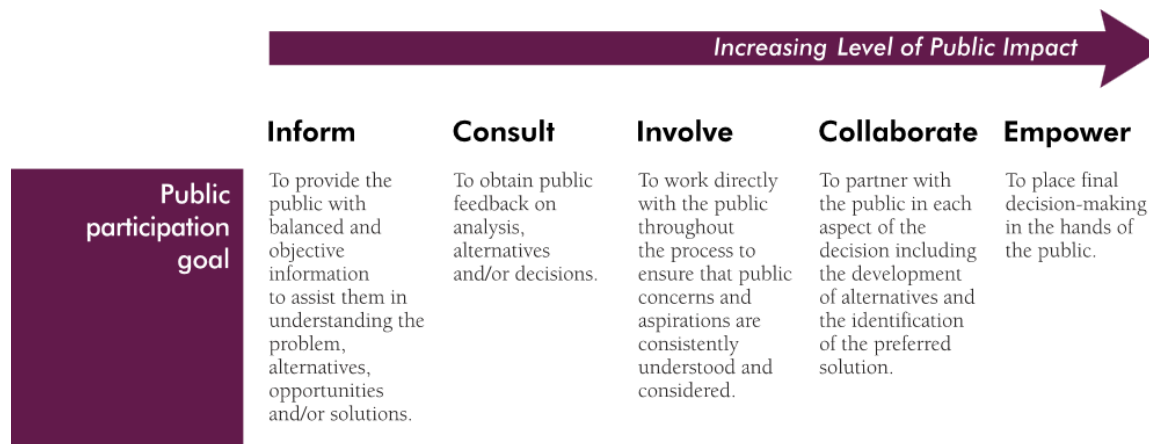
REGIONAL GROWTH STRATEGY REFERENCE:

Goal 8: Climate Change:
 Objective 8-C: Reduce GHG emissions in the solid waste sector

CITIZEN/PUBLIC ENGAGEMENT:

The *Community Charter* (sec. 166) requires that a council must undertake a process of public consultation regarding the proposed financial plan before it is adopted. The City will “**inform**” the public about the 2020-2024 Financial Plan through special council meetings, media webcasts, and information posted on the City’s website. In addition, the City will “**consult**” the public prior to final adoption of the 2020-2024 Financial Plan Bylaw.

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



OPTIONS:

OPTION 1: That Council endorse the proposed increases to the Solid Waste, Recyclables, and Yard Waste user fees as outlined in the attached table of this report; and,

That Bylaw Number 2982,2020 a bylaw to amend the “City of Courtenay Fees and Charges Bylaw No. 1673, 1992”, proceed to first, second and third reading to reflect the proposed 2020 Solid Waste, Recyclables and Yard Waste user fees.

OPTION 2: That Council defer endorsing the proposed increase to the 2020 Solid Waste, Recyclables and Yard Waste user fees for further discussion at a later Council meeting.

While Option 2 provides time for further discussion, it also impacts the schedule required for the 2020 Budget process.

OPTION 3: That Council leave all Solid Waste, Recycling and Yard Waste user rates unchanged for 2020.

While Option 3 provides reduced user fees to the public, the City is still committed to making payments to our contractor and the Comox Valley Regional District, therefore a deficit would occur that may negatively impact future years' user fees and services provided.

Prepared by:



Jennifer Nelson, CPA, CGA
Director of Financial Services

Attachments:

- 1: 2020 – 2024 Solid Waste, Recycling and Yard Waste Financial Plan Summary
- 2: 2020 Solid Waste and Recycling User Fee Collection Rates

City of Courtenay
2020 - 2024 Five Year Financial Plan

Attachment #1

Solid Waste Summary	Final Budget	Proposed Budgets for Discussion			
	2020	2021	2022	2023	2024
REVENUES					
Garbage Collection	3,188,600	3,364,500	3,533,200	3,665,100	3,797,700
RecycleBC Revenue	338,100	338,100	338,100	338,100	338,100
RecycleBC Eductaion Grant	28,500	28,500	28,500	28,500	28,500
Total Revenues	3,555,200	3,731,100	3,899,800	4,031,700	4,164,300
EXPENDITURES					
OPERATING					
Collection Services					
General Services - Emterra	1,782,000	1,889,000	1,983,500	2,043,100	2,104,400
CVRD Services	1,490,300	1,576,400	1,665,400	1,732,700	1,802,700
Advertising	30,500	30,500	30,500	30,500	30,500
Sub-Total	3,302,800	3,495,900	3,679,400	3,806,300	3,937,600
Dog Stations	28,500	28,700	29,100	29,300	29,300
Miscellaneous	6,500	6,600	6,600	6,600	6,600
Litter Baskets - City Crew	95,100	95,900	96,900	97,900	97,900
Sub-Total	130,100	131,200	132,600	133,800	133,800
Total Operating Expenses	3,432,900	3,627,100	3,812,000	3,940,100	4,071,400
ADMINISTRATIVE / Staff Recovery					
Finance Clerk Wage Recovery	73,200	74,700	76,200	77,700	79,300
Postage, Billing Cycles	500	500	500	500	500
Total Administrative Expenses	73,700	75,200	76,700	78,200	79,800
Total Expenditures	3,506,600	3,702,300	3,888,700	4,018,300	4,151,200
Net Suplus (Deficit)	48,600	28,800	11,100	13,400	13,100

SOLID WASTE + RECYCLING COLLECTION FEES					2019	2020	
					Approved	Proposed	
					Rates	Rates	Change
a) Dwelling Basis Fee (included recycling & yard waste)					\$ 164.67	\$ 173.73	\$ 9.06
Extra Bag Ticket (50 litre) As of March 7					\$ 2.50	\$ 2.75	\$ 0.25
b) Multifamily, Apt, Strata per unit (no blue box, no recycling)					\$ 144.67	\$ 152.63	\$ 7.96
	a) Recycling Pick Up per unit				\$ -	\$ -	\$ -
	b) Yard Waste Pick Up per unit				\$ 19.47	\$ 20.54	\$ 1.07
c) Trade Premises - per Pick Up					\$ -	\$ -	\$ -
Cans	1 Can or Equivalent				\$ 2.86	\$ 3.02	\$ 0.16
	Each Extra Can				\$ 2.86	\$ 3.02	\$ 0.16
DCBIA - Per Unit Per Year					\$ 315.15	\$ 332.48	\$ 17.33
Containers - Mixed Per Pick Up					Calculated Rates		
Bins	2 Yd ³	Base Rate			\$ 17.15	\$ 18.09	\$ 0.94
	3 Yd ³	2 yd3 mixed container base rate X	1.5		\$ 25.73	\$ 27.14	\$ 1.41
	6 Yd ³	2 yd3 mixed container base rate X	3		\$ 51.45	\$ 54.27	\$ 2.82
	12 Yd ³	2 yd3 mixed container base rate X	6		\$ 102.90	\$ 108.54	\$ 5.64
	20 Yd ³	2 yd3 mixed container base rate X	10		\$ 171.50	\$ 180.90	\$ 9.40
	***Sizes other than listed above charged at a rate per cubic yard				\$ 8.58	\$ 9.05	\$ 0.47
Compactors - Mixed Per Pick Up							
Bins	27 Yd ³	Base Rate			\$ 463.39	\$ 488.88	\$ 25.49
	28 Yd ³	27 yd3 compactor Base Rate +	1	2 yd3 mixed bins container rate	\$ 480.54	\$ 506.97	\$ 26.43
	30 Yd ³	27 yd3 compactor Base Rate +	3	2 yd3 mixed bins container rate	\$ 514.84	\$ 543.15	\$ 28.31
	35 Yd ³	27 yd3 compactor Base Rate +	8	2 yd3 mixed bins container rate	\$ 600.59	\$ 633.60	\$ 33.01
	40 Yd ³	27 yd3 compactor Base Rate +	13	2 yd3 mixed bins container rate	\$ 686.34	\$ 724.05	\$ 37.71
	***Sizes other than listed above charged the Applicable Year's 27 cubic yard base rate plus multiple of 2 cubic yard base rate				\$ 17.15	\$ 18.09	\$ 0.94
Containers - Cardboard Per Pick Up							
Bins	2 Yd ³	Base Rate			\$ 9.38	\$ 9.90	\$ 0.52
	3 Yd ³	2 yd3 containers-cardboard Base rate x	1.5		\$ 14.07	\$ 14.85	\$ 0.78
	6 Yd ³	2 yd3 containers-cardboard Base rate x	3		\$ 28.14	\$ 29.70	\$ 1.56
	***Sizes other than listed above charged at a rate per cubic yard				\$ 4.69	\$ 4.95	\$ 0.26
Compactors - Cardboard Per Pick Up							
Bins	27 Yd ³	Base Rate			\$ 154.51	\$ 163.01	\$ 8.50
	30 Yd ³	2 yd3 mixed container base rate X	1	plus Compactors Cardboard base rate	\$ 171.66	\$ 181.10	\$ 9.44
	35 Yd ³	2 yd3 mixed container base rate X	2.67	plus Compactors Cardboard base rate	\$ 200.30	\$ 211.31	\$ 11.01
	40 Yd ³	2 yd3 mixed container base rate X	4.34	plus Compactors Cardboard base rate	\$ 228.94	\$ 241.52	\$ 12.58
	***Sizes other than listed above charged the Applicable Year's 27 cubic yard base rate plus multiple of 2 cubic yard base rate				\$ 5.72	\$ 6.04	\$ 0.31

January 13, 2020

To His Worship Mayor Wells and Council,

On behalf of the Board and staff of the Comox Valley Community Arts Council, I would like to take this opportunity to thank you for your outstanding efforts in supporting the Cultural Services Report and adoption of the recommendation to direct staff to consider the strategies and recommendations contained in the report as part of the annual budget and Five Year Financial Plan process on November 25, 2019.


CVA embraces the depth and breadth of how Arts & Culture bring us together. We estimate that there are 5000 creative workers in the Comox Valley (based on extrapolated data and responses to our 2016 Cultural Inventory) and they are significant contributors to our quality of life, as an economic driving force, and as a motivator for why people choose to live, work, and raise their families here. We take our work of supporting, promoting and celebrating our vibrant and inclusive arts community very seriously.

Arts Councils have an important role in ensuring that communities have an active team of people making Arts, Culture, and Heritage a priority. It is a great opportunity and responsibility for CVA, our partner organizations and the City of Courtenay, to expand our services. We know we can do great things when we work together to fulfill the creative capacities of our communities.

We congratulate Mayor and Council for valuing this important resource.

We encourage you to support Arts & Culture funding supported within the budget recommendations on Jan 28 & 29, 2019.

Thank you for your consideration,



Dallas Stevenson, Executive Director

On behalf of the Board of Directors of Comox Valley Arts



BRIEFING NOTE

To: Council
From: Chief Administrative Officer
Subject: Official Community Plan (OCP) Interim Report (Phase 1)

File No.: 6480-00
Date: February 18, 2020

POLICY IMPLICATIONS:

City of Courtenay Strategic Priorities 2019 - 2022

We support diversity in housing and reasoned land use planning

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

Council Strategic Priorities Chart, November 2019

- (NOW) 1. OCP – Consultation Process (public input/consult report) ●

ISSUE:

The purpose of this Briefing Note is to provide Council with an update on the Official Community Plan (OCP) project and review of the major outcomes of the Phase 1 background research report prior to the “Ideas Fair” on February 19.

BACKGROUND:

Staff and the consultant (Project Team) have successfully completed Phase 1 of the OCP Update project which involved summarizing various background data and trends, and modelling our greenhouse gas emissions profile for the 2016 baseline year and a forecast to 2051 under existing business as usual conditions. The Phase 1 report also identifies emerging themes based on the research that captures some of the trends and the challenges/opportunities that the OCP process may consider.

Since the project commenced last fall, the launch of the project website, development of a short promotional video by Council, and the formation of the OCP Advisory Committee have helped increase community interest in the project. The Project Team will continue to reach out to the public as well as neighbouring municipalities, government departments and agencies, local businesses and advocacy groups in order to maximize opportunities to participate in the OCP development process.

To this end, one of the key project milestones is an official public launch and “Ideas Fair”. This all day drop-in community event is scheduled on February 19th from 10 a.m. to 8 p.m. at Florence Filberg Centre. Members of the community are strongly encouraged to attend to learn about community growth trends and share ideas for the future through interactive activities.

KEY CONSIDERATIONS/NEXT STEPS:

- The consultant will presents a summary of the major outcomes identified in the Phase 1 Background Research Report at the February 18, 2020 Council meeting;
- Public launch and “Ideas Fair” – February 19th at the Florence Filberg Centre;

- City Staff and the team of consultants will begin to work on establishment of low carbon growth scenarios following the public launch; and
- A series of neighbourhood consultation sessions will be planned in the spring once several growth scenarios are established to help inform planning policies and develop an implementation plan.

Prepared by:



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

Reviewed by:



Ian Buck, RPP, MCIP
Director of Development Services



BRIEFING NOTE

To: Council
From: Chief Administrative Officer
Subject: Single-Use Plastic Regulation

File No.: 4320-20
Date: February 18, 2020

ISSUE:

To update Council on recent events related to single-use plastic regulation.

BACKGROUND:

The City adopted "Single Use Plastic Regulation Bylaw 2970, 2019 on June 10th, 2019 with an enforcement date of March 31st, 2020.

On December 16, 2019 Council directed staff not to enforce Bylaw 2970 beginning March 31st, 2020 pending the Supreme Court of Canada's decision on the validity of Victoria's plastic bag bylaw, and/or more certainty of the regulatory approaches of the Provincial and Federal Governments.

KEY CONSIDERATIONS:

On January 23rd, 2020 the Supreme Court of Canada dismissed the appeal from the City of Victoria related to the City's plastic bag bylaw. Reasons for dismissing the appeal were not given.

On January 30th, 2020 the City of Victoria passed three readings of a revised bylaw and submitted the bylaw to the provincial government for approval pursuant to the requirements of the *Community Charter* for an environmental regulation.

The Province of British Columbia has completed an engagement exercise on plastic pollution on September 30, 2019. The "CleanBC – Plastics Action Plan" website simply states "We are carefully reading through response from British Columbians about whether and how to phase out single-use packaging."

Media reports from January 23rd and 24th, 2020 indicate BC Environment Minister George Heyman said the provincial government plans to announce actions to reduce plastic waste in the coming weeks. Staff have not found any further information on this.

On January 30th, 2020 the Government of Canada released a "Draft science assessment of plastic pollution". Public comment is open for 60 days from February 1, 2020. Staff understand that in order for federal regulations to be enacted under the *Canadian Environmental Protection Act*, that there must first be a scientific assessment of the problem.

On release of the scientific assessment, Environment Minister Jonathan Wilkinson said "we will be moving towards a ban on harmful single-use plastics and we will be doing that in 2021".

Prepared by:

Ian Buck, RPP, MCIP
Director of Development Services



BRIEFING NOTE

To: Council

File No.: 0550-20-04

From: Councillor Doug Hillian, Chair, Finance Select Committee

Date: February 12, 2020

Subject: Finance Select Committee Final Report to Council

ISSUE:

To provide a Final Report of the Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) as per its present Terms of Reference, and to propose a renewed committee mandate for Council consideration.

BACKGROUND:

Since its inception, the committee has met on three occasions: October 25th, November 15th, 2019 and February 10th, 2020 for an accumulated meeting time of 5.5 hours and substantially more time in individual preparations and follow-up. The committee's reporting mandate has been extended on two occasions beyond its October 21st, 2019 mandate culminating in a final reporting date of February 18th, 2020.

As per Council Resolution 8.01 2019-04-15, the existing Terms of Reference (ToR) direct the committee to: "concentrate and confine its activities to the capital renewal projects approved in the 2019-2023 Five-year Financial Plan and the following subjects:

1. Identify alternative Asset Management funding sources to minimize the impact of assuming new long-term capital debt; and
2. Identify Level of Service options that would align with taxpayers' willingness to pay."

An Interim Report No. 1 (dated November 21st, 2019) with minutes of the October 25th Finance Select Committee meeting (attachment 1) was presented at the November 25th, 2019 Committee of the Whole (CoW). The following resolutions were subsequently carried unanimously by Council at the CoW meeting:

2.02

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

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

1.01

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

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

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

KEY CONSIDERATIONS:

1. Recommendation from the February 10th, 2020 Finance Select Committee as resolved at item 7.01 of the November 15th, 2019 Committee Meeting Minutes (attachment 2) and OPTION 3 (attachment 3):

“that the Finance Select Committee recommend OPTION 3 of the November 15th, 2019 DRAFT “2020-2023 Schedule of Gaming Funds Distribution”; and

That the Committee’s recommended distribution of gaming funds (OPTION 3) be brought forward in a future report to Council for Council’s consideration as part of the City of Courtenay 2020-2024 Five-year Financial Plan”.

2. Recommendation from the February 10th, 2020 Finance Select Committee meeting DRAFT Minutes (attachment 4):

6.01

“that based on the February 10th, 2020 briefing note, “Draft Finance Select Committee Final Report to Council”, the Finance Select Committee recommends:

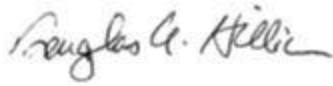
That Council support the proposal to extend the mandate of the Finance Select Committee to include the following subjects in an updated Terms of Reference:

- *Land Strategy - Disposition: consider policy/process on designating surplus City property to support housing projects (i.e. Co-operative Housing, Habitat for Humanity, Supportive Housing, etc.) versus using proceeds of land sales to support strategic land acquisitions, and/or to fund other City projects (i.e. East Courtenay Fire Hall, new Operations Building, etc.)*
- *Review Business Cases for significant future capital projects (i.e. related to capital renewal and growth, etc.)*
- *Review and update financial policies on surpluses and reserves*
- *Other opportunities*

That the mandate for the Finance Select Committee be extended to January 31st, 2021; and,

That the Final Report be included as amended on the February 18th, 2020 regular Council agenda.”

Respectfully Submitted,



Councillor Doug Hillian,
Chairperson
Finance Select Committee
(Select Committee on Alternative Asset Management
Funding Sources and Levels of Service Options)

Attachments (4)

1. Finance Select Committee Interim Report No. 1 - 2019-11-21
2. Minutes of a Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) Meeting November 15th, 2019
3. Gaming Distribution Matrix 2019-2022 OPTION 3
4. DRAFT Minutes of a Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) Meeting February 10th, 2020



THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE

To: Committee of the Whole **File No.:** 0360-20
From: Councillor Doug Hillian, Chairperson, Finance Select Committee **Date:** November 21, 2019
(Council Select Committee on Alternative Asset Management
Funding Sources and Levels of Service Options)
Subject: **Finance Select Committee Interim Report No. 1 - 2019-11-21**

ISSUE(S):

Recommendations from the Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) within the attached meeting minutes and identification of a staff report addressing short-notice opportunity for the Grant-in-Aid program.

KEY CONSIDERATIONS:

- The Finance Select Committee members request the final reporting date assigned by its Terms of Reference (TOR) be amended as resolved in s. 4.01 of the October 25th, 2019 Finance Select Committee minutes (Attachment 1). Specifically, that Section 6 of the TOR be amended to read, “...the Committee will submit its findings and recommendations in a written report to Council no later than January 6th, 2020”.
- The Finance Select Committee members wish to identify for Council a short-notice opportunity to advantageously adjust the scheduling of the 2020 Grant-in-Aid program. This opportunity is explained and specific recommendations are made in the November 25th, 2019 staff report, “Grant-in-Aid and Other Forms of Financial Support Policy 1850.00.04 Revision”. The report appears under “Staff Reports/Presentations” on the Committee of the Whole Agenda for November 25th, 2019.

Respectfully Submitted,

Councillor Doug Hillian,
Chairperson
Finance Select Committee
(Select Committee on Alternative Asset Management
Funding Sources and Levels of Service Options)

Attachment:

1. FSC1/2019 - Minutes: Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options, October 25, 2019)

FSC1/2019 - October 25, 2019

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

Attending:

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

Staff:

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

1.00 CALL TO ORDER AND WELCOMING REMARKS

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

2.00 INTRODUCTION OF COMMITTEE MEMBERS

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

3.00 COMMITTEE APPOINTMENTS

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

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

4.00 CONFIRMATION OF TERMS OF REFERENCE

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

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

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

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

Carried

5.00 ESTABLISH SCHEDULE OF MEETINGS

.01
ESTABLISH REGULAR
SCHEDULE OF
MEETINGS
0550-20

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

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

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

Carried

6.00 STAFF REPORTS/PRESENTATIONS

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

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

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

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

Carried with Chair Hillian opposed

New motion:

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

Carried

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

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

That Council support OPTION 1 which states:

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

Carried

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

The meeting reconvened at 1:41 p.m.

7.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

8.00 NEW BUSINESS

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

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

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

9.00 ROUND TABLE/COMMITTEE INITIATIVES

10.00 ADJOURNMENT

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

CERTIFIED CORRECT

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

Adopted this 15th day of November, 2019

Corporate Officer/Deputy Corporate Officer

FSC2/2019 - November 15, 2019

Minutes of a Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) Meeting held in the City Hall Council Chambers, Courtenay B.C., on Friday, November 15, 2019 at 10:00 a.m.

Attending:

Chair: D. Hillian
Councillors: W. Cole-Hamilton
D. Frisch
M. McCollum

Staff:

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

Regrets:

Mayor: Bob Wells
Staff: Dave Love, Senior Advisor Strategic Initiatives

1.00 ADOPTION OF MINUTES

.01 Mined by McCollum and seconded by Cole-Hamilton that the
MINUTES October 25th, 2019 Finance Select Committee Inaugural meeting minutes
be adopted.
Carried

2.00 ADOPTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

7.00 UNFINISHED BUSINESS

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

Moved by McCollum and seconded by Cole-Hamilton that the Finance Select Committee recommend OPTION 3 of the November 15th, 2019 DRAFT “2020 - 2023 Schedule of Gaming Funds Distribution”; and,
That the Committee’s recommended distribution of gaming funds (OPTION 3) be brought forward in a future report to Council for Council’s consideration as part of the City of Courtenay 2020-2024 Financial Plan.
Carried

Councillor Cole-Hamilton left Council Chambers at 10:22 a.m.
Councillor Cole-Hamilton returned to Council Chambers and took his seat at 10:22 a.m.

.02
REVISED DRAFT
GRANT-IN-AID AND
OTHER FORMS OF
FINANCIAL SUPPORT
POLICY NO.
1850.00.04

Moved by Cole-Hamilton and seconded by McCollum that based on the draft staff report, “Grant-in-Aid and Other Forms of Financial Support Policy 1850.00.04 Revision”, the Finance Select Committee recommends:
That Council support OPTION 1 which states:

- To approve the *Provision of Grant-in-Aid and Other Forms of Financial Support Policy 1850.00.04* as presented;
- Staff be directed to update the City website and advertise for the 2020 Grant-in-aid applications as soon as possible;
- Staff be directed to pursue the “Flow-Through Funds” opportunity with the Comox Valley Community Foundation for the 2021 grant year; and,

That the staff report be included on the November 25th, 2019 Committee of the Whole council agenda as presented at the November 15th, 2019 Finance Select Committee meeting.
Carried

8.00 NEW BUSINESS

.01
INFORMATION SHEET
LOCAL GOVERNMENT
BORROWING PROCESS
1760-02

Moved by Cole-Hamilton and seconded by McCollum that the November 15th, 2019 information sheet “Local Government Borrowing Process” be received for information.
Carried

.02
FUTURE CAPITAL
PROJECT/DEBT
IMPACT REVIEW
(2019 - 2023
FINANCIAL PLAN)

Moved by McCollum and seconded by Cole-Hamilton that November 15th, 2019 discussion document “Future Capital Project/Debt Impact Review (2019 - 2023 Financial Plan)” be received for information.
Carried

9.00 ROUND TABLE/COMMITTEE INITIATIVES

10.00 ADJOURNMENT

.01 Moved by McCollum and seconded by Cole-Hamilton that the meeting now adjourn at 11:22 a.m.
Carried

CERTIFIED CORRECT

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

Adopted this 10th day of February, 2020

Corporate Officer/Deputy Corporate Officer

ATTACHMENT 3

City of Courtenay
2020 - 2023 PROPOSED Schedule of Annual Gaming Funds Distribution

Gaming Funds Balance, December 31, 2018	\$	1,808,181
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OPTION 3

Distribution: Major Categories		2019 Approved	2020 Proposed	2021 Proposed	2022 Proposed	2023 Proposed
Estimated Annual Funds Available		1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Support Downtown Arts and Culture	Annual Grants:					
	CV Art Gallery	65,000	65,000	65,000	65,000	65,000
	Ctny & Dist Historical Society	50,000	50,000	50,000	50,000	50,000
	Sid Williams Theatre Society	105,000	105,000	105,000	105,000	105,000
	Downtown cultural events	5,000	5,000	5,000	5,000	5,000
	Sid Theatre, Art Gallery and Museum Strategic planning (2018 carry forward)	21,000				
		246,000	225,000	225,000	225,000	225,000
Council Initiatives & Projects	Purple ribbon Campaign	3,500	3,500	3,500	3,500	3,500
	Feb 19, 2019 Resolution - LUSH Community Garden Annual Grant	10,000	10,000	10,000	10,000	10,000
	Nov 19, 2018 Resolution - Heritage Refurbish Clocks (2018 carry forward)	25,000				
	July 2, 2019 Resolution - Down Town Event Traffic Control	15,000				
	Annual Grants-in-Aid (Reduction per Finance Select Committee Recommendation)	105,650	50,000	50,000	50,000	50,000
	Annual Grants-in-Aid (Management Fee to Comox Valley Community Foundation)			2,500	2,500	2,500
	Other Council Initiatives/Projects - (Increase and amalgamate Social/Green/Council Initiatives)	25,850	75,000	75,000	75,000	75,000
			185,000	138,500	141,000	141,000
Public Safety / Security	RCMP Contract Funding	405,000	405,000	405,000	405,000	405,000
Social / Societal Initiatives	Removed Annual \$50K allocation					
	April 15, 2019 St. Georges United Church Kitchen Renovation	25,000				
	Jan7, 2019 Resolution CV Coalition to end Homelessness Delegation Request	35,000				
		60,000	-	-	-	-
Infrastructure Works	Annual Provision to Infrastructure Reserve	100,000	100,000	100,000	100,000	100,000
	Infrastructure Levy Reduction (1%)	220,800	220,000	220,000	220,000	220,000
		320,800	320,000	320,000	320,000	320,000
Green Capital Projects / Innovation	Removed Annual \$50K allocation	50,000				
	Electric Charging Stations - Committed 2019-2023 Fin Plan		175,000			
		50,000	175,000	-	-	-
Total Annual Distribution		1,266,800	1,263,500	1,091,000	1,091,000	1,091,000
Projected Gaming Fund Balance	\$	1,808,181	1,541,381	1,277,881	1,186,881	1,095,881

FSC1/2020 - February 10, 2020

Minutes of a Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) Meeting held in the City Hall Council Chambers, Courtenay B.C., on Monday, February 10, 2020 at 2:00 p.m.

Attending:

Chair: D. Hillian
Councillors: W. Cole-Hamilton
D. Frisch
M. McCollum

Staff:

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

Regrets:

Mayor: B. Wells

1.00 ADOPTION OF MINUTES

.01 MINUTES Moved by Cole-Hamilton and seconded by McCollum that the November 15th, 2019 Finance Select Committee meeting minutes be adopted.
Carried

2.00 ADOPTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

.01
BRIEFING NOTE -
DRAFT FINANCE
SELECT COMMITTEE
FINAL REPORT TO
COUNCIL
0550-20

Moved by McCollum and seconded by Cole-Hamilton that the February 10th, 2020 briefing note, “Draft Finance Select Committee Final Report to Council”, be received for information.

Carried

New motion:

Moved by McCollum and seconded by Cole-Hamilton that based on the February 10th, 2020 briefing note, “Draft Finance Select Committee Final Report to Council”, the Finance Select Committee recommends:

That Council support the proposal to extend the mandate of the Finance Select Committee to include the following subjects in an updated Terms of Reference:

- Land Strategy - Disposition: consider policy/process on designating surplus City property to support housing projects (i.e. Co-operative Housing, Habitat for Humanity, Supportive Housing, etc.) versus using proceeds of land sales to support strategic land acquisitions, and/or to fund other City projects (i.e. East Courtenay Fire Hall, new Operations Building, etc.)
- Review Business Cases for significant future capital projects (i.e. related to capital renewal and growth, etc.)
- Review and update financial policies on surpluses and reserves
- Other opportunities

That the mandate for the Finance Select Committee be extended to **January 31st, 2021**; and,

That the briefing note be included as amended on the February 18th, 2020 regular Council agenda.

Carried

7.00 UNFINISHED BUSINESS

8.00 NEW BUSINESS

9.00 ROUND TABLE/COMMITTEE INITIATIVES

.01
FINANCE SELECT
COMMITTEE
ROUND TABLE &
FUTURE INITIATIVES

The committee members participated in a round table discussion regarding the functions of the committee, participant engagement, future initiatives and next committee meeting date (tentative April 2020 - date to be determined).

10.00 ADJOURNMENT

.01 The meeting adjourned at 3:17 p.m.

CERTIFIED CORRECT

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

Adopted this 3rd day of April, 2020

Corporate Officer/Deputy Corporate Officer

DRAFT

**Minutes of a Parks & Recreation Advisory Commission Meeting
Held at Yiamas Greek Taverna, December 5, 2019 at 6:30 p.m.**

Attending: Bill Green
Michael Lynch
Carolyn Janes
Erik Eriksson
Iris Churchill
Mary Crowley
Allan Douglas
Dave Snider (Ex Officio)
Manno Theos (Council Representative)

Regrets: Sébastien Braconnier
Tom Demeo

Call to Order

The meeting was called to order at 6:30 p.m.

Adoption of Previous Meeting Minutes

MINUTES Moved by Iris and seconded by Michael that the minutes of the Parks & Recreation Advisory Commission meeting on Thursday, November 7, 2019, to be adopted as read. **Carried**

Old Business

LAWRENCE BURNS PARK	Staff will propose that brush clearing occur in early 2020.
COURTHOUSE TABLES	No response from province; Michael is attempting to find out if BC Government has a fund to support landscaping, upkeep etc.
PHYSICAL LITERACY	Moving forward but less representation from Comox, Cumberland, and CVRD. Connections with library and School District are welcome.
REGIONAL RECREATION PASS UPDATE	Committee is discussing a unified criteria for low income subsidy passes across the Comox Valley.
CAPITAL PROGRAM – COURTENAY RIVERWAY SOUTH EXTENSION	Dave provided updates on Riverway South extension.

New Business

2020 WELLNESS PASS	Dave described the transition to the new recreation software and the impact on annual passes. Existing passes will expire February 29 th , and 2020 passes will begin March 1 st .
FEES AND CHARGES STUDY	Study will be considering the subsidy levels for various services/uses. Currently facility fees increase 1% per year, but the increase is applied every second year as 2% to reduce the administrative burden of the change.

HOBSON PARK

Moved by Councillor Theos and seconded by Michael to recommend that staff propose improvements to Hobson Park. **Carried**

JANUARY 2020 MEETING

January 2nd, 2020 meeting will be cancelled, and the first meeting of 2020 will be February 6th.

Next Meeting

Thursday, February 6 at 6:30 p.m., location to be determined.

Adjournment

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

Minutes of a Finance Select Committee (Council Select Committee on Alternative Asset Management Funding Sources and Levels of Service Options) Meeting held in the City Hall Council Chambers, Courtenay B.C., on Friday, November 15, 2019 at 10:00 a.m.

Attending:

Chair: D. Hillian
Councillors: W. Cole-Hamilton
D. Frisch
M. McCollum

Staff: D. Allen, CAO
T. Kushner, Director of Public Works Services/Assistant CAO
J. Nelson, Director of Financial Services
R. Matthews, Executive Assistant
W. Sorichta, Manager of Legislative & Corporate Administrative Services

Regrets:

Mayor: Bob Wells
Staff: Dave Love, Senior Advisor Strategic Initiatives

1.00 ADOPTION OF MINUTES

.01 Mined by McCollum and seconded by Cole-Hamilton that the
MINUTES October 25th, 2019 Finance Select Committee Inaugural meeting minutes
be adopted.
Carried

2.00 ADOPTION OF LATE ITEMS

3.00 DELEGATIONS

4.00 STAFF REPORTS/PRESENTATIONS

5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

7.00 UNFINISHED BUSINESS

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

Moved by McCollum and seconded by Cole-Hamilton that the Finance Select Committee recommend OPTION 3 of the November 15th, 2019 DRAFT “2020 - 2023 Schedule of Gaming Funds Distribution”; and,
That the Committee’s recommended distribution of gaming funds (OPTION 3) be brought forward in a future report to Council for Council’s consideration as part of the City of Courtenay 2020-2024 Financial Plan.
Carried

Councillor Cole-Hamilton left Council Chambers at 10:22 a.m.
Councillor Cole-Hamilton returned to Council Chambers and took his seat at 10:22 a.m.

.02
REVISED DRAFT
GRANT-IN-AID AND
OTHER FORMS OF
FINANCIAL SUPPORT
POLICY NO.
1850.00.04

Moved by Cole-Hamilton and seconded by McCollum that based on the draft staff report, “Grant-in-Aid and Other Forms of Financial Support Policy 1850.00.04 Revision”, the Finance Select Committee recommends:
That Council support OPTION 1 which states:

- To approve the *Provision of Grant-in-Aid and Other Forms of Financial Support Policy 1850.00.04* as presented;
- Staff be directed to update the City website and advertise for the 2020 Grant-in-aid applications as soon as possible;
- Staff be directed to pursue the “Flow-Through Funds” opportunity with the Comox Valley Community Foundation for the 2021 grant year; and,

That the staff report be included on the November 25th, 2019 Committee of the Whole council agenda as presented at the November 15th, 2019 Finance Select Committee meeting.
Carried

8.00 NEW BUSINESS

.01
INFORMATION SHEET
LOCAL GOVERNMENT
BORROWING PROCESS
1760-02

Moved by Cole-Hamilton and seconded by McCollum that the November 15th, 2019 information sheet “Local Government Borrowing Process” be received for information.
Carried

.02
FUTURE CAPITAL
PROJECT/DEBT
IMPACT REVIEW
(2019 - 2023
FINANCIAL PLAN)

Moved by McCollum and seconded by Cole-Hamilton that November 15th, 2019 discussion document “Future Capital Project/Debt Impact Review (2019 - 2023 Financial Plan)” be received for information.
Carried

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2982

A bylaw to amend City of Courtenay Fees and Charges Bylaw No. 1673, 1992

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 **“City of Courtenay Fees and Charges Amendment Bylaw No. 2982, 2020.”**
2. That “City of Courtenay Fees and Charges Bylaw No. 1673, 1992” be amended as follows:
 - (a) That Schedule of Fees and Charges, Section III, Appendix IV “Garbage Collection Fees” be hereby repealed and substituted therefore by the following attached hereto and forming part of this bylaw:

“Schedule of Fees and Charges Section III, Appendix IV – Solid Waste Collection Fees”
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

Read a third time this day of , 2020

Finally passed and adopted this day of , 2020

Mayor

Corporate Officer

**SCHEDULE OF FEES AND CHARGES
CITY OF COURTENAY FEES AND CHARGES AMENDMENT BYLAW NO. 2982
SECTION III, APPENDIX IV
SOLID WASTE COLLECTION FEES**

- A. Dwelling Basis Fee per unit per year
-includes recyclables & yard waste pickup \$175.48
- Extra Bag Ticket (50 litre) - each \$2.75
- B. Residential Multifamily, Apartment, Strata per unit per year
(Fee for yard waste, recyclables not included) \$154.17
- Additional service fee – yard waste pickup, per unit per year \$20.75
- C. Trade Premises (where mixed waste containers are determined to include
recyclable materials, the fee imposed shall be two times the regular pickup fee.)

Cans – mixed waste (contains no recyclable material)	Per Pickup
1 can or equivalent (1 can = 121 litres)	\$3.05
Every additional can or equivalent 121 litres shall be charged at the rate of	\$3.05
DCBIA – per unit/premise per year (includes two cans per week plus recyclables/cardboard pickup – this fee is charged to those units that are constrained by space and cannot implement a mixed waste bin or cardboard bin service)	\$335.83

Containers - Mixed, Non-compacted (contains no recyclable material)

2 cubic yards	\$18.27
3 cubic yards	\$27.40
6 cubic yards	\$54.82
12 cubic yards	\$109.63
20 cubic yards	\$182.72
Rate per cubic yard for sizes other than those listed above	\$9.14
Compactors – Mixed Waste (contains no recyclable material)	Per Pickup

27 cubic yards	\$493.80
28 cubic yards	\$512.07
30 cubic yards	\$548.62
35 cubic yards	\$639.98
40 cubic yards	\$731.34
For sizes other than those listed above: \$493.80 (27 cubic yard base rate) + [(Y - 27) * \$18.27 (2 cubic yard base rate)]	

Refuse to Recycling Centre (no tipping fees)	
DCBIA Recycle Toter Bin	\$2.50 per bin
<i>Containers</i>	Per Pickup
2 cubic yards	\$10.00
3 cubic yards	\$15.00
6 cubic yards	\$30.00
Sizes other than listed above charged at a rate per cubic yard of	\$5.00

<i>Compactors</i>	Per Pickup
27 cubic yards	\$164.65
30 cubic yards	\$182.92
35 cubic yards	\$213.44
40 cubic yard	\$243.95
For sizes other than those listed above: \$164.65 (27 cubic yard base rate) + [(Y - 27) * \$6.10 (2 cubic yard base rate)]	

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 3000

**A bylaw to designate and to establish the powers, duties, and responsibilities of
Officers for the City of Courtenay**

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

1. CITATION

This Bylaw may be cited for all purposes as “**Officer’s Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 3000, 2020**”.

2. OFFICERS

Pursuant to ss. 146 and 147 of the *Community Charter*, the Officers of the City of Courtenay shall be those persons holding the following positions:

- a) Chief Administrative Officer (CAO)
- b) (Interim) Deputy Chief Administrative Officer (DCAO)
- c) Director of Legislative & Corporate Services (DLCS)
- d) Director of Financial Services (DFS)

3. POWERS, DUTIES AND RESPONSIBILITIES OF OFFICERS

3.1 CHIEF ADMINISTRATIVE OFFICER (CAO)

The Chief Administrative Officer is hereby assigned the chief administrative responsibility for the Municipality and the statutory powers, duties and functions specified in Section 147 of the *Community Charter*, and the powers, duties, and responsibilities established by Council in the Chief Administrative Officer Position Description, including the duties of Deputy Corporate Officer.

3.2 (INTERIM) DEPUTY CHIEF ADMINISTRATIVE OFFICER (DCAO)

The (Interim) Deputy Chief Administrative Officer (DCAO) directs and manages the overall planning, coordination and operations of the Departments of Engineering Services, Public Works Services; and Recreation & Cultural Services and acts as Deputy Chief Administrative Officer in the absence of the incumbent.

3.3 DIRECTOR OF LEGISLATIVE & CORPORATE SERVICES

The Director of Legislative & Corporate Services is hereby assigned the responsibility of corporate administration for the Municipality including the statutory powers, duties, and functions specified in Section 148 of the *Community Charter (Corporate Officer)*, and the powers, duties, and responsibilities established in the Director of Legislative & Corporate Services Position Description, including the duties of the City Clerk.

3.4 DIRECTOR OF FINANCIAL SERVICES

The Director of Financial Services is hereby assigned the responsibility of financial administration for the municipality, which includes the statutory powers, duties, and functions specified in Section 149 of the *Community Charter (Financial Officer)*, and the powers, duties, and responsibilities established in the Director of Financial Services Position Description.

4. FINANCIAL DISCLOSURE

All persons employed in the positions identified in section 2 of this bylaw are hereby designated as “municipal employees” for the purposes of the *Financial Disclosure Act*.

5. REPEAL

“Officer’s Designation and Establishment of Powers, Duties, and Responsibilities Bylaw No. 2913, 2017” is hereby repealed.

Read a first time this day of , 2020

Read a second time this day of , 2020

Read a third time this day of , 2020

Finally passed this day of , 2020

Mayor

Corporate Officer

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 6th day of January, 2020

Read a second time this 6th day of January, 2020

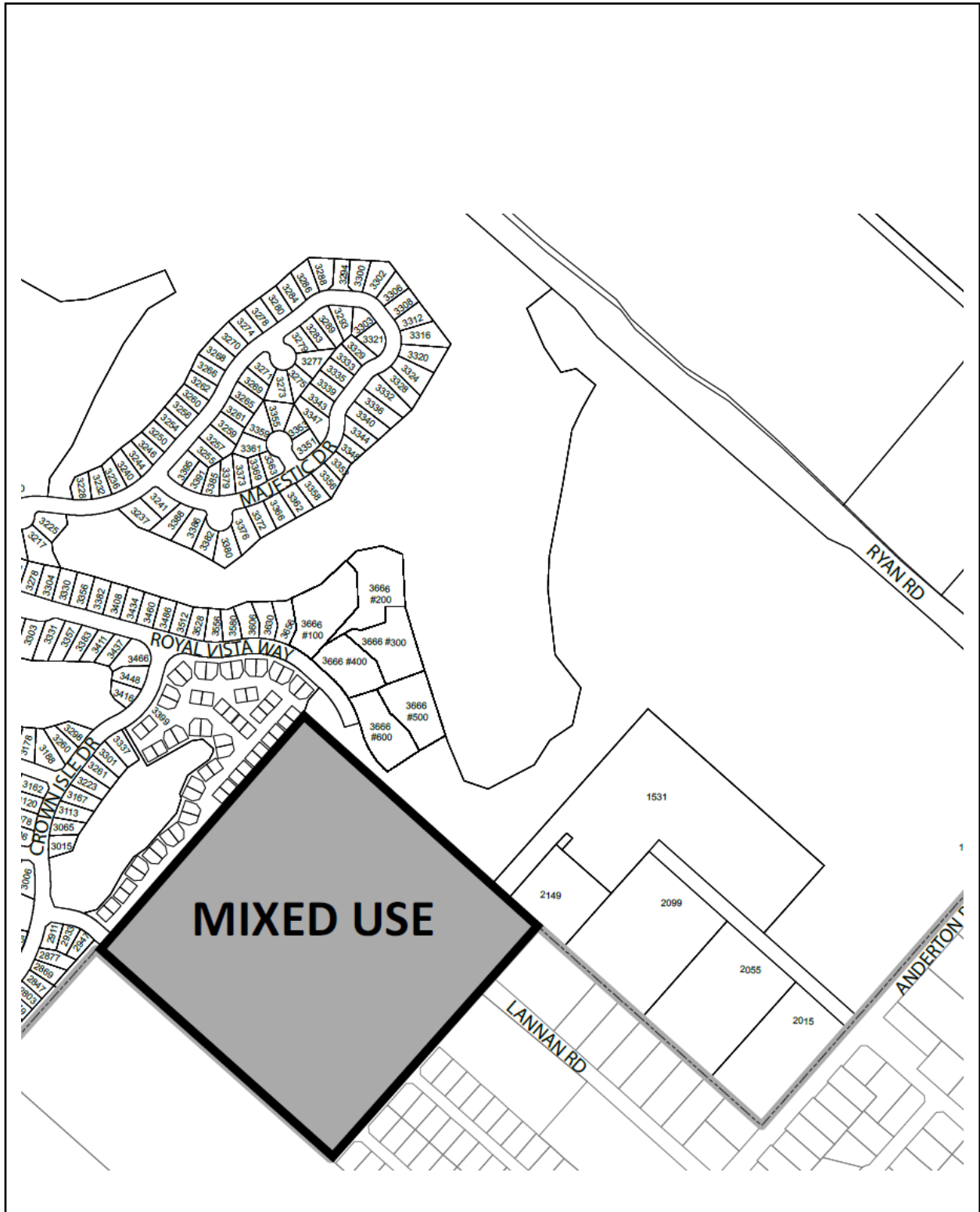
Considered at a Public Hearing this 20th day of January, 2020

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 6th day of January, 2020

Read a second time this 6th day of January, 2020

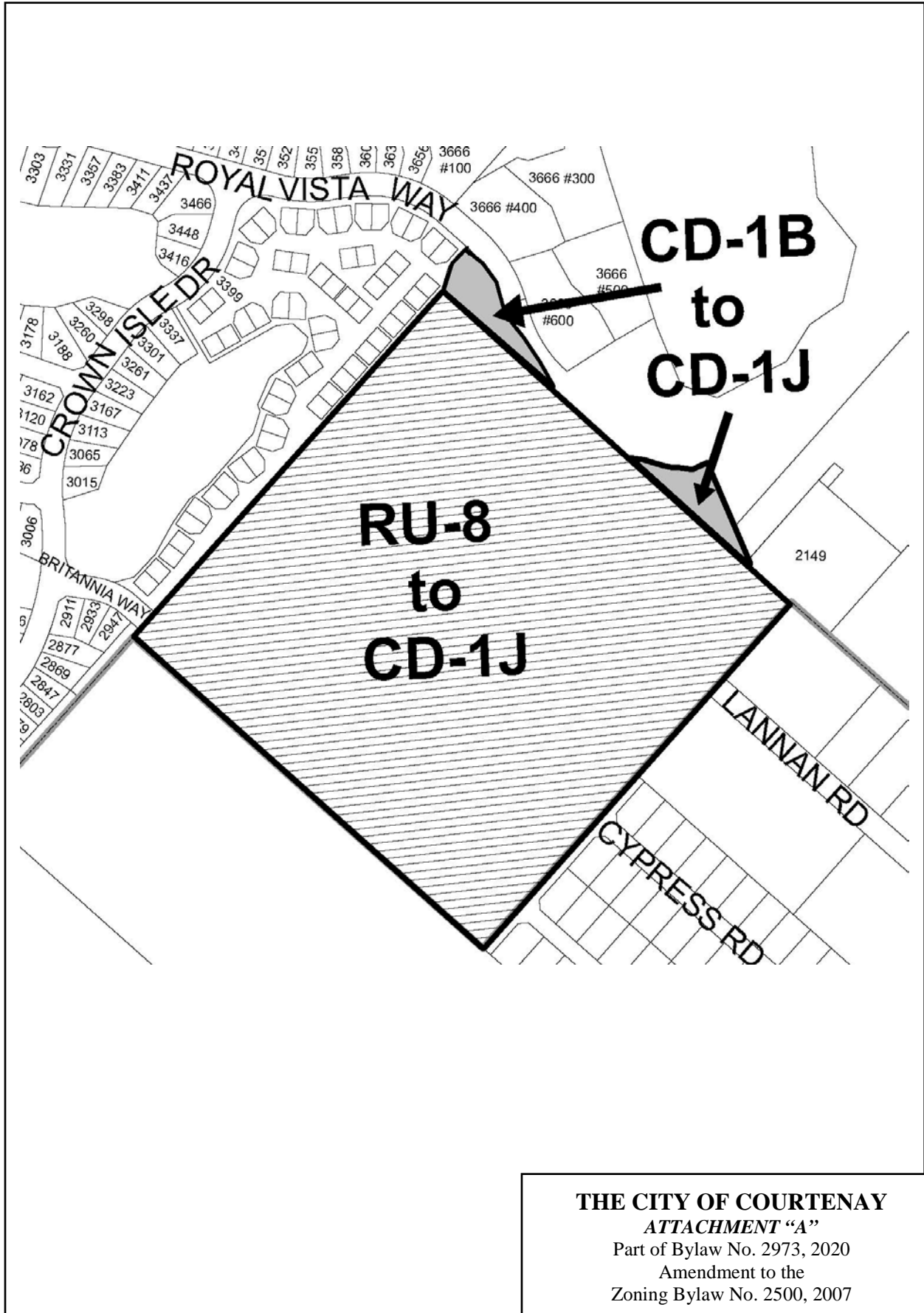
Considered at a Public Hearing this 20th day of January, 2020

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

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2938

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. 2938, 2018**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning Lot 8, Section 16, Comox District, Plan 6065 Except Part in Plan 1149RW (925 Braidwood Road), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Commercial Two A Zone (C-2A) to Residential Four A Zone (R-4A); and
 - (b) That Schedule No. 8, Zoning Map be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this 17th day of December, 2018

Read a second time this 17th day of December, 2018

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

Read a third time this 4th day of March, 2019

Finally passed and adopted this day of , 2020

Mayor

Corporate Officer

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

Brendan Kelly, Development Technician
Ministry of Transportation and Infrastructure

