

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

Date: October 19, 2020
Time: 4:00 p.m.
Location: City Hall Council Chambers

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

Due to the Coronavirus COVID-19 emergency, the City of Courtenay with the authority of Ministerial Order No. M192 Local Government Meetings & Bylaw Process (COVID-19) Order No. 3 implemented changes to its open Council meetings.

In the interest of public health and safety, and in accordance with section 3(1) of Ministerial Order No. 3 M192, in-person attendance by members of the public at Council meetings will not be permitted until further notice. Council meetings are presided over by the Mayor or Acting Mayor with electronic participation by Council and staff via live web streaming.

K'OMOKS FIRST NATION ACKNOWLEDGEMENT

Pages

1. ADOPTION OF MINUTES

- 1.1. Adopt October 5th, 2020 Regular Council meeting minutes

7

2. INTRODUCTION OF LATE ITEMS

3. DELEGATIONS

- 3.1. Erik Eriksson - Alternative Approval Process - 5th Street Bridge Rehabilitation Project (Verbal Presentation)

4. STAFF REPORTS/PRESENTATIONS

- 4.1. CAO and Legislative Services

- 4.1.1. Licence to Occupy Extension – 685 Cliffe Avenue (Connect Warming Centre)

17

4.2.	Development Services	
4.2.1.	Extension of Temporary Patio Program	25
4.2.2.	Zoning Amendment Bylaw No. 3009 to Create a New Small Lot R-1E Zone at 1550 Willemar Avenue	29
4.2.3.	Zoning Amendment Bylaw No. 3010 Proposed Storefront Cannabis Retailer #302-444 Lerwick Road	59
4.2.4.	Zoning Amendment Bylaw No. 3016 to Allow for a Secondary Suite at 540 - 17th Street	131
4.3.	Financial Services	
4.3.1.	2021 - 2025 Municipal Solid Waste, Recyclables, and Yard Waste Budgets	147
5.	EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION	
6.	INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION	
6.1.	Briefing Note - Solid Waste - 2021 Curbside Collection Schedule Changes	155
7.	REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES	
7.1.	Councillor Cole-Hamilton	
7.2.	Councillor Frisch	
7.3.	Councillor Hillian	
7.4.	Councillor McCollum	
7.5.	Councillor Morin	
7.6.	Councillor Theos	
7.7.	Mayor Wells	

8. RESOLUTIONS OF COUNCIL

8.1. In Camera Meeting

That a Special In-Camera meeting closed to the public will be held October 19th, 2020 at the conclusion of the Regular Council meeting pursuant to the following sub-section(s) of the *Community Charter*:

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

10. NOTICE OF MOTION

10.1. Councillor Cole-Hamilton - Proposed Notice of Motion - United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) - Indigenous Peoples Reconciliation

Whereas, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the United Nations General Assembly in 2007;

Whereas, the Truth and Reconciliation Commission listed in 2015 as the first principle for reconciliation that the UNDRIP, "is the framework for reconciliation at all levels and across all sectors of Canadian Society" and UNDRIP was officially adopted by the Government of Canada in 2016;

Whereas, the Government of British Columbia passed the Declaration on the Rights of Indigenous Peoples Act unanimously in November 2019;

And whereas, the City of Courtenay has identified "Build[ing] on our good relations with K'ómoks First Nation and practic[ing] Reconciliation" as a strategic priority for 2019-2022;

Be it resolved that the City of Courtenay adopts the United Nations Declaration on the Rights of Indigenous Peoples as its framework for indigenous reconciliation.

10.2. Councillor Cole-Hamilton - Proposed Notice of Motion - United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) Official Community Plan (OCP)

Be it resolved that the City of Courtenay will incorporate the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) into the development of its Official Community Plan (OCP);

That the City will work with the K'ómoks First Nation (KFN) to incorporate UNDRIP into its planning and decision making; and further,

That the City will work with the KFN to develop a program to educate City staff about UNDRIP and the history and culture of the KFN.

11. NEW BUSINESS

11.1. Comox Valley Economic Recovery Task Force (ERTF) Steering Committee - Letter and Summary of Recommendations 159

12. BYLAWS

12.1. For First and Second Reading

12.1.1. Zoning Amendment Bylaw No. 3009, 2020 (1550 Willemar Avenue) 173
(A bylaw to amend Zoning Bylaw No. 2500, 2007 to rezone property from Residential Two Zone (R-2) to a newly proposed Residential One E Zone (R-1E) and, amend Schedule No. 8, Zoning Map to facilitate compact infill development - 1550 Willemar Avenue)

12.1.2. Zoning Amendment Bylaw No. 3016, 2020 (540 - 17th Street) 179
(A bylaw to amend Zoning Bylaw No. 2500, 2007 to rezone property from Residential One Zone (R-1) to Residential One S Zone (R-1S); and, amend Schedule No. 8, Zoning Map to permit the addition of a secondary suite - 540 - 17th Street)

12.2. For First, Second and Third Reading

12.2.1. City of Courtenay Fees and Charges Amendment Bylaw No.3022, 2020 181
(A bylaw to amend City of Courtenay Fees and Charges Bylaw No. 1673, 1992 to include *Schedule of Fees and Charges Section III, Appendix IV – Solid Waste Collection Fees* to establish solid waste, recyclable, and yard waste user fees)

13. ADJOURNMENT

Minutes of a Regular Council Meeting

Meeting #: R24/2020
Date: October 5, 2020
Time: 4:05 pm
Location: City Hall, Courtenay, BC, via video/audio conference

Attending:

Mayor: B. Wells, via video/audio conference
Councillors: W. Cole-Hamilton, via video/audio conference
D. Frisch, via video/audio conference
D. Hillian, via video/audio conference
M. McCollum, via video/audio conference
W. Morin, via video/audio conference
M. Theos, via video/audio conference

Staff: T. Kushner, Interim CAO, via video/audio conference
W. Sorchta, Corporate Officer, via video/audio conference
I. Buck, Director of Development Services, via video/audio conference
J. Nelson, Director of Financial Services, via video/audio conference
K. O'Connell, Director of Corporate Support Services, via video/audio conference
M. Fitzgerald, Manager of Development Planning, via video/audio conference
K. Shaw, Director of Public Works Services, via video/audio conference
T. Setta, Manager of Community & Sustainability Planning, via video/audio conference
E. Gavelin, Network Technician, via video/audio conference
R. Matthews, Executive Assistant/ Deputy Corporate Officer, via video/audio conference

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1. ADOPTION OF MINUTES

1.1 Adopt September 21st, 2020 Regular Council meeting minutes

Moved By Frisch

Seconded By McCollum

That the September 21st, 2020 Regular Council meeting minutes be adopted.

Carried

1.2 Adopt September 28th, 2020 Committee of the Whole meeting minutes

Moved By Frisch

Seconded By McCollum

That the September 28th, 2020 Committee of the Whole meeting minutes be adopted.

Carried

2. INTRODUCTION OF LATE ITEMS

3. DELEGATIONS

3.1 Timothy Nye Development Consulting Ltd. - Planning Referral RZ0004 - Lot A (2650) Copperfield Road Development

Timothy Nye, Development Consultant; James Tuer, Architect; Dusty Sylvester, Current Environmental; Neil Penner, McElhanney Consulting Services; and Rex Thompson, Rosebery Investments; presented information to Council regarding their application for amendments to the Official Community Plan and zoning for their development proposal to permit a 39 unit strata of mixed-use housing such as townhomes, carriage homes, manor homes, duplexes, triplexes and single family dwellings at 2650 Copperfield Road.

3.1.1 Development Information Re: Lot A (2650) Copperfield Road - Timothy Nye Development Consulting Ltd.

The presentation package submitted by Timothy Nye Development Consulting Ltd. regarding a proposed 39 unit residential strata development at 2650 Copperfield Road, was received for information.

4. STAFF REPORTS/PRESENTATIONS

4.1 Development Services

4.1.1 Official Community Plan (OCP) Amendment Bylaw No. 3018 and Zoning Amendment Bylaw No. 2912 - Lot A (2650) Copperfield Road (6480-20-1003/3360-20-1715)

Moved By Frisch

Seconded By McCollum

That based on the October 5th, 2020 staff report “Official Community Plan (OCP) Amendment Bylaw No. 3018 and Zoning Amendment Bylaw No. 2912 - Lot A (2650) Copperfield Road” Council approve OPTION 1 and complete the following steps:

1. That Council gives First Reading to Official Community Plan Amendment Bylaw No. 3018 to redesignate the subject property from “Suburban Residential” to “Urban Residential”;
2. That Council gives First Reading of “Zoning Amendment Bylaw No. 2912” to create a new CD-30 Zone and rezone the property legally described as Lot A, District Lot 138, Comox District, Plan 2607 Except Parts in Plans 312R, 14210 and 29833 from R1-A to CD-30 and PA-2; and,
3. That Second Reading of both bylaws is withheld pending Council’s consideration of a Development Cost Charge Frontender Agreement and a Municipal Share Agreement to finance the cost of extending a waterline to the subject property to provide adequate water services.

Carried

4.1.2 Zoning Amendment Bylaw No. 3024 - Update to the Home Occupation Regulations (3360-20-2013)

Moved By Morin

Seconded By Theos

That the October 5th, 2020 staff report “Zoning Amendment Bylaw No. 3024 - Update to the Home Occupation Regulations” be received for information.

Carried

New motion:

Moved By Morin

Seconded By McCollum

That based on the October 5th, 2020 staff report “Zoning Amendment Bylaw No. 3024 - Update to the Home Occupation Regulations” Council approve OPTION 1 and complete the following steps.

1. That Council give First and Second Reading of Zoning Amendment Bylaw No. 3024 to amend the Home Occupation regulations of Zoning Bylaw No. 2500, 2007; and,
2. That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw.

Carried

4.2 Financial Services

4.2.1 Audit Service Plan for Year Ending December 31, 2020 (1680-01)

Moved By McCollum

Seconded By Cole-Hamilton

That based on the, October 5th, 2020 staff report “Audit Service Plan for Year Ending December 31, 2020”, Council approve OPTION 1 to receive the Audit Service Plan for the year ending December 31, 2020.

Carried

5. EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6. INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION

6.1 Briefing Note - Official Community Plan (OCP) - Stakeholder Sessions and Online Public Survey Results (6480-01)

Moved By Hillian

Seconded By McCollum

That the October 5th, 2020 Briefing Note, “Official Community Plan (OCP) - Stakeholder Sessions and Online Public Survey”, be received for information.

Carried

6.2 Parks and Recreation Advisory Commission Meeting Minutes - April 2nd, 2020 (0360-20)

Moved By McCollum

Seconded By Cole-Hamilton

That the Parks and Recreation Advisory Commission meeting minutes for April 2nd, 2020, be received for information.

Carried

7. REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES

7.1 Councillor Hillian

Councillor Hillian participated in the following events for the period of September 9th to October 1st:

- K'omoks First Nation Main Treaty Table meeting
- CVRD Media Training workshop
- Virtual 2020 Union of British Columbia Municipalities (UBCM) Minister meetings:
 - Minister of Municipal Affairs and Housing; Ministry of Transportation and Infrastructure staff; Ministry of Finance staff and Minister of Finance
- Attended Virtual 2020 Union of British Columbia Municipalities (UBCM) Annual Convention, September 21st - 24th; participated in sessions such as transit planning, UBCM resolutions and economic development
- Comox Valley Economic Development Select Committee meetings (2 Total)
- Comox Valley Water Committee meeting
- Comox Valley Sports Centre Commission meeting
- CVRD Committee of the Whole meeting
- Comox Valley Coalition to End Homelessness Leadership meeting
- Comox Valley Elected Officials COVID-19 teleconference briefing with Dr. Charmaine Enns, Medical Health Officer
- Comox Strathcona Regional Hospital Board meeting
- CVRD Strategic Planning meetings (2 Total)
- Kus-kus-sum Memorandum of Understanding (MOU) meeting with K'omoks First Nation and Comox Valley Project Watershed Society

- Lunch and Learn session with staff and Council regarding the City's Official Community Plan review
- CVRD Board meeting
- Comox Valley Community Justice Centre Committee meeting
- Meeting with Executive Director, Comox Valley Economic Development Society
- City of Courtenay Official Community Plan review; consultation and engagement session with K'omoks First Nation

7.2 Mayor Wells

Mayor Wells reviewed his attendance at the following events:

- City of Courtenay Official Community Plan review; consultation and engagement session with K'omoks First Nation
- Economic Recovery Task Force (ERTF) meeting
 - Mayor Wells mentioned that recommendations from the ERTF will be circulated to regional local governments

8. RESOLUTIONS OF COUNCIL

8.1 In Camera Meeting

Moved By Frisch

Seconded By Hillian

That a Special In-Camera meeting closed to the public will be held October 5th, 2020 at the conclusion of the Regular Council meeting pursuant to the following sub-section(s) of the *Community Charter*:

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

Carried

9. UNFINISHED BUSINESS

10. NOTICE OF MOTION

10.1 Mayor Wells - Proposed Notice of Motion - Comox Valley RCMP Funding

Mayor Wells mentioned he will be bringing a draft resolution forward, to be considered at a future Council meeting, exploring options to support Comox Valley policing services which are now partially funded through annual casino gaming funds.

[In response to significant gaming revenue losses anticipated in 2020 and potentially in 2021 re: temporary casino facility closure - COVID-19 pandemic]

11. NEW BUSINESS

11.1 LUSH Valley Food Action Society - Request for Partnership - Educational/Demonstration Community Orchard - City Special Use Park - McPhee Meadows

Moved By Frisch

Seconded By Cole-Hamilton

That the correspondence dated September 21st, 2020 from LUSH Valley Food Action Society requesting Council's support to enter into a partnership between the City of Courtenay and LUSH Valley to provide an educational and demonstration Community Orchard in McPhee Meadows, be received for information.

Carried

New motion:

Moved By Morin

Seconded By Cole-Hamilton

That in response to the correspondence dated September 21st, 2020 from LUSH Valley Food Action Society requesting Council's support to enter into a partnership between the City of Courtenay and LUSH Valley to provide an educational and demonstration Community Orchard in McPhee Meadows, Special Use Park;

That Council direct staff to provide a report exploring options and implications for the City to enter into a partnership agreement with LUSH Valley to manage a Community Orchard in McPhee Meadows.

Carried

12. BYLAWS

12.1 For First Reading

12.1.1 Official Community Plan Amendment Bylaw No. 3018, 2020 (Lot A [2650] Copperfield Road)

Moved By Frisch

Seconded By McCollum

That “Official Community Plan Amendment Bylaw No. 3018, 2020 (Lot A [2650] Copperfield Road)” pass first reading.

Carried

12.1.2 Zoning Amendment Bylaw No. 2912, 2020 (Lot A [2650] Copperfield Road)

Moved By McCollum

Seconded By Cole-Hamilton

That “Zoning Amendment Bylaw No. 2912, 2020 (Lot A [2650] Copperfield Road)” pass first reading.

Carried

12.2 For First and Second Reading

12.2.1 Zoning Amendment Bylaw No. 3024, 2020 (Home Occupation Regulations)

Moved By McCollum

Seconded By Frisch

That “Zoning Amendment Bylaw No. 3024, 2020 (Home Occupation Regulations)” pass first and second reading.

Carried

12.3 For Third Reading

12.3.1 Zoning Amendment Bylaw No. 3012, 2020 (1520 Thorpe Avenue)

Moved By Cole-Hamilton

Seconded By Morin

That “Zoning Amendment Bylaw No. 3012, 2020” pass third reading.

Carried

12.4 For Final Adoption

12.4.1 Zoning Amendment Bylaw No. 3012, 2020 (1520 Thorpe Avenue)

Moved By Frisch

Seconded By McCollum

That “Zoning Amendment Bylaw No. 3012, 2020” be finally adopted.

Carried

12.4.2 Zoning Amendment Bylaw No. 2990, 2020 (1025 Ryan Road)

Moved By Frisch

Seconded By Hillian

That “Zoning Amendment Bylaw No. 2990, 2020” be finally adopted.

Carried

6:22 p.m. Councillor Hillian recused himself from the vote re: Bylaw No. 3019, 2020 citing a possible conflict of interest as he is involved with one of the organizations applying for permissive tax exemption in 2021.

12.4.3 Tax Exemption 2021 Bylaw No. 3019, 2020

Moved By McCollum

Seconded By Cole-Hamilton

That “Tax Exemption 2021 Bylaw No. 3019, 2020” be finally adopted.

Carried

6:23 p.m. Councillor Hillian returned to the meeting.

12.4.4 Tax Exemption Churches 2021 Bylaw No. 3020, 2020

Moved By Frisch

Seconded By McCollum

That “Tax Exemption Churches 2021 Bylaw No. 3020, 2020” be finally adopted.

Carried

13. ADJOURNMENT

Moved By Hillian

Seconded By McCollum

That the meeting now adjourn at 6:24 p.m.

Carried

CERTIFIED CORRECT

Corporate Officer

Adopted this 19th day of October, 2020

Mayor



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 2380-20

From: Chief Administrative Officer

Date: October 19, 2020

Subject: Licence to Occupy Extension - 685 Cliffe Avenue (Connect Warming Centre)

PURPOSE:

The purpose of this report is for Council to consider extending a licence of occupation and providing in-kind support to the Comox Valley Transition Society in support of the continued operation of the Connect Warming Centre.

CAO RECOMMENDATIONS:

That based on the October 19, 2020 staff report "Licence to Occupy Extension - 685 Cliffe Avenue (Connect Warming Centre)", Council approve OPTION 1 and the attached Licence to Occupy - Amendment #2 between the Comox Valley Transition Society and the City of Courtenay for the north side of the property having a legal description of PID: 006-102-930, Lot 3, Section 61 Comox District plan VIP3817; and

That staff provide public notice to satisfy the statutory advertising requirements for the provision of assistance and disposition of City lands per Section 24 of the Community Charter; and,

That the Mayor and Corporate Officer be authorized to execute all documentation relating to the extended terms and renewal of the Licence to Occupy agreement.

Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

BACKGROUND:

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

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

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

Upon the expiration of the initial three month Licence to Occupy Agreement approved by Council on October 7th, 2019, and in response to the correspondence from the CVCEH for a one year extension of the Occupancy Agreement, at its regular meeting held on March 30th, 2020 Council passed the following resolution:

“That the terms and renewal of the January 6th, 2020 Connect Warming Centre Lease to Occupy agreement between the Comox valley Transition Society (Licensee) and the City of Courtenay (Licence), for use of the north side of the City owned premises located at 685 Cliffe Avenue (legal description PID: 006-102-930, Lot 3, Section 61 Comox District Plan VIP3817), be temporarily extended until the 30th day of June, 2020, pursuant to section 3 of the agreement;

That staff provide public notice to satisfy the statutory advertising requirements for the provision of assistance and disposition of City lands per Section 24 of the Community Charter;

That the Mayor and Corporate Officer be authorized to execute all documentation relating to the interim extended terms and renewal of the Licence to Occupy agreement; and,

That the request made by the CVCEH for a one-year lease with option for renewal and continued in kind-support from the City be considered at a future Council meeting as deemed appropriate by staff.”

DISCUSSION:

Need for Service

The Connect Warming Centre (“the Centre”) provides vital services to vulnerable individuals experiencing or at-risk of experiencing homelessness. The Centre’s core purpose is to provide a place to safely get out of the cold weather during the day. The Centre has expanded services and hours of operation in response to emerging needs resulting from the COVID-19 pandemic. With over 4000 visits to the Centre and shower program between April and July of 2020, the community need for the Centre’s services is evident. Throughout the COVID-19 pandemic the Centre has provided important public health information to its clients, raising and enhancing understanding of health orders and transmission precautions.

Term Extension Benefits

The CVCEH and the Comox Valley Transition Society (CVTS) have requested an extension of the Occupancy Agreement for a one year period to ensure continued availability of in-demand support services for those experiencing or at-risk of experiencing homelessness. Extending the term of the Occupancy Agreement is anticipated to result in additional stability-related benefits including: expanded grant opportunities, decreased staff turnover, enhanced relationship building with emergency service providers/support organizations/and local businesses, and increased community awareness of the Center’s services.

In-Kind Contribution Requested

In addition to the request for a one year extension, the CVCEH is seeking ongoing in-kind support from the City including rent, utilities, alarm monitoring, internet, taxes, and general building maintenance such as electrical and plumbing. Although the City has been paying the aforementioned costs, the Occupancy Agreement does not reflect this arrangement. It would be appropriate to incorporate an additional

amendment to the Occupancy Agreement that more clearly identifies the financial responsibilities of the City and the CVCEH.

Future Site Use

The long-term use of 685 Cliffe Avenue is expected to be determined through a forthcoming land use strategy. Through the land use strategy process the best use of the site will be identified. Should an alternative use of the site be selected, and with direction from Council, the City can continue to work with the CVCEH and the CVTS to identify an alternative location in support of the Centre's ongoing activity. The Centre should delay capital improvements/investments until such time as the long term use of the site has been determined.

FINANCIAL IMPLICATIONS:

The 2020 operating budget for the site is \$11,300. Should Council approve the extension of the Occupancy Agreement for an additional one year term, the estimated 2020 operating expense is \$21,000. Additional expenses attributable to the Connect Warming Centre operations include:

- Hydro
- Increased maintenance and repair costs
- Cable
- Internet
- Phone

As a City asset, the site regardless of occupancy would have ongoing operating expenses, therefore the estimated financial impact of the Centre's operations to the City is \$10,000 annually.

In addition to the annual operating cost to the City, the Centre has requested the City cover the property taxes for the site. As the deadline to apply for a permissive property tax exemption has passed, the CVCEH would likely be required to pay property taxes based on the assessed market value of the site. The 2020 assessed value is \$339,000 and the estimated property tax amount would be \$2,600 for the portion of the property occupied. Therefore should Council approve the request, the total cost to the City in support of the Centre's operations for 2020 would be \$12,600 (10,000 + tax amount).

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

Publication of intention to provide certain kind of assistance

24 (1) A council must give notice in accordance with section 94 [public notice] of its intention to provide any of the following forms of assistance to a person or organization:

(a) disposing of land or improvements, or any interest or right in or with respect to them, for less than market value.

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

ADMINISTRATIVE IMPLICATIONS:

Approximately 35 hours of staff time has been dedicated to drafting the agreement and making the property suitable for occupancy included relocating storage materials, adding some plumbing fixtures, etc.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications at this time.

STRATEGIC PRIORITIES REFERENCE:

Strategic Priorities Chart: Council “Next” Priority

- City Land Strategy/Acquisition & Disposition

We focus on organizational and governance excellence

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

We continually invest in our key relationships

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

We proactively plan & invest in our natural and built environment

- ▲ Support social, economic & environmental sustainability solutions

- **AREA OF CONTROL:** The policy, works and programming matters that fall within Council's jurisdictional authority to act
- ▲ **AREA OF INFLUENCE:** Matters that fall within shared or agreed jurisdiction between Council and another government or party
- **AREA OF CONCERN:** Matters of interest that are outside Council's jurisdictional authority to act

OFFICIAL COMMUNITY PLAN REFERENCE:

Not referenced.

REGIONAL GROWTH STRATEGY REFERENCE:

No specific reference.

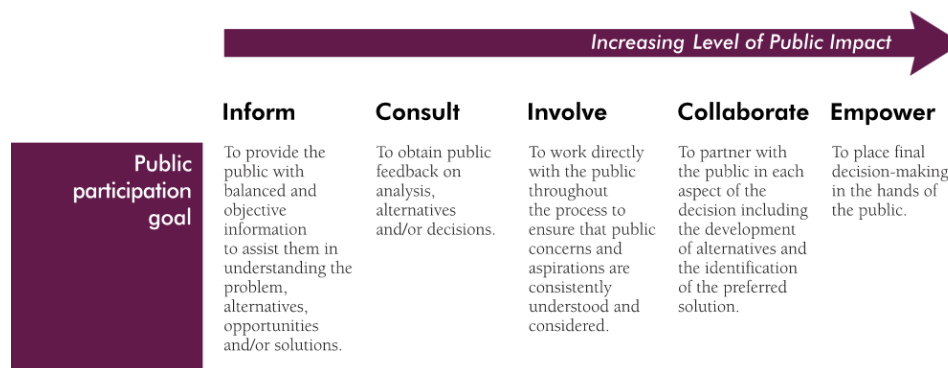
CITIZEN/PUBLIC ENGAGEMENT:

Section 26 [notice of proposed property disposition] of the *Community Charter* requires that notice be given prior to property disposition. Notice of property disposition must be given in accordance with section 24 [publication of intention to provide certain kinds of assistance] and 94 [public notice].

To satisfy the legislated requirements as set out in sections 24, 26 and 94 of the *Community Charter* the notice must:

- Give notice of Council's intention to provide assistance to a person or organization
- Identify the intended recipient of the assistance
- Describe the nature, terms and extent of the proposed assistance (disposition)
- Describe the land or improvements
- Be posted in the public notice posting places
- Be published in a newspaper that is distributed at least weekly in the area affected by the subject matter of the notice

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



© International Association for Public Participation www.iap2.org

OPTIONS:

OPTION 1: That based on the October 19, 2020 staff report "Licence to Occupy Extension - 685 Cliffe Avenue (Connect Warming Centre)", Council approve **OPTION 1** and the attached Licence to Occupy - Amendment #2 between the Comox Valley Transition Society and the City of Courtenay for the north side of the property having a legal description of PID: 006-102-930, Lot 3, Section 61 Comox District plan VIP3817; and

That staff provide public notice to satisfy the statutory advertising requirements for the provision of assistance and disposition of City lands per Section 24 of the Community Charter;

That the Mayor and Corporate Officer be authorized to execute all documentation relating to the extended terms and renewal of the Licence to Occupy agreement. (Recommended)

OPTION 2: That Council approve a Licence to Occupy for more or less than a one (1) year term.

OPTION 3: That Council terminate the Licence to Occupy.

Prepared by:

Kate O'Connell, BA, MPP
Director of Corporate Support Services

Concurrence by:

Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

Attachments:

1. Licence to Occupy Amendment #2

LICENCE OF OCCUPATION AGREEMENT

AMENDMENT #2

THIS AGREEMENT dated the 19th day of October, 2020.

BETWEEN:

COMOX VALLEY TRANSITION SOCIETY

625 England Avenue,
Courtenay, BC V9N 2N5

(the "Society")
OF THE FIRST PART

AND:

CITY OF COURTENAY

830 Cliffe Avenue,
Courtenay, BC V9N 2J7

(the "City")
OF THE SECOND PART

WHEREAS:

- A.** Under an agreement between the parties dated the 19th day of October 2020 (the "Contract"), the parties agreed to the terms and conditions specified therein.
- B.** The parties have agreed to amend the Contract on the terms and conditions set out in this agreement (the "amendment agreement").

NOW THEREFORE in consideration of the mutual covenants and agreements contained in this amendment agreement, the parties agree to amend the Contract as follows:

1. Amendment of Term

s
Section 2.0 of the Contract is amended as follows:

"This Agreement shall be extended, ending on October 5, 2021, unless extended or terminated at an earlier date as mutually agreed to in writing."

2. Utilities, Property Taxes, and Repairs & Maintenance

Section 18 of the Contract is added as follows:

18. Tenant Pays Utilities, Property Taxes, and Repairs & Maintenance

"The Tenant shall pay all charges as identified in Schedule A."

3. Ratification

Except as expressly amended by this amendment agreement, the parties ratify and confirm the Contract. The Contract and this amendment agreement shall be read and construed as one document.

4. Time

Time shall remain of the essence of the Contract and of this amendment agreement.

The parties have executed this amendment agreement with effect as of the date and year first above written.

COMOX VALLEY TRANSITION SOCIETY

CITY OF COURTENAY

	Expiry Date	Contract Fee
Original agreement	March 30, 2020	
Amendment #1	June 30, 2020	
Amendment #2	October 19, 2021	
Total		

SCHEDULE "A"

ITEM	CITY	TENANT
Heating	100%	
Water	100%	
Sewer	100%	
Electricity	100%	
Preventive servicing and repairs of heating systems (filters/filter maintenance)	100%	
Garbage Removal	100%	
Snow Removal	100%	
Window cleaning-interior	100%	
Window cleaning-exterior	100%	
Janitorial service	100%	
Lamp & Tube replacement – building	100%	
Building insurance	1005	
Liability insurance		100%
Contents insurance		100%
Security – monthly monitoring fees for the interior security alarm system	100%	
Security-exterior patrols	100%	
Operational expenses: telephone, internet, cable television	100%	
Capital repairs including HVAC	100%	
Interior building repairs and maintenance costs including electrical, plumbing and fire safety equipment inspections	100%	
Parking lot maintenance	100%	
Exterior, building envelop or structural repairs and maintenance	100%	
Property taxes and public utilities	100%	



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council
From: Chief Administrative Officer
Subject: Extension of Temporary Patio Program

File No.: 3030-00-01
Date: October 19, 2020

PURPOSE:

The purpose of this report is for Council to consider an extension of the temporary patio program to allow outdoor patios to continue operation to October 31, 2021 and to provide direction to staff on acceptable means of winterization of outdoor patios.

CAO RECOMMENDATIONS:

That based on the October 19, 2020 staff report "Extension of Temporary Patio Program" Council approve the extension of outdoor patios on both private and public land to October 31, 2021; and

That Council approves only temporary, daily set up, structures on public land and that building permits are required for all structures greater than 10m² on private land.

Respectfully submitted,

Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

BACKGROUND:

This report responds to the following resolution passed by Council at the September 28, 2020 Committee of the Whole Meeting:

That the correspondence dated August 26th, 2020 from the BC Restaurant and Foodservices Association, the Alliance of Beverage Licensees, and the BC Craft Brewers Guild requesting the City's support to expand permissive licensing and patio permissions for restaurant, pub, bar, and brewery businesses for winter 2020 and summer 2021 in response to the COVID-19 pandemic, be received for information; and,

That in response to the request for expanded permissions that Council direct staff to provide a report exploring options and implications of extending permissive licensing and patio permissions for Courtenay restaurants, pubs, bars, and brewery businesses for the winter of 2020; and, approve temporary patios for summer 2021.

Following the onset of the COVID-19 pandemic and an initiative by the Liquor and Cannabis Regulation Branch (LCRB) allowing temporary extension of service areas, Council considered two reports from staff on options for the food and beverage industry to create more outdoor seating. The first was to expand the sidewalk patio program to include the option of using on street parking spaces for patios (parklets). The second was to suspend enforcement of the city's Zoning Bylaw to allow for the construction of temporary seating in private parking areas. Both of these programs were unanimously endorsed by Council.

On September 18, 2020, in response to the ongoing pandemic and to support the Provincial Health Officer's (PHO) direction and recommendations, the LCRB extended the Temporary Expanded Service Area authorization for Food Primary, Liquor Primary, and Manufacturer licensees until October 31, 2021. These authorizations were previously set to expire on October 31, 2020. The City's Director of Development Services has advised the province that the City supports this extension.

DISCUSSION

The extension of the patio program through to next October is relatively minor and is supported by staff. However, the winterization of temporary outdoor patio areas has a number of complications related to building code, fire code and City operations. As outlined above there are two main types of patios being used in the City. These are patios located on public property (sidewalk or roadside parking areas) and patios located on private property (usually in parking areas).

PATIOS ON PUBLIC LAND

Since 2015 the City has approved a handful of patios on public land in the Downtown area each year. In 2020 this included Yiamas, High Tide Public House and Nikkei Ramenya. These patios have operated without significant operational impacts and have been well received by the public. In general these patios are designed with temporary seating areas including tables, chairs, patio umbrellas and some form of temporary fencing. All of these appurtenances are designed in such a way that building permits are not required and the permits are timed to expire when the City begins its fall road sweeping program and snow and ice control program.

To date the City has had one request to winterize a patio on public land and extend its use throughout the winter. In order to winterize, the proponent would like to install a permanent 10ftX30 party style tent with walls and portable heaters. This concept was circulated to the Building, Fire and Public Works departments for initial comment and a few concerns were raised.

1. Pursuant to BC Building Code any structures that exceed 10 square metres (roughly 10ftX10ft) require building permits. BC Building Code regulates matters related to egress/exiting, spatial separation, clearance to combustibles and material flame spread. An engineer would need to be employed to provide certification of the design and installation including anchorage. There are additional concerns related to snow loads and wind resistance. It is expected that anchoring would require guy wires to secure the tent. The guy wires could create tripping hazards and will likely need to extend into the sidewalk and adjacent parking spaces. Staff do not support drilling into the concrete or asphalt to install anchors.
2. Large permanent structures can create issues with emergency response to the building and means of egress from a building in the event of an emergency.

3. Tent structures can add to the fuel load of a building. This can be overcome to some degree with the use of a fire retardant product applied to the tent to conform to BC Fire Code 2.9.2.1.
4. Parallel parking areas along the side of a road are 2.4m wide (7.9ft) downtown. A 10ft wide tent would extend an additional 2ft into the travel lane creating a significant liability, especially in winter months when it's dark and poor weather reduces visibility and roads can be slippery. It may be possible to overcome this challenge by partially installing the tent on the sidewalk and with the installation of no post barriers for protection. No post barriers would add approximately 2ft to the area required.
5. Permanent structures in the roadway will create maintenance challenges with regard to routine operational maintenance activities, including roadway sweeping, storm water management and overland flood mitigation.
6. Given the narrow right of way on 5th Street snow and ice control will be impacted and it would be probable that the structure would be damaged.

With the above points in mind staff are of the opinion that temporary (daily set up) umbrellas or small pop up canopies (<10m²) or the use of awnings mounted to the building facades would be best. This would remove many of the building code concerns and allow businesses to set them up based on weather. For example not setting them up on days where snow or high winds are forecast.

PATIOS ON PRIVATE LAND

With respect to patios on private land many of the same structural comments noted in items 1-3 above apply. However as these patios are on private land the City has no concerns related to impact on City operations or traffic safety (items 4-6).

For these patios staff support more permanent structures approved through the building permit process. Typical permit requirements include engineer's reports and certification for structural loads and anchoring, confirmation of appropriate exiting, fire retardation and spatial separation.

USE OF HEATERS ON PUBLIC OR PRIVATE LAND

The use of open-air fires (bonfires) and ground heaters are prohibited. However, standing radiant heaters that are approved for use in Canada (ULC, CSA, Intertek, QAI, or other approved mark), in accordance with the Standards Council of Canada, are permitted. Standing radiant heaters must be placed in a clear space of minimum 1 meter from any combustible material. All heating equipment is subject to inspection by the Courtenay Fire Department. Storage of propane cylinders for these types of heaters would have to be done in conformance with Technical Safety BC regulations.

GENERAL SAFETY REQUIREMENTS

A working fire extinguisher must be accessible from the patio and fire access to the building and patio area must be made available at all times.

In either the case of patios on public or private land the obligation will be on the proponent to ensure compliance with provincial guidelines and orders including those of the PHO.

OPTIONS:

OPTION 1: (Recommended)

That based on the October 19, 2020 staff report "Extension of Temporary Patio Program" Council approve the extension of outdoor patios on both private and public land to October 31, 2021; and

That Council approves only temporary, daily set up, structures on public land and that building permits are required for all structures greater than 10m² on private land.

OPTION 2: That Council postpone consideration of the extension of the temporary patio program with a request for more information.

OPTION 3: That Council not proceed with approval of temporary patios through the winter and direct staff to advise the LCRB and applicants of its decision.

Prepared by:



Ian Buck, RPP, MCIP
Director of Development Services

Concurrence by:



Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3360-20-2007

From: Chief Administrative Officer

Date: October 19, 2020

Subject: Zoning Amendment Bylaw No. 3009 to create a new small lot R-1E zone at 1550 Willemar Ave

PURPOSE:

The purpose of this report is for Council to consider an application to rezone the property located at 1550 Willemar Avenue from Residential Two Zone (R-2) to a newly proposed Residential One E Zone (R-1E) to facilitate compact infill development.

CAO RECOMMENDATIONS:

THAT based on the October 19th, 2020 Staff report, "Zoning Amendment Bylaw No. 3009 to create a new small lot R-1E zone at 1550 Willemar Ave" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3009, 2020; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3009, 2020 when regular Council meetings resume or an alternative Public Hearing format is authorized by the Province and approved by Council.

Respectfully submitted,

Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

BACKGROUND:

The subject property is a 3,108m² (0.77 acre) residential lot located at 1550 Willemar Avenue, legally described as That Part of Lot 9 of District Lot 104, Comox District, Plan 2317 Shown Outlined in Red on Plan 627R (**Figure 1**). The property is currently zoned Residential Two (R-2) and has a 1.5-storey single detached house on the southwest side (**Figure 2**), with the northeast portion of the lot utilized as a backyard area.



Figure 1: Context map with Subject Property outlined

The applicant wishes to subdivide the lot as a strata with a common private road access in the location of the current driveway on Willemar, leaving the existing house in place and building five single detached houses on 318m² lots behind it. Before subdivision, the proposal requires rezoning to allow lots to be smaller than permitted in the current R-2 zone, with reduced lot frontages, lot depths and building setbacks. Rather than a comprehensive development zone specific to the property, the application is for a new R-1E zone intended to be more widely applicable to facilitate potential infill housing development throughout the City.



Figure 2: View of house from Willemar Avenue

A proposed internal streetscape and site plan are shown in **Figure 3** and **Figure 4**; additional site information and renderings are included in **Attachment No. 1**. Land uses within 100m include single detached homes, duplexes, townhouses and Woodcote Park.



Figure 3: Internal Streetscape

DISCUSSION:

The subject property is located within one kilometre of Lake Trail Middle School, two elementary schools, and numerous parks, and within 1.5km of downtown. These destinations may be most easily accessible by car or bicycle but there is a #8 bus stop within 100m of the subject property as an alternative transportation option.

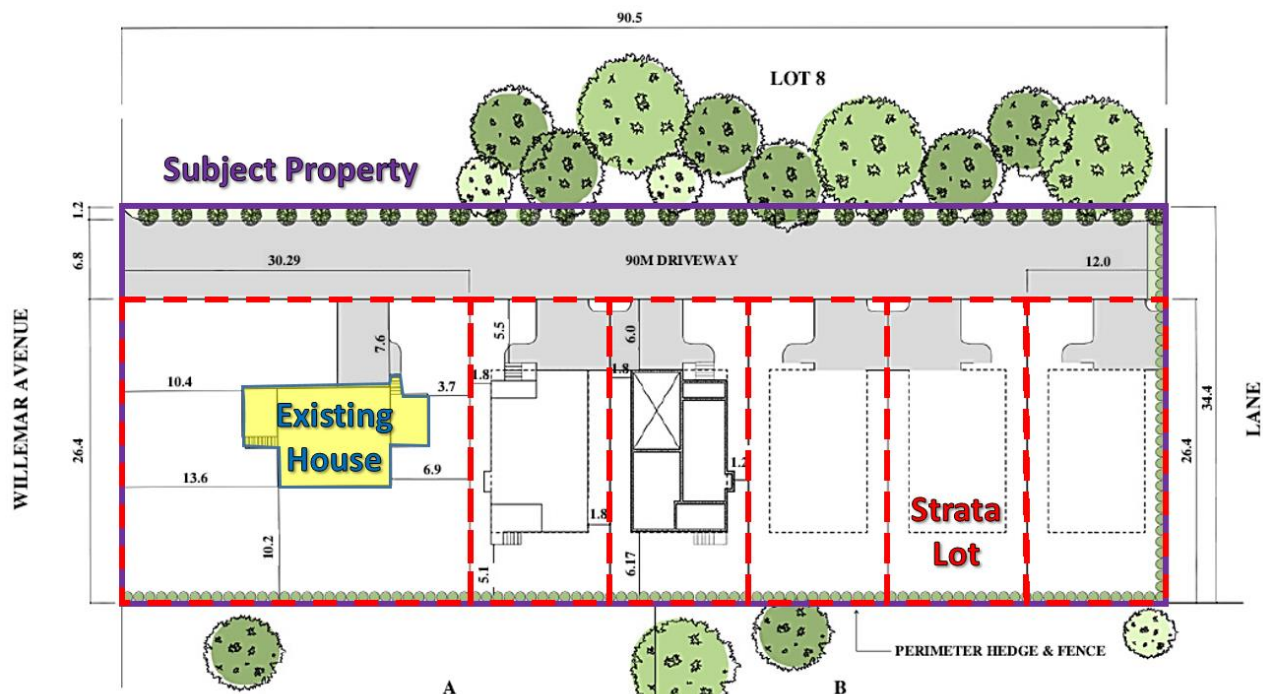


Figure 4: Site plan

OCP Review

The proposed application facilitates infill development within an established neighbourhood designated Urban Residential in the Official Community Plan (OCP). The property is not subject to a Local Area Plan.

The OCP and the Affordable Housing Policy support infill development within existing Urban Residential areas provided it is in keeping with the character and scale of the surrounding neighbourhood. Infill housing provides more diversity of housing types and promotes more efficient use of land that is already serviced. The small lots proposed here would suit construction of modest-sized detached homes and could add high quality product to the more affordable end of the single detached market. To further support infill development and housing diversity – though not applicable to the subject proposal – the zone also minimizes lot size requirements for secondary suites, secondary residences and carriage houses.

OCP Section 4.4.3 Densities 4. allows for lot sizes of Urban Residential category properties below 650m² only after review and approval of an overall design concept and specifies that limited infill will be considered only in keeping with the character and scale of an existing neighbourhood. Conceptual drawings show two-storey single detached homes at an average density of one residence per 444m² over the whole development, which is denser than the adjacent properties but slightly less dense than some of the duplexes directly across Cumberland Road and nearby townhouses.

Zoning Review

A rear projection on the existing house would exceed the rear yard setback on the new zone and need to be removed/reduced or granted a variance before subdivision could proceed as presented if zoning is approved; otherwise, the proposal meets requirements of the R-1E zone as summarized in **Table 1** and introduced below.

Residential One E Zone Detail

Table 1. Proposed Zoning Compliance

Bylaw 2500, 2007 Proposed Section	Attribute	Proposed Requirement of the R1-E Zone	Proposed This Application
8.1.56	Permitted Use	Single residential; secondary suite (min. lot 450m ²); secondary residence (min. lot 600m ²); carriage house (min. lot 600m ²); home occupation; accessory buildings and structures	Single residential
8.1.57 (1)	Density (min. lot size)	300m ² (3230 ft ²)	318m ² (3423 ft ²)
8.1.57 (2)	Density (max. FAR)	0.7	<0.7
8.1.58	Min. Lot Frontage	10.0m; 13.0m corner lot	12.0m; N/A
8.1.59	Max. Lot Coverage	40%	<38%
8.1.60 (1)	Front Setback	6.0m except 1.0m projection*	6.0m, 0.5m projection
8.1.60 (2)	Rear Setback	6.0m except 1.0m projection*; 1.5m laneway-accessed carriage house	3.7m existing house.** 6.17m, 0.83m projection new houses; N/A
8.1.60 (3)	Side Setback	1.5m;	1.8m; N/A; N/A

		3.0m where flanks street excluding lane; 3.0m on one side of the principal building where a secondary residence or carriage house behind the principal building lacks side or rear street or laneway access	
8.1.61 (1)	Principal Bldg. Height	8.0m	8.0m
8.1.61 (2)	Secondary/Carriage Ht.	6.5m	N/A
8.1.62 (1)	Accessory Bldg. Height	4.5m	N/A
8.1.62 (2)	Acc. Max. Building Area	45m ²	N/A
8.1.62 (3)	Acc. Bldg. Side, Rear	Permitted if conforms to siting	N/A
8.1.62 (4)	Acc. Bldg. Front	Permitted if conforms to siting	N/A
8.1.62 (5)	Accessory Bldg. Setbacks	1.5m side, rear; 4.5m where flanks street excluding lane	N/A
8.1.63 (1)	Parking General	Accord with Zoning Div. 7 except following	✓
8.1.63 (2)	Parking Max. Yard Area; Frontage	50%; 50%	<50%; <50%
8.1.63 (3)	Strata Access Road Parking Isle Min. Width	Min. shall not exceed 6.5m**	6.8m
8.1.63 (4)	Parking Reduction with 2 Secure Covered Bicycle Spaces	Min. for primary residence may be reduced by 1 space	N/A – 2 spaces per house
8.1.63 (5)	Strata Lot Requirement for Parking Reduction	Min. 0.5 common visitor parking spaces per lot to apply 8.1.63 (4)	N/A
8.1.64	Landscape/Landscape + Fence Combination Screening Height Min.	3.0m	Min. 3.0m hedge

*Steps, ramps, landings, handrails, decks, patios, awnings and covered entry features up to 3.5m in total width and up to 3.0m in height may project up to 1.0m into the front and rear yard setbacks, adding utility and visual interest.

**Renovation/reduction of existing house or variance would be required prior to subdivision as proposed.

***Minimum requirement may be smaller per Div. 7 requirements by parking angle, but the required minimum shall not be greater than 6.5m.

The R-1E zone is intended to facilitate compact infill residential development, in part – as with this application – by easing creation of modest single family homes for which minimum lot sizes at 300m² (3230 ft²) are substantially smaller than in other zones and other lot parameter requirements are carefully scaled back. It also allows secondary suites at modestly increased lot sizes (450m², a slightly larger minimum than in Old Orchard's R-2B zone but smaller than elsewhere) and carriage houses and secondary residences where lot size equals double that required for a single detached house.

Density is defined both in terms of minimum lot size and maximum floor area ratio (FAR). The minimum lot size is designed to accommodate the typical footprint of a modest house, plus minimum setbacks similar to existing zones and off-street parking requirements, as well as infill zoning from comparable BC municipalities. The FAR works in concert with the lot coverage to limit massing and build-out of tightly packed lots: 40% lot coverage is a common maximum among residential zones; 0.7 FAR allows approximately two storeys less a garage with some stepping or articulation over 40% of the lot. A smaller footprint house with more open space could have a daylight basement and/or a partial storey under a sloped roof. The 8.0m height is the same as for other residential zones, but the smaller setbacks and tighter lots can lead to a more cramped, higher-mass streetscape that is not the intent of this zone and the FAR maximum is meant to mitigate this potential impact.

Front and rear yard setbacks of 6.0m are sufficient to allow vehicle parking in front of or behind a garage, and there is an additional 1.0m projection allowance for certain appurtenances noted under Table 1. More common front and rear setbacks for residential zones in the City are 7.5m and 9.0m, respectively, or 7.5 each, but there are many (typically older) residential properties in the City with homes sited closer. With increased proximity to the street or rear neighbours comes increased importance of positive streetscape impact and privacy, necessitating the care to moderate massing with FAR specification detailed above and a rear screening requirement. Borrowing from multi residential zones, the proposed R-1E zone requires 3.0m high screening by way of landscaping or a combination of fencing and landscaping on lot lines adjoining other properties; however, unlike the multi residential zones R-1E does not require screening to be 3m wide, which would substantially cut into compact lots. Also R-1E only requires screening on existing lot lines, allowing flexibility for internal landscaping within R-1E lots being subdivided while requiring privacy protections for neighbours.

Side setbacks of 1.5m on both sides is consistent with many other jurisdictions and is currently used within some other City zones such as the CD-1 zone (Crown Isle). Staff note these are minimum setbacks and building materials, fenestration/glazing, and projections may require larger setbacks to meet building code requirements.

The proposed 8.0m principal building height is the same as other single family and duplex zones in the City. With regard to secondary residences and carriage houses, both are proposed to have a 6.5m height limit. Carriage houses are allowed closer to a lane than are secondary residences though (1.5m vs 6.0m), as with R-2 zoning, so the garage portion is used for parking and driveway space is minimized. Accessory buildings, limited to 4.5m in height, are also permitted within 1.5m of rear and side setbacks.

As in other existing zones, a maximum of 50% of any yard area or frontage on a street or lane may be used for off-street parking. In order to encourage alternative transportation and potentially improve infill lot affordability, R-1E also allows a main residence to have only one parking space, rather than two, if it also has two secure, covered bicycle parking spaces. In the case of a strata subdivision, however, there may be very limited opportunity for overflow street parking, so 0.5 common visitor parking spaces per lot would be required to permit the parking requirement reduction in addition to the two secure, covered bicycle spaces per lot.

The closest comparable zone in the City may be Residential Two B (R-2B) designed for use in the Old Orchard neighbourhood, which happens to allow comparable density and many of the same uses but is more focussed on heritage character. There have been limited instances where staff have supported the R-2B zone outside the Old Orchard Area to facilitate smaller lot subdivision. The R-1E zone is generally intended to better-facilitate infill development in a wider variety of contexts and avoid the use of R-2B city-wide.

In allowing the creation of small lots for single detached homes and permitting secondary suites, secondary residences and carriage houses on smaller lots, the R-1E zone facilitates gentle densification better-aligning with the character of existing residential neighbourhoods than might apartments or even townhouses. As evidenced in public comments related to the specific application on Willemar, neighbourhood fit is a significant concern when increasing residential density. Introducing new residents, vehicles and building massing, infill development rarely achieves neighbour support; this zone attempts to provide a framework that permits previously unavailable infill opportunities and mitigates negative impacts. In many cases, such as the current proposal, R-1E also facilitates retention of existing residences on development properties – which are often cherished family homes or older rental stock that is more affordable per square foot than

new builds – and R-1E allows smaller-scale, more widely accessible development opportunities than townhouses or apartments.

Proposal for 1550 Willemar Avenue

As mentioned above, the proposed development fits the zone with the exception of a rear setback to the existing house, which would have to be addressed prior to subdivision. The buildings are all single detached houses, the new ones on 318m² lots. They are set back from front and rear lot lines at least 6m, with the exception of permitted staircase projections. Landscaping screens all property lines other than the Willemar frontage. Lot frontages (12.0m) and side setbacks (1.8m) exceed the zone's corresponding 10.0m and 1.5m minimums. No type of secondary residential unit is proposed nor are any accessory buildings, and the applicant is not seeking to reduce parking from the usual two spaces per house.

A tree-cutting permit will be required prior to tree cutting or tree-damaging activities. The Tree Density Target for the property is 16 trees, which does not include hedges. Trees are not pictured in **Figure 4**; front yards are shown as possible locations for some trees in **Figure 3**. Rear yards, the end of the shared drive aisle, and the 800m² existing house lot are other potential locations.

FINANCIAL IMPLICATIONS:

Application fees in the amount of \$3,000 have been collected in order to process the rezoning amendment application. Should the proposed Zoning Amendment Bylaw be adopted, Subdivision and Building Permit application fees will apply. The applicant will be required to provide a monetary contribution equivalent to five percent of the market value of the land for parkland purposes at the time of subdivision.

The development site is largely vacant, aside from the house near the front, with access to all City services without extensions to the existing systems. Approving developments that intensify existing residential neighbourhoods and promote infill on underutilized sites, such as this property, is beneficial in that it directs growth to areas where infrastructure for water, sanitary and stormwater and utilities are already in place. This reduces the cost of providing and maintaining new services and aligns with good asset management principles. Should any capacity constraints exist within the existing services it will be the responsibility of the developer to upsize them as necessary to adequately service the site.

ADMINISTRATIVE IMPLICATIONS:

Processing Zoning Bylaw amendments is a statutory component of the corporate work plan. Staff has spent approximately 50 hours processing this application to date. Should the proposed zoning amendment proceed to public hearing, an additional two hours of staff time will be required to prepare notification for public hearing and to process the bylaw. Additional staff time will be required to process the subsequent subdivision and building permit applications.

ASSET MANAGEMENT IMPLICATIONS:

The City will inherit approximately 34m of upgraded pavement, concrete curb, and sidewalk to the centreline of Willemar Avenue if this development proceeds. These will be incorporated into the City's asset registers for ongoing maintenance.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

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

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

OFFICIAL COMMUNITY PLAN REFERENCE:

The proposed zoning amendment is consistent with the Urban Residential land use designation of the Official Community Plan. It represents infill residential development near existing amenities and services, providing a range of housing choice, while fulfilling OCP Section 4.4.3 Densities 4 – lot sizes may range from 650m² to 2500m² with consideration of smaller lots only after review and approval of an overall design concept and 4 a) – limited infill will be considered only in keeping with the character and scale of an existing neighbourhood.

REGIONAL GROWTH STRATEGY REFERENCE:

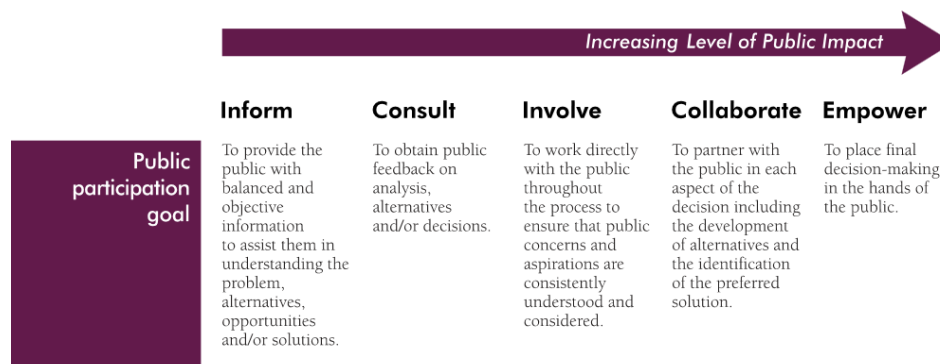
The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

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

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

CITIZEN/PUBLIC ENGAGEMENT:

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



Should Zoning Amendment Bylaw No. 3009, 2020 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*.

Prior to this application proceeding to Council, the applicant distributed an alternative public information package to property owners and occupiers within 100m of the property and collected and summarized feedback, over a two week period as per the new Alternative Development Information Meeting process. The information provided to neighbours and the summary of the process can be found in **Attachment No. 2**, as can public comments.

The City received six comments representing six neighbouring properties, and shared with the applicant concerns not communicated directly to the applicant. Four correspondences oppose the proposal, one details concerns but does not clearly oppose, and the other requests information. The most commonly noted topics are high density and neighbourhood fit (three mentions each), which are discussed above. Twice-mentioned topics include problematic laneway access, tenure, height/structure type, privacy, property value, overflow parking, and (in)adequacy of opportunity for informed consultation. Precedent of other nearby properties, loss of greenspace, wider environmental impact, noise, setbacks, fire hazard, and impact on water table/drainage/laneway flooding were each presented once.

In response to public feedback and City comments that laneway access would be problematic, the applicant revised the site plan to remove laneway access, ending the private road with fencing and

landscaping. Potential impacts on water table and drainage will be addressed during subdivision – Subdivision Bylaw No. 2919 requires stormwater detention facilities designed to limit post development peak flows to equal to the corresponding pre-development peak flows. If Subdivision Bylaw 2919 or other bylaw requirements cannot be met, subdivision to fewer lots than proposed herein may be considered.

OPTIONS:

OPTION 1: THAT based on the October 19th, 2020 Staff report, “Zoning Amendment Bylaw No. 3009 to create a new small lot R-1E zone at 1550 Willemar Ave” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3009, 2020; and

THAT Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3009, 2020 when regular Council meetings resume or an alternative Public Hearing format is authorized by the Province and approved by Council.
(Recommended)

OPTION 2: Defer consideration of Bylaw No. 3009 with a request for more information.

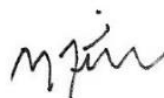
OPTION 3: Defeat Bylaw No. 3009.

Prepared by:



Mike Grimsrud,
Planner II

Reviewed by:



Matthew Fitzgerald, RPP, MCIP
Manager of Development Planning

Reviewed by:



Ian Buck, RPP, MCIP
Director of Development Services

Concurrence by:



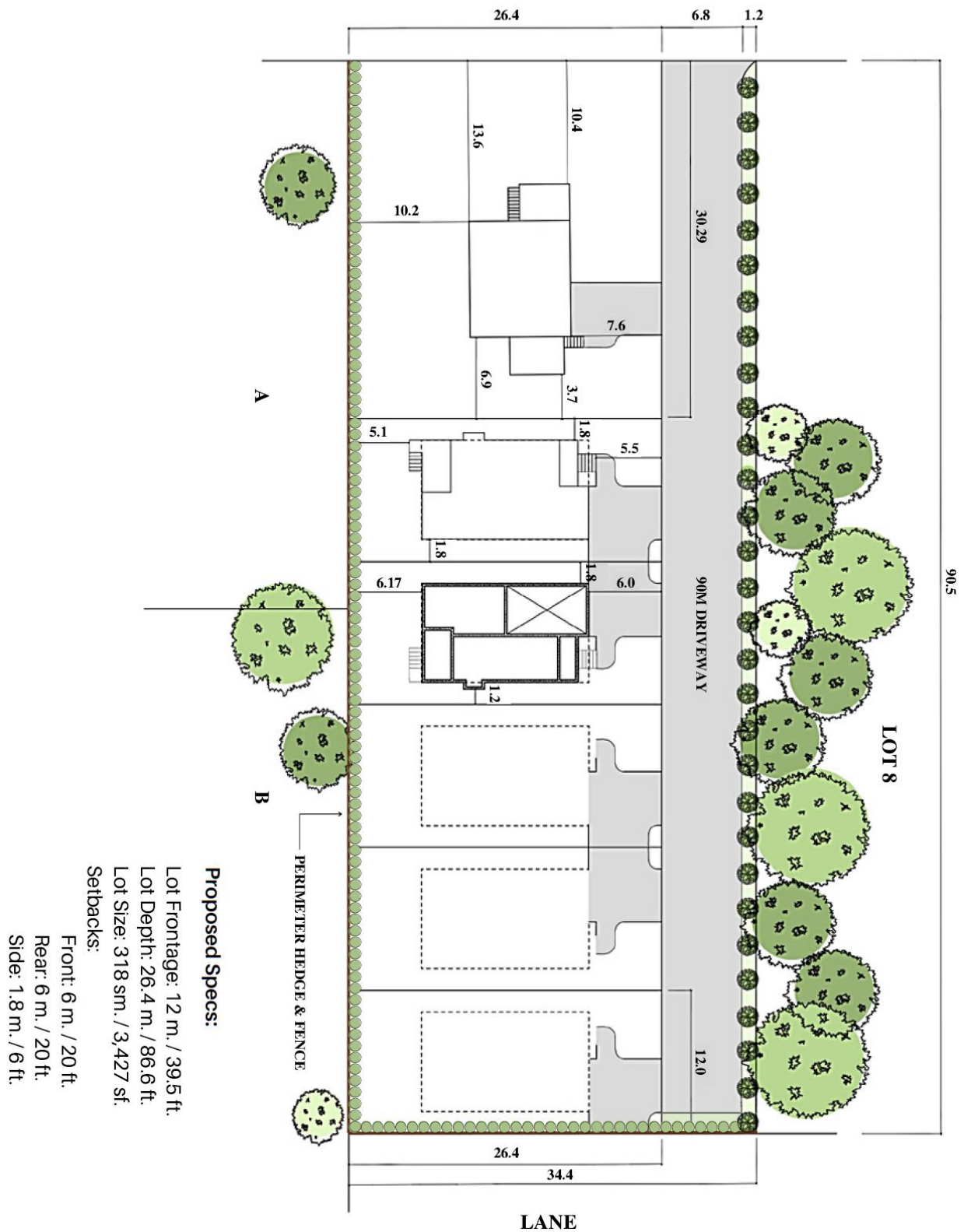
Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

Attachments:

1. Attachment No. 1: Site Plan and Conceptual Renderings
2. Attachment No. 2: Public Information Meeting Summary
3. Attachment No. 3: Rationale and Sustainability Evaluation Checklist

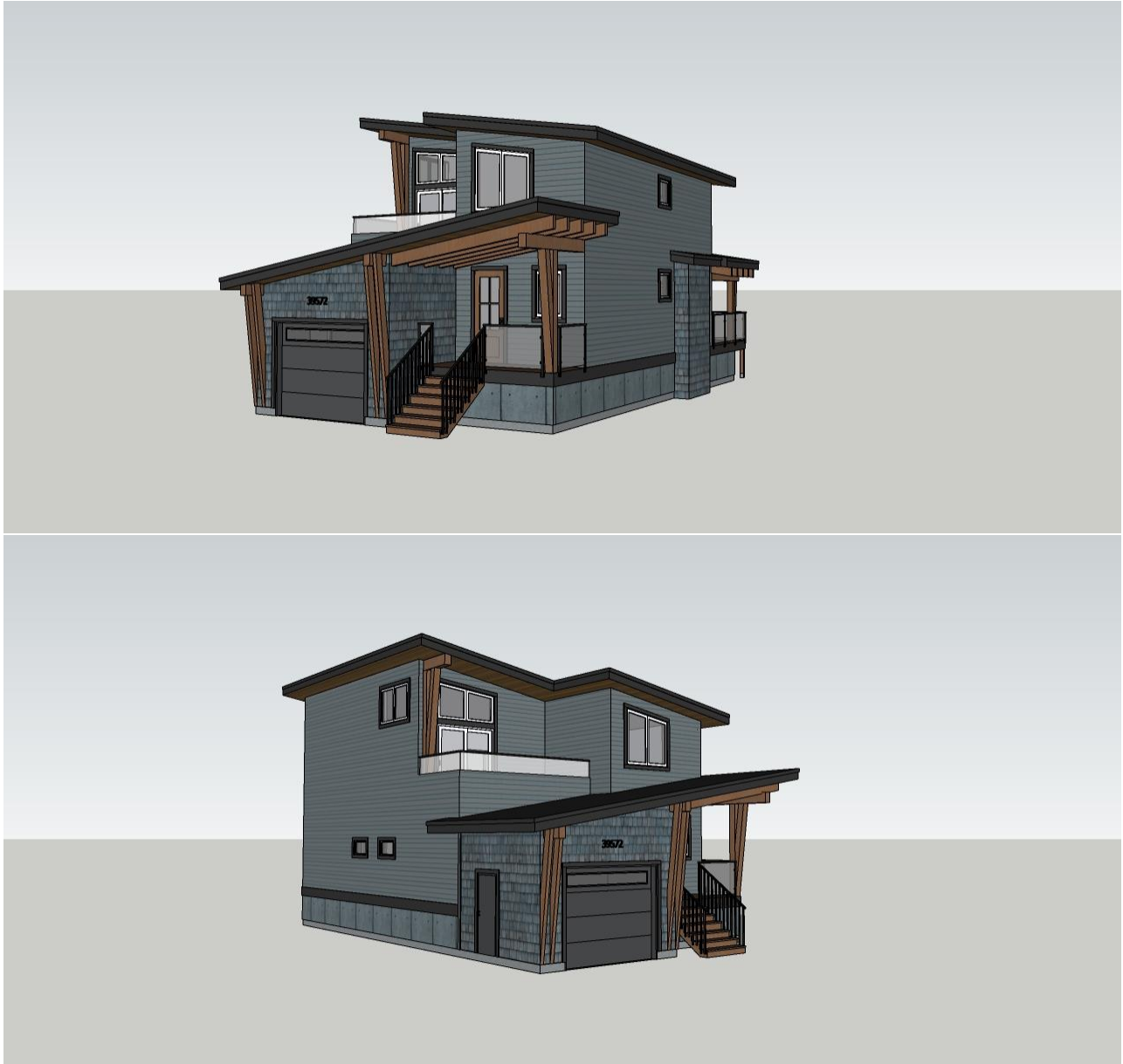
Attachment No. 1: Site Plan and Conceptual Renderings

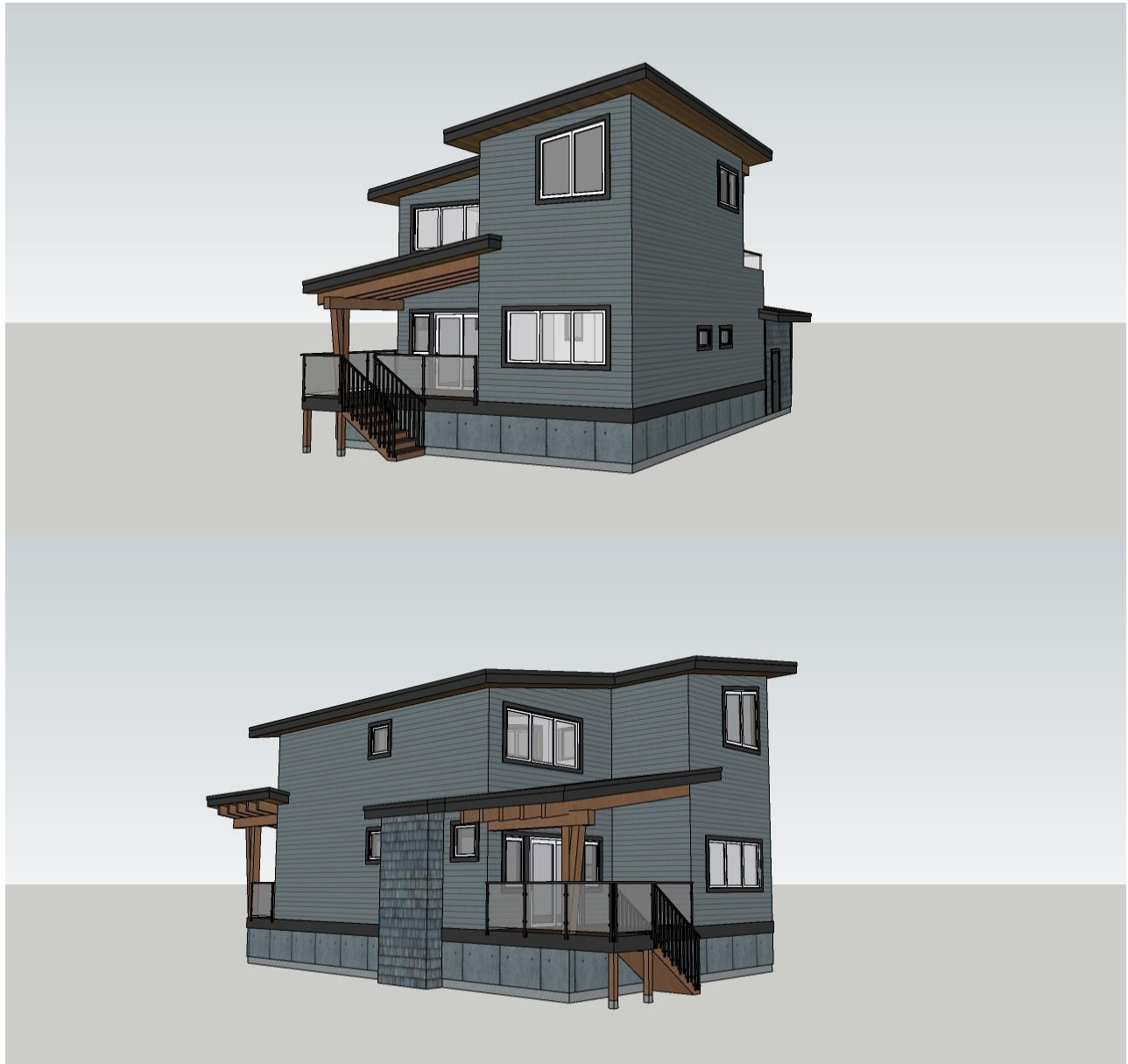
WILLEMAR AVENUE











Attachment No. 2: Public Information Meeting Summary

To: Courtenay City Counsel

For your Consideration

In summary of the Public Information Mail Out I would like to submit the following:

On June 30th I mailed 107 envelopes containing a letter outlining our rezoning intentions. Along with the letter was an 8.5x11 copy of the sign erected on the property and a proposed site plan. (see attached)

We received 3 emails directly and 3 additional comments were sent directly to the city planning department voicing some concerns. The concerns and our responses are listed below:

Alley way access could be a safety and congestion issue.

- Our development would not require access to the alley way and will instead be blocked off by fencing and green space.

Negative visual impact on adjoining properties.

- Not only will the design itself be appealing but site lines will be restricted with the use of fencing, green space, trees and orientation on the lot

Drainage is an ongoing problem for the alley way

- New build design requires geotechnical submissions and would accommodate such things as drainage and water tables

Lot is too small for such density

- Currently much higher density rests on smaller lots and what we are proposing is a "Make sense" use of space for "Infill Development". Small lots such as what is being proposed exist in almost all major and growing communities and have been proven to ADD to their surroundings vs detract.

Parking would become an issue

- Each unit is mandated to have its own parking as per city by laws

Proximity of homes to each other increase risk of structure fires

- With new technology and build design and code changes these are becoming much less of a risk.

As well, we are exploring the viability of constructing each home with ICF (insulated concrete form) to the underside of the roof truss. This would still be clad with a fiber cement board for esthetics but would have a fully NON-combustible shell.

Please note that the site plan is being updated to show NO ALLEY ACCESS but the attached is what was originally sent out.

We did not receive any other emails or notifications of any kind.

Respectfully Submitted

Shannon R Black

Notice Of Rezoning Application
1550 Willemar Ave.
Courtenay, BC

To whom it may Concern:

We are applying to rezone our property at 1550 Willemar Ave from R-2 to a new zone R-1E. This will provide for smaller lots to be created to allow for a small "Infill" development project.

The Original house on the lot will remain and development of 5 small single family lots will take place behind and towards the back.

For further information you can go to www.courtenay.ca/devapptracker and search under the address listed above.

****Please submit any comments or questions by July 15th,2020 ****

Please send comments to: Shannon Black Via email to
srblack2000@hotmail.com or call directly 604-213-1665

If you choose, they can also be submitted to the City of Courtenay by one of the following methods:

- Drop your comment sheet off in the drop box located at the front entrance of the City of Courtenay or mail:

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

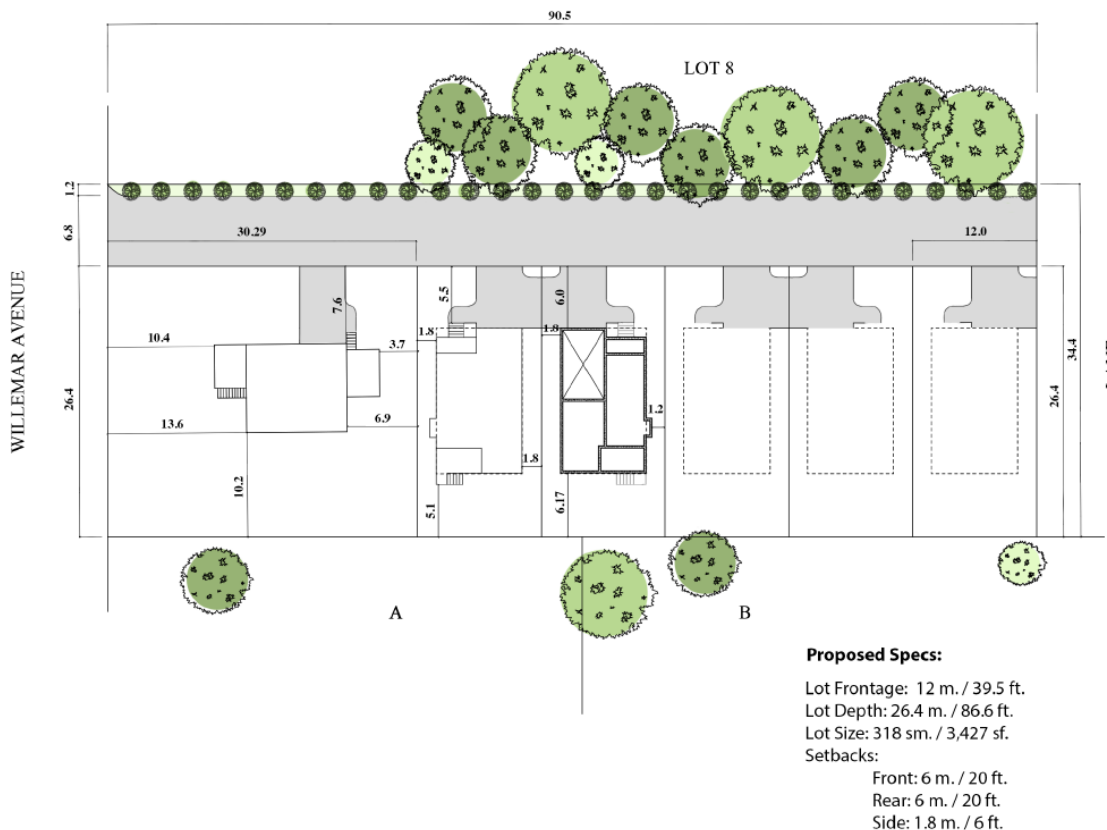
- email comments to planning@courtenay.ca

-Fax your comments to 205-334-4241

Thank you for your time and consideration

Respectfully

Shannon Black



**CITY OF COURTENAY
 PROPOSED ZONING AMENDMENT BYLAW NO. 3009, 2020
 1550 WILLEMAR AVE**

Application Date: **June 8, 2020**

Application Numbers: **RZ000046**

Applicant Information:

Attn: **Shannon Black**
774 Cameleon Pl
Campbell River, BC V9H 0A7

Tel: **604-213-1665**

Email: **srblack2000@hotmail.com**

This property is presently designated in the Official Community Plan as:

URBAN RESIDENTIAL

The property is presently zoned as:

RESIDENTIAL TWO ZONE (R-2)

An application has been made to rezone this property to a new

RESIDENTIAL ONE E ZONE (R-1E)

The purpose of this application is to allow the subdivision of the existing property into 6 lots.

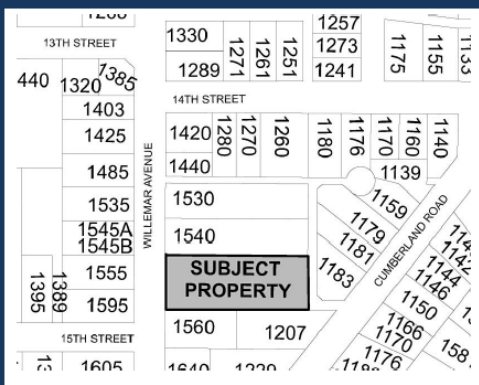
Get More Information:

View a copy of the proposed bylaw and relevant documents on our website:

www.courtenay.ca/devappttracker

Or Visit:

City of Courtenay, Planning Department
 830 Cliffe Avenue
 Courtenay, BC V9N 2J7
 Tel : 250-703-4839 Fax: 250-334-4241
 Email: planning@courtenay.ca



Grimsrud, Michael

From: [REDACTED]
Sent: July 6, 2020 10:42 AM
To: PlanningAlias
Subject: concerns regarding the rezoning Application Numbers: RZ000046

Hello City of Courtenay Planning Department

Hi

My name is [REDACTED] I live at 1181 Cumberland Rd Courtenay BC V9N2E8.

My wife and I and some neighbors have concerns regarding the rezoning Application Numbers: RZ000046.

Applicant Information:

Shannon Black
 774 Cameleon Pl
 Campbell River BC
 V9H 0A7

The mail we received on Friday the 3rd of July from the city is the first we heard of the proposed development that has been in the works for a month now. Why were we not notified until now by mail from the City? We did not receive any word of a neighborhood get together to discuss any of this with the Applicant(s). In which case we don't feel we have had sufficient time to consider this rezoning application.

Our Concerns:

1/ We have the following big concerns: The as yet undisclosed access proposal into the new development via the laneway, the existing high water tables and poor drainage at the rear of the three properties at 1179 / 1181 / 1183 on Cumberland Rd and at the rear of the properties at 1530 and 1540 Willemar Avenue that back onto the laneway where runoff water pools. Water run off from new pavement and concrete at the build site will increase the flow of water to the South and East into this area. This will add to and worsen conditions in an area with an already high water table and poor drainage. The current Catch Basin in the laneway at the corner of the property at 1183 Cumberland Road is inadequate to deal with the current water run off in the wet seasons let alone the additional flow from any new development in the area.

2/ The area is zoned R2, this is a residential area not zoned for high density development. Creating 5 new lots 6 lots total when including the original home(s) on a .31 Hectare or 3/4 acre lot is excessive. Also Willemar Ave and Cumberland Rd are heavy traffic areas and high density development in the area will only add to that problem and to CO2 emissions and climate change. *Infil states "fits within" an existing neighborhood without significantly altering its character or appearance.* We don't believe this high density proposal fits within the existing character in a neighborhood of single family and duplex dwellings.

3/ What are the types of structures are being proposed? Are they single story patio homes or two story structures are they using green technology where possible to reduce their carbon footprint? Are the units being built as rental units or homeownership units?

4/ My next door neighbor, a recent widow her late husband a Veteran of CFB Comox, has owned and lived in the house at 1183 Cumberland Rd since the early 1970's. She has concerns in addition to the high water table and poor drainage in the area bordering the laneway. Back in the 1980's a developer seeking application that was turned down to build an apartment block in the same area behind them wanted to take a piece of their property at the west end for an access road. Some of our concerns now are what proposed changes are being considered to the laneway? How will access to the new build site be achieved? Also there are privacy issues. The neighbor at 1183 Cumberland Rd will be looking straight onto the site and vice a versa. Will there be a buffer of trees and green space left between the new development and the laneway as there has been for fifty plus years? The laneway should not become an access road into the new development that would be a significant change. The laneway was not intended to be an access road to high density development.

Therefore our consensus is that this rezoning and development proposal before going forward needs to address these several concerns of high water tables, poor drainage, old infrastructure, laneway changes regarding access to the proposed new development and the privacy of long time residence in the area.

Sincerely



Grimsrud, Michael

From: [REDACTED]
Sent: July 15, 2020 1:35 PM
To: PlanningAlias
Subject: Re; Notice of rezoning application 1550 Willemar Ave. I oppose.

To whom it may concern,

In regards to the New R-1E, the proposed new zoning application made; I am opposed to this. I understand that the applicant would like to make it into smaller lots,, to allow for more housing, but I object to the size of the proposed lot sizes and to the proposed sizes of the homes that will cover the 40% of the new lots. Not to mention they are proposing to build to non-conforming in regards to the defined setbacks, That are in place for the existing R-1 and R-2 regulations.

In my own opinion, this lot does not need to be re-zoned,, it can and would be better off to be just simply subdivided into 3 larger lots.

Thank you,

[REDACTED]
1625 Willemar Ave.
Courtenay, B.C.
[REDACTED]

July 4, 2020

Shannon Black,

We are the owners of 1207 Cumberland Rd. We are writing about the proposed zoning amendment application number: RZ00046.

We have the following concerns about the proposed 5 small single family lots being built 20 feet from my Property line.

- Loss of Privacy with 5 small single-family homes backing onto my house and back yard
 - How big will these homes be & how many occupants per home?
- Increase in noise level with the potential increase of population in a small area.
- Increase in traffic in the ally way adjacent to my driveway
 - My driveway currently opens into the alley way access creating what looks like a roundabout. We often get people cutting through the driveway as the alley access is narrow and doesn't safety allow for two cars to both enter and exit the alley. With increased traffic through the alley access, for safety concerns We will have to build a fence removing access to our driveway.
- Are these homes going to be for sale or rentals?
- Are these homes going to be what are referred to as "tiny homes"?
- This block is currently only single or duplex type houses with moderate to large size lots. My concern is by building 5 small homes, it will change the look of the area by decreasing the green space around the homes and increasing congestion. The type of homes being proposed are out of character to the types of homes in the close proximity of the property.
- If this gets approved this will open the door to the other adjacent lot doing the same and therefore potential for even more traffic and noise

When we bought our property, one of the selling points of the home was the privacy and space from our neighbors. With this proposed amendment, this will be lost. It will go from 3 neighboring houses to 8. That is huge increase of noise, traffic and congestion. If there were 5 houses built along the fence line of my current property, we would not have bought the place.

We also noted the application date was June 8, 2020 and post marked June 30, 2020. We received this notice on July 3, 2020 with questions to be submitted by July 15, 2020. Instead of having over a month to ask question we get less than two weeks to respond making it a rushed response. The information receive does not provide sufficient information for us to make an educated response therefore we are against the proposed amendment. The web site also was of no help in getting more information. We would have appreciated getting this notice a lot sooner and with a clearer picture of the proposed development.

Thank you,

[REDACTED]

Grimsrud, Michael

From: [REDACTED]
Sent: July 13, 2020 8:39 PM
To: PlanningAlias
Subject: Rezoning Application 1550 Willemar Ave

To Whom it May Concern,

I received a copy of the notice of rezoning application for 1550 Willemar Avenue recently as I own the house next door at 1560 Willemar. I understand the desire to subdivide the property as it is quite large, however I have some concerns with the plan as submitted.

The Official Community Plan remains as Urban Residential and is not being changed as far as I understand with this rezoning application. However, dividing the lot into the existing house plus 5 more houses does not appear to fit the Community Plan - it appears more to significantly increase density in the local area. If you look at surrounding properties, while there are some duplexes, there is nothing that comes anywhere close to being as small or condensed as the proposed plan. Additionally, where would parking overflow go? Each property would realistically only be able to accommodate one vehicle - are the rest all expected to fit in the lane or do they end up on the street?

I would fully support an application that subdivided the property into 3 or 4 units as that seems to be more inline with the current Community Plan and matches existing properties. I believe 6 is excessive and adds unnecessary density to the area.

Thank you,
[REDACTED]

[REDACTED]
1229 Cumberland Rd
Courtenay, BC
July 14, 2020

City of Courtenay
830 Cliffe Ave
Courtenay, BC

RE: Rezoning application

Folder Number:
RZ000046
Application Date:
Jun 08, 2020
Addresses:
1550 WILLEMAR AVE

As a close resident/owner, I am vehemently opposed to this rezoning.

To put 5/6 separate single family houses on one city sized lot will negatively impact the surrounding neighbourhood. The property values will drop. The quiet character of the neighbourhood will be destroyed. The proposed lot sizes will see 5/6 garden shed size houses crowded onto 1 lot, increasing the potential of catastrophic structure fires. Vehicles for residents would have to be parked on the streets and lane, increasing the congestion on Willmar Ave. and Cumberland Rd., both busy traffic arteries. It is unclear whether this is 5 lots as stated in the letter or 6 lots as printed on the glossy handout.

The application date is June 8th, 2020, mailed from Britannia Beach, BC June 30th, received by homeowners July 6th., from a Campbell River address. Reviewing the rezoning process I see there will be additional opportunities to address concerns in the future.

Sincerely,

[REDACTED]

Grimsrud, Michael

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

[REDACTED]
Date: 2020-06-29 1:45 p.m. (GMT-08:00)

To: srblack2000@hotmail.com

Subject: Re: Development Application of 1550 Willemar Avenue, Courtenay

Hello Shannon,

I am emailing you regarding the big sign on the property of 1550 Willemar Avenue, Courtenay. I live directly across the road, and am wondering what the plan is for the six lots you are applying for. Are you leaving the big blue house on the property, and will there be individual houses built on the other 5 lots, or will there be duplexes built? I am wanting to know, as your development will directly affect the value of my property. As well as the neighborhood dynamics, etc.

Thanks for any insight you can give me.

[REDACTED]

Attachment No. 3: Rationale and Sustainability Evaluation Checklist**1550 Willemar Ave****Re Zoning Application Summary**

The proposed rezoning of 1550 Willemar Ave. is in direct response to a greatly unfulfilled need in our community! The need for infill development and the addition of a “Bridge” housing product in our marketplace.

I use the word “Bridge” to describe the, ever growing, gap in price and product between the Condo/Townhouse developments and the single-family home market. While some areas are being developed to accommodate this need, the available land is rapidly running out and the land that is available is unattainable for the average small builder or home buyer.

What I am proposing is the creation of a NEW ZONE that will address the need and opportunity to do “Infill” developments on properties within the Courtenay jurisdiction. The creation of such a zoning bylaw will establish the foundation for intelligent and appropriate development projects on properties that are otherwise being under utilized.

In keeping with the City of Courtenay Affordable Housing Policy, I refer to Section A.3 and A.11 . While these, in and of themselves, are not “Affordable Housing Projects”, infill developments are designed to be a “More Affordable” approach to single family home ownership. Cost prohibitive land values demand that the houses being built be of such a high value that it is becoming increasingly difficult to jump from a typical “Starter” condo/townhome into a single detached family home.

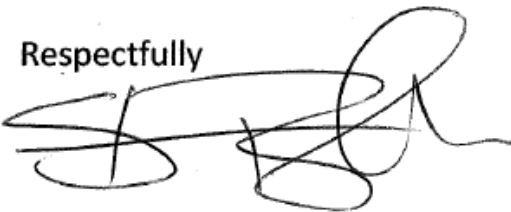
The nature of infill housing development is to provide a new home that gives buyers the chance to own a top-quality home at a more manageable price point. As well, it allows for community growth and development without the added costs of infrastructure etc.

The growing need for truly affordable housing also requires the growth of mid range family homes that are within reach for those individuals looking to improve their own housing position or situation. Young professionals with little time for yard maintenance, new families that need more space but cannot afford the jump, and even those who just need to downsize their lot due to not being able to maintain it any longer, will all benefit greatly from the creation of this new “High Density” zone. The ability to transition to a High Density single family home creates entry opportunities for others looking to get into the market themselves.

As mentioned in the Sustainability Document, the other immediate benefit of infill development is the greatly improved community appeal and aesthetics. The properties that have infill development potential are often ones that have gone unattended for many years as they are just too large for the average homeowner to deal with and become a growing eye sore in their respective neighborhoods.

I would welcome the opportunity to discuss any details and look forward to your correspondence.

Respectfully

A handwritten signature in black ink, appearing to be 'Shannon Black', written in a cursive style.

Shannon Black


**CITY OF COURTENAY
Development Services**

830 Cliffe Avenue
Courtenay, BC, V9N 2J7
Tel: 250-703-4839 Fax: 250-334-4241
Email: planning@courtenay.ca

SUSTAINABILITY EVALUATION

COMPLIANCE CHECKLIST

The following checklist provides a quick reference list of required sustainability criteria that, where applicable, shall be satisfied for all development applications including Official Community Plan (OCP) and Zoning Bylaw amendments, Development Permits, Development Variance Permits, Tree Cutting and Soil Removal Permits, Agricultural Land Reserve and Subdivision applications. These criteria are established to ensure that the goals and objectives of the OCP are satisfied. **Please briefly state in the "Description" column how the application achieves the stated criterion.** Where an element of the development proposal does not comply with a sustainability criterion, a justification stating the divergence and the reason shall be made. A separate sheet may be used to provide comment. **Incomplete forms will result in application delays.**

The Sustainability Evaluation Checklist Policy states: *Proposed developments will be considered where a development:*

- provides substantial benefits to the City;*
- will not negatively impact on the City's infrastructure, neighborhood or environment;*
- new development that supports destination uses such as the downtown, Riverway Corridor or a Comprehensive Planned Community;*
- Meets applicable criteria set out in the OCP.*

The complete Sustainability Evaluation Checklist policy is contained within the City of Courtenay Official Community Plan No. 2387, 2005.

Project Address: 1550 Willemar Ave

Date: May 8, 2020

Applicant: Shannon Black

Signature:

APPLICATION REQUIREMENTS To be filled out by applicant

Land Use. The application:	Description of how the criteria are met
a) Provides a mix of housing types and sizes;	Introduces small lot zoning to Courtenay allowing appropriate infill development
b) Balances the scale and massing of buildings in relation to adjoining properties;	New Zoning sets out guidelines in keeping with the spirit of existing bylaws and utilizes architecture to compliment its environment
c) Complements neighboring uses and site topography;	Small lot infill projects allow for creative new architecture and design to be implemented in a way to gentrify established areas while adding to the neighborhood in appeal and aesthetics
d) Provides or supports mixed used developments or neighborhoods;	- N/A -
e) Promotes walking to daily activities and recreational opportunities;	- N/A -
f) Supports a range of incomes;	With small lot infill a newer range of single family home is developed. This provides opportunities to own a single family home without the added cost of large lot size/maintenance/taxes/infrastructure, etc.
g) Is a positive impact on views and scenery;	Developed in coordination with city planners
h) Preserves and provides greenspace, trails and landscaping;	This type of development actually will greatly improve over all aesthetics as most properties that have this kind of potential are often left un-landscaped, overgrown and unattended.

Building Design. The application:	Description of how the criteria are met
a) Exhibits high standard of design, landscaping and environmental sensitivity;	With the ever increasing demands on building performance, new build design drives a greater attention to detail and involvement of a more integrated environmental vs build approach
b) Maintains a high standard of quality and appearance;	In order for infill development to be successful it MUST compliment, not only, the land it is on but add to the overall appearance of its neighborhood
c) Includes articulation of building faces and roof lines with features such as balconies, entrances, bay windows, dormers and vertical and horizontal setbacks with enhanced colors;	-See attached concept drawings-
d) Avoids creating a strip development appearance;	- See attached concept drawings -
e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);	- N/A - (at this time - rezoning application only)
f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;	- N/A -
g) Builds and improves pedestrian amenities;	- N/A -
h) Provides underground parking;	- N/A -
i) Applies CPTED (Crime Prevention Through Environmental Design) principles;	- N/A -
Transportation. The application:	Description of how the criteria are met
a) Integrates into public transit and closeness to major destinations;	- N/A -
b) Provides multi-functional street(s);	- N/A -
c) Prioritizes pedestrian and cycling opportunities on the public street system and through the site location that can provide an alternative to public road;	- N/A -
d) Provides or contributes towards trail system, sidewalks, transit facilities, recreation area or environmentally sensitive area;	- N/A -
Infrastructure. The application:	Description of how the criteria are met
a) Includes stormwater techniques that are designed to reduce run-off, improve groundwater exchange and increase on-site retention;	- N/A -
b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;	- N/A -

Character & Identity. <i>The application:</i>	Description of how the criteria are met
a) Provides a positive image along waterfront areas and fronting road;	- N/A -
b) Is designed with quality and variety of features within the project (i.e. street furniture, street lights, signs, curb treatments);	- N/A -
c) Provides public and private amenity space;	- N/A -
d) Preserves heritage fixtures;	- N/A -
e) Orients to views, open space and street;	- N/A -
Environmental Protection & Enhancement. <i>The application:</i>	Description of how the criteria are met
a) Protects riparian areas and other designated environmentally sensitive areas;	- N/A -
b) Provides for native species, habitat restoration/improvement;	- N/A -
c) Includes tree lined streetscapes.	- N/A -



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No: 3360-20-2008

From: Chief Administrative Officer

Date: October 19th, 2020

Subject: Zoning Amendment Bylaw No. 3010 Proposed Storefront Cannabis Retailer - #302-444 Lerwick Road

PURPOSE:

To consider an application to rezone unit #302-444 Lerwick Road legally described as Lot 1, Blok 72, Comox District, Plan VIP81206 to allow a storefront cannabis retailer in an existing commercial building.

CAO RECOMMENDATIONS:

That based on the October 19th, 2020 staff report "Zoning Amendment Bylaw No. 3010 Proposed Storefront Cannabis Retailer - #302-444 Lerwick Road" Council approve OPTION 1 and postpone consideration of "Zoning Amendment Bylaw No. 3010"; and

That Council direct staff to advertise the proposal and gather the views of the neighbourhood through a mail out in order to satisfy the requirements of the Liquor and Cannabis Regulation Branch (LCRB) referral process.

Respectfully submitted,

Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

BACKGROUND:

The proposed cannabis store will be located within an empty unit (#302) within the shopping centre located at 444 Lerwick Road. The property is 4.97 ha in size and is located at the southeast corner of the intersection of Ryan Road and Lerwick Road. The site is zoned Comprehensive Development Zone 1F (CD-1F) and is designated as Commercial Shopping Centre in the Official Community Plan (OCP).



Figure 1: Subject Property (in Red) and Subject Building (in yellow)

The applicant proposes to rezone unit #302 in one of the existing commercial buildings. This means that the “storefront cannabis retailer” use will only be allowed in unit #302 should this amendment be successful (as seen in **Figures No. 2 and 3**).



Figure 2: Proposed Storefront Unit (outlined in Red)



Figure 3: Proposed Storefront Unit #302 (outlined in Red)

The Provincial *Cannabis Control and Licensing Act* provides local governments with the authority to regulate certain criteria in terms of land use management with respect to non-medical cannabis retailers. Similar to the previous ten storefront applications, this zoning application is evaluated according to the City's Storefront Cannabis Retailers Policy and the rules and regulations that apply to all zoning amendment applications.

This is the eleventh storefront cannabis application to be considered by City Council. To date, the City has processed ten rezoning applications and one Liquor and Cannabis Regulation Branch (LCRB) referral (as seen in **Table No. 1**). Six of these have been approved meeting the limit set under the City's Storefront Cannabis Retailers Policy. As a guidance policy, Council could exceed this number if it believes an additional store is warranted.

With the exception of this application, the planning department does not have any further cannabis storefront applications at this time.

Application Number	Location	Status
#1	#1400 – 2701 Cliffe Ave. (Driftwood Mall) (Rezoning)	Final approval March 4, 2019
#2	# 105-789 Ryan Rd. (Superstore Shopping Mall) (Rezoning)	Final Approval March 18, 2019 (Government Store)
#3	143 - 5 th Street (Rezoning)	Final Approval April 1, 2019
#4	605/625 Cliffe Ave. (Courtenay Mall) (Rezoning)	Final Approval May 6, 2019
#5	379 4 th Street (Rezoning)	Application Denied on May 21, 2019
#6	#103-1025 Cliffe Avenue (Rezoning)	Application Denied on July 15, 2019

#7	#103-2270 Cliffe Avenue (Rezoning)	Final Approval August 19, 2019
#8	#101 -576 England Avenue (Rezoning)	Final Approval September 3, 2019
#9	#230-470 Puntledge Road (Rezoning)	Application Denied on August 19, 2019
#10	605/625 Cliffe Avenue (LCRB Referral)	Approval on January 20, 2020
#11	#302-444 Lerwick Road (Rezoning)	Council consideration on October 19, 2020

Table 1: Storefront Cannabis Retailer Proposals Considered by Council

Application Number	Location	Zoning Status	Status of the Business
#1	#1400 – 2701 Cliffe Ave. (Driftwood Mall)	Final approval March 4, 2019	Have not applied for BP and store is not open
#2	#105-789 Ryan Rd. (Superstore Shopping Mall)	Final Approval March 18, 2019 (Government Store)	Approved and store is open
#3	143 - 5 th Street	Final Approval April 1, 2019	Approved and store is open
#4	605/625 Cliffe Ave. (Courtenay Mall)	Final Approval May 6, 2019	Approved and store is open
#5	#103-2270 Cliffe Avenue	Final Approval August 19, 2019	Approved and store is open
#6	#101 -576 England Avenue	Final Approval September 3, 2019	Have not applied for BP and store is not open

Table 2: Storefront Cannabis Retailer Proposals Approved by Council

DISCUSSION

Overview of the Proposal

The floor area of the proposed retail store is approximately 1,055 ft² (98m²) and will include a restroom, secure storage area and office space (as seen in **Figure No.5**). Interior improvements planned for the retail store include: the installation of walls; counter tops; lighting; shelving; cabinetry and security equipment. Exterior work is limited to the installation of security equipment, lighting and signage.

The proposed store will be open to the public from 9:00 a.m. to 9:00 p.m. Monday through Sunday with the exception of reduced hours on Remembrance Day and Christmas Eve and a store closure on Christmas Day. Six employees will be hired for the store's operation including one manager and five retail associates. All other operational requirements, including security requirements, are regulated by provincial licencing regulations.

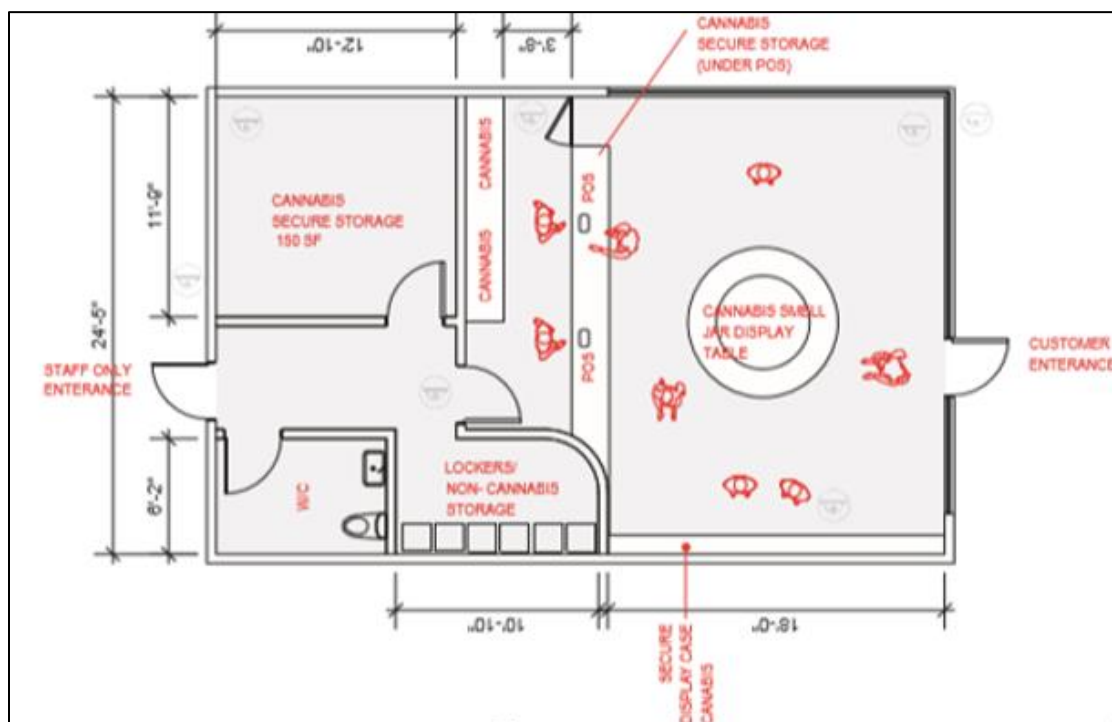


Figure 4: Proposed Floor Plan

Parking

Parking is provided in accordance with Division 7 in Zoning Bylaw No. 2500, 2007 and Policy 5 of the Storefront Cannabis Retailers Policy. Shopping centre uses require 1 parking stall per 22.5m² of floor area. Based on the floor area of the proposed retail unit, five parking stalls are required. Crown Isle Shopping Centre provides a total of 472 parking stalls for the combined retail uses onsite, meeting bylaw requirements.

Policy Compliance

The table below compares the City's Storefront Cannabis Retailers Policy to the subject proposal.

Policy Statements	Policy	#302-444 Lerwick Road	Complies with Policy
General Location	Only be permitted in an established retail location where the current zoning permits retail sales	The property is zoned CD-1F, where retail sales are permitted	Yes
Distance	1. A storefront cannabis retailer should be: <ul style="list-style-type: none"> a) At least 300 meters from public or independent elementary, middle or secondary school. b) At least 400 meters (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active on that lot 	<ul style="list-style-type: none"> a) Outside of the 300-meter buffer from any public or independent schools b) Not within the 400-meter buffer of any other lot where a storefront cannabis retailer is permitted. 	<ul style="list-style-type: none"> Yes Yes

	c) At least 300 meters from a City owned playground facility including the spray park and skateboard parks	c) Outside the 300-metre buffer from any City owned playground including a spray park or skateboard parks.	Yes
Restricted at temporary events	Cannabis sales are not permitted at special events, public markets or farmers markets.	Not applicable to this proposal	N/A
Parking	Satisfactory to the off-street parking requirements outlined in Division 7 of Zoning Bylaw 2500, 2007	Meets the off-street parking requirements outlined in Division 7 of Zoning Bylaw 2500, 2007	Yes
One store is permitted per lot	Only one storefront cannabis retailer will be allowed per lot.	No other applications are made at this Location.	Yes
The Maximum Number of Retailers Permitted in the City	Five (5) private retailers and one (1) Government operated store in the City	Exclusive of the subject property, Council has approved five private and one government storefront.	No, this proposal exceeds maximum number of retailers in the City's Cannabis Retailers Policy

Table 3: Evaluation of Proposal

Evaluation

As summarized in Table 2 above, the proposal is consistent with a majority of the City's policies guiding cannabis retailers with the exception of Policy No.7, the maximum number of storefront retailers permitted to operate within the City, which is limited to six.

Consistent with Policy 1; the storefront retailer is located on a property that is zoned (CD-1F) and permits retail sales.

Policy 2a) of the City's Storefront Cannabis Retailers Policy states that the minimum distance from a cannabis retailer to a City owned playground facility and skateboard parks should be 300m. The proposed retail store is located approximately 536m (measured in a straight line from closest lot line to closest lot line) from Queneesh Elementary School and 543m (measured in a straight line from closest lot line to closest lot line) to Valley View Elementary School and Mark Isfeld Secondary School.

Consistent with Policy 2b) the proposed retailer far exceeds the 400m minimum separation distance between stores. The nearest existing store at 789 Ryan Road is approximately 2km away as measured in a straight line from closest lot line to closest lot line. Other than 789 Ryan Road, there are no other approved or operating storefronts in the City on the east side of the Fifth Street Bridge.

The proposed storefront is located over 300m away from a City owned playground facility and the skatepark located at Valley View Community Park. Valley View Park is adjacent to Mark Isfeld Secondary School and Valley View Elementary School and includes grass playing fields, baseball diamonds, a play structure and the Comox-Courtenay Skatepark. Valley View Community Park is located approximately 775m from the proposed storefront (measured from in a straight line from closest lot line to closest lot line).

The proposal is consistent with Policies 3, 5, and 6: this application is for a private retail storefront (not a special event or market); there is sufficient parking being provided in accordance with Division 7 of Zoning Bylaw No. 2500 and there are no other cannabis storefront users proposed or located on the property.

Bylaw Services Referral

City Bylaw Services was consulted and Bylaw Staff have not received any public complaints regarding any of existing Cannabis stores that are currently open and operational within City boundaries.

Town of Comox Cannabis Policy and Approvals

Similar to the City of Courtenay, the Town of Comox receives cannabis storefront retail applications as a referral from the LRCB. Once the application has been considered by the Council, the Town sends correspondence to the LRCB with a recommendation to approve or deny the application.

The Town of Comox limits the number of cannabis storefront retailers to a maximum of three including a maximum of two retailers in the downtown and up to a maximum of one retailer outside the downtown. To date the following two stores in the downtown have been granted approval:

1. City Cannabis, 215 Port Augusta Street (approved March 6, 2019); and
2. Coast Range Cannabis, 221 C Church Street (approved on August 7, 2019).

Planning staff at the Town are currently processing a cannabis storefront retailer application for a store outside the downtown area.

Other Considerations

Youth and Access to Cannabis Retail Stores

The intent of Policy 2 is to prevent children and youth from being exposed to cannabis retail products and marketing and to limit the access to cannabis products among youth.

Staff note that although the store meets the distance requirements in the Storefront Cannabis Retailers Policy for schools, City playgrounds, and skateparks, the shopping centre is still within close proximity (only a 5 to 15 min walk) from Queneesh and Valley View Elementary Schools, Mark Isfeld Secondary School, the skatepark at Valley View Park, the Aquatic Centre at 377 Lerwick Road and North Island College Campus.

During lunch hour, class breaks and before and after school youth can be observed frequenting the restaurants and shops at the Shopping Centre. Also, the shopping centre offers establishments where youth frequently congregate, for example: the MacDonald's Restaurant, Starbucks Coffee, Dollarama, Thrifty Foods and Pizza Hut.

The shopping centre also draws families, children and youth using the nearby aquatic centre and students attending North Island College. The legal age for purchasing cannabis products in the Province of British Columbia is 19 years of age. Many students who attend the college frequently visit the shopping centre during breaks and before and after classes, some who are under the age of 19 years.

The pedestrian pathway leading from Lerwick Road to the section of the site where the CRU's are located also makes the cannabis store more accessible to the youth entering the shopping centre from Valley View Elementary School and Mark Isfeld Secondary School (as seen in **Figure No. 6**).



Figure 5: Site Access and Proximity to the Proposed Storefront Unit

Staff recognize that this proposal has merit in that it meets a majority of the policies contained within the City's Cannabis Retailers Policy and supports the creation of local employment opportunities. The store is also far from other storefronts in the City and would be only the second storefront in east Courtenay with the other five located in the West Courtenay. Regardless, the proposal exceeds the allowable number of retailers as outlined in the City's Cannabis Retailers Policy

The proposal is located in a shopping centre in a highly visible location adjacent to the site's access off Lerwick Road and within a 5 to 15 min walk to schools, the college, playgrounds, a skatepark and the Aquatic Centre. This could potentially create a situation where children and youth are more exposed to cannabis products and marketing.

The application received 21 comments from surrounding property owners and occupiers, many who commented that they support local business but feel the City has already has enough Cannabis Retailers open and operational. Residents also expressed concerns regarding the number of school aged children who access and use the site, exposing them to Cannabis products.

The City's Policy on retail cannabis sales is not a regulatory document but is a guiding policy for dealing with individual applications, each of which is to be evaluated on their own merits. The policy does not limit Council from considering variances to the total number of stores, if Council finds the application reasonable.

FINANCIAL IMPLICATIONS:

The applicant has paid the standard zoning amendment application fee in the amount of \$3,000. The applicant will be required to obtain a building permit, sign permit and an annual business licence. The business licence fee is \$2,500.

ADMINISTRATIVE IMPLICATIONS:

Processing zoning bylaw amendments is a statutory component of the corporate work plan. Staff has spent 25 hours processing and reviewing this application. Staff will spend an additional 2 hours preparing the mail out to neighbouring properties. Should the proposed bylaw receive First and Second Readings, staff will spend an additional five hours in preparation for the public hearing, final reading of the bylaw, and updating the bylaws and maps.

ASSET MANAGEMENT IMPLICATIONS:

There are no direct asset management implications related to the processing of this rezoning application.

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

- Communicate appropriately with our community in all decisions we make

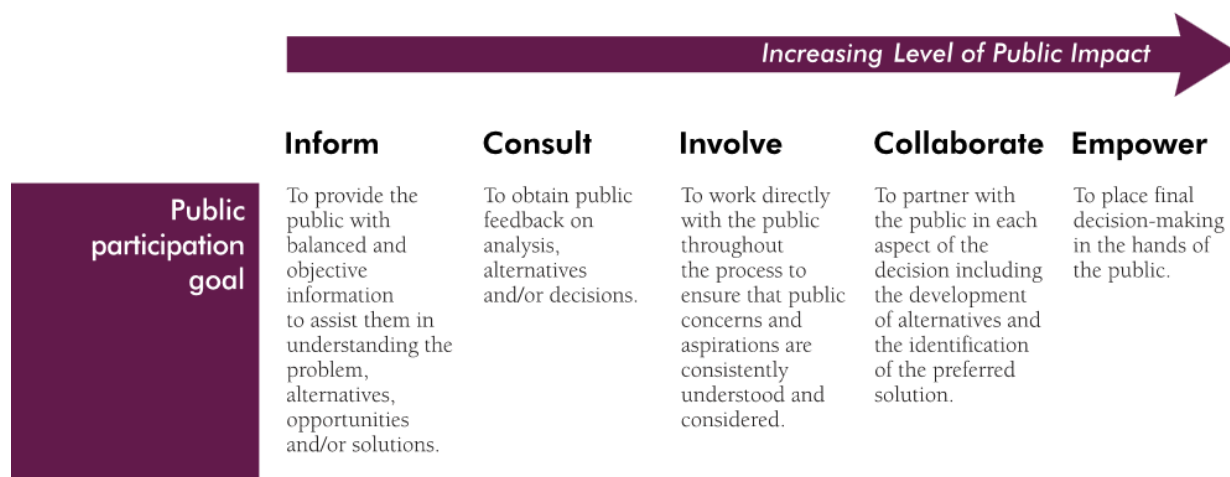
The November 2019 Strategic Priorities Update does not contain any references relevant to this application.

OFFICIAL COMMUNITY PLAN REFERENCE:

There are no direct references in the Official Community Plan (OCP) with respect to storefront cannabis retailer. The City's Storefront Cannabis Retailers Policy states that storefront cannabis retailers will only be considered in an established retail location where the current zoning permits retail sales. Since the land use designation of the subject property is commercial, the proposed location is consistent with the policy.

CITIZEN/PUBLIC ENGAGEMENT:

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



While staff have concerns with the proposal in relation to the number of stores in Courtenay and the number of youth who frequent the area, as part of the LCRB referral process the City is required to obtain the views of the neighbourhood before responding to the referral. As a result, staff are recommending that a mail-out to all properties within 100m is sent out by the City requesting comments on the proposal.

This information will then be provided to Council in a follow-up report for consideration of First and Second Readings and satisfy the LCRB's requirements for neighbourhood input.

Alternatively, despite the concerns with this proposal noted in this report, if Council chooses to move this application forward at this time, a public hearing will be held to obtain public opinion which also satisfies the LCRB requirement for neighbourhood input.

The applicant mailed out a public information meeting package on June 23, 2020 to adjacent property owners and occupiers within 100m of the property, this included approximately 207 households. The notice contained details about the proposed zoning, use and location of the storefront retailer. The applicant also canvassed the neighborhood and distributed a public outreach brochure to residents on the notification mailing list. Twenty-one comments were received for this proposal from the public mail out, with a majority of residents not in support of the proposal. The public mail out notification, public outreach card and public comments received are included in **Attachment No. 6**.

OPTIONS:

OPTION 1: That Council postpone consideration of "Zoning Amendment Bylaw No. 3010" and;

That Council directs staff to advertise the proposal and gather the views of the neighbourhood through a mail out in order to satisfy the requirements of the LCRB referral process. (Recommended).

OPTION 2: That Council give First and Second Reading of "Zoning Amendment Bylaw No. 3010" to rezone the subject property to permit a Cannabis Storefront Retailer; and

That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw following the resumption of regular Council meetings or upon approval of an alternative process.

OPTION 3: That Council postpone consideration of "Zoning Amendment Bylaw No. 3010" with a request for more information.

Prepared by:



Dana Beatson
Planner II

Reviewed by:



Matthew Fitzgerald, RPP, MCIP
Manager of Development Planning

Concurrence by



Concurrence by:

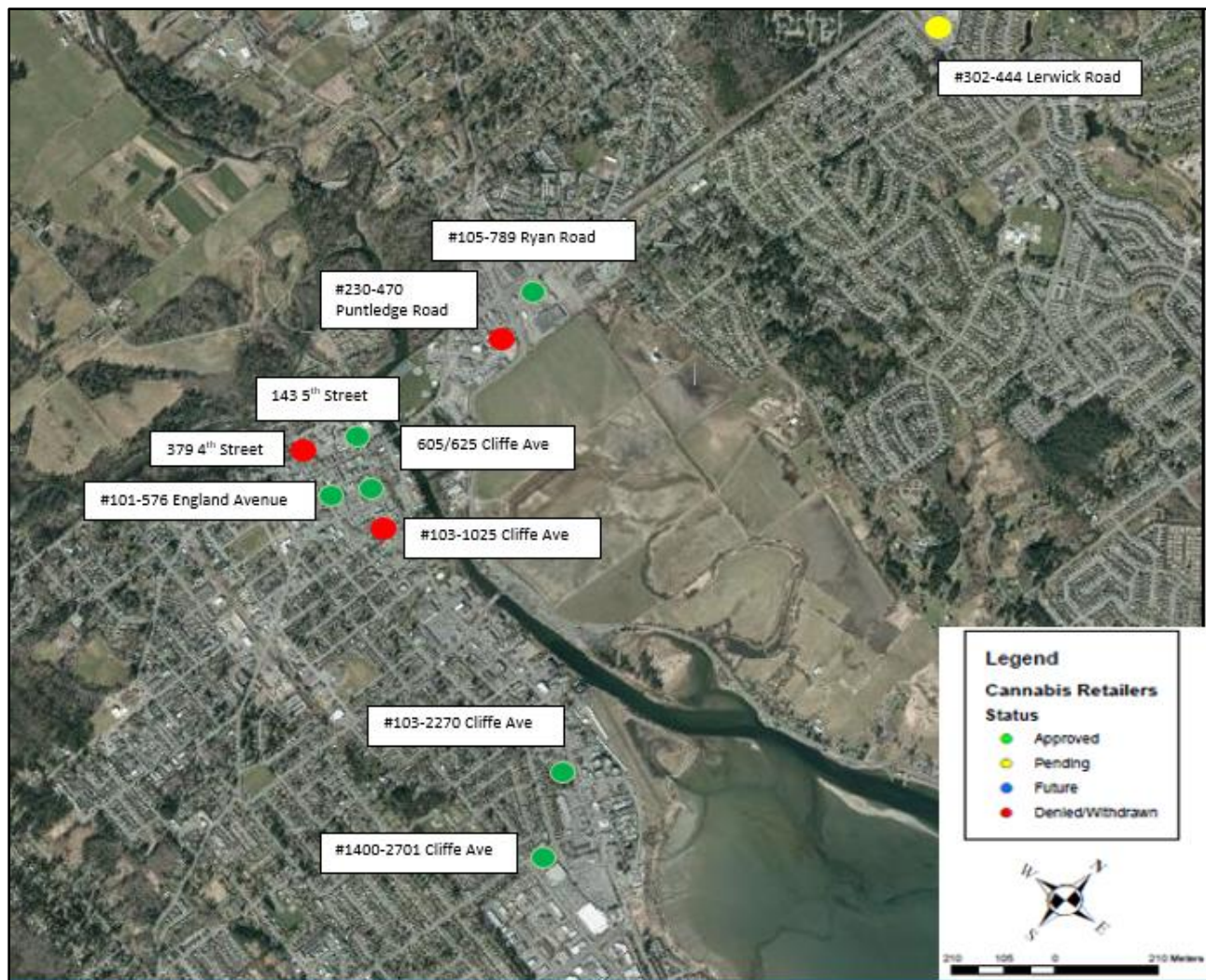
Ian Buck RPP, MCIP
Director of Development Services



Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

Attachment No. 1: Map of Approved, Denied and Withdrawn Cannabis Retail Proposals
Attachment No. 2 Storefront Cannabis Retailers Policy
Attachment No. 3: Provincial Referral to City of Courtenay
Attachment No. 4: Applicant's Eligibility and Suitability Requirements
Attachment No. 5: Public Mail Out Notification, Public Outreach Card and Public Comments
Attachment No. 6: Planning Justification and Impact Analysis Report
Attachment No. 7: Sustainability Evaluation Checklist

ATTACHMENT No. 1
City Storefront Cannabis Retail Proposals



ATTACHMENT No. 2
Storefront Cannabis Retailer Policy

City of Courtenay Policy Page 1 of 2

Section 13 - Planning and Development	Policy #
Subject: Storefront Cannabis Retailers	Revision # 1

The purpose of this policy is to outline the criteria that may be considered by City Council as part of a rezoning application or temporary use permit application to allow for retail cannabis sales at a particular location. This policy is intended to guide applicants and City staff as part of the application process but it is not intended to fetter Council's discretion when dealing with individual applications, each of which will be evaluated on its own merits.

This policy was established in response to the legalization of cannabis by the federal government and the potential unregulated proliferation of storefront cannabis retailers. It is intended to address potentially adverse community impacts of storefront cannabis retailers, including inappropriate exposure of minors to cannabis and the undesirable concentration of storefront cannabis retailers.

B. DEFINITIONS

Applicant means an applicant for a rezoning that would allow for a storefront cannabis retailer at a particular location.

Storefront Cannabis Retailer means a premises where cannabis is sold or otherwise provided to a person who attends at the premises.

C. POLICY STATEMENTS

Rezoning Considerations

1. Storefront cannabis retailers will only be considered in an established retail location where the current zoning permits retail sales.
2. A storefront cannabis retailer should be:
 - a. at least 300 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school.

AUTHORIZATION:	DATE:
-----------------------	--------------

ATTACHMENT No. 2
Storefront Cannabis Retailer Policy

City of Courtenay **Policy** **Page 2 of 2**

Section 13 - Planning and Development	Policy #
Subject: Storefront Cannabis Retailers	Revision # 1

- b. at least 400 m (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active on that lot.
 - c. at least 300m from a City owned playground facility including the spray park and skateboard parks.
- 3. Cannabis sales are not permitted at special events, public markets or farmers markets.
- 4. This Policy does not limit Council from considering variances to the separation distances noted in (2) based on circumstances related to a specific application.
- 5. The off-street parking requirements applicable to retail stores as outlined in Division 7 of Zoning Bylaw 2500, 2007 and amendments thereto will apply to storefront cannabis retailers.
- 6. Only one storefront cannabis retailer will be allowed per lot.
- 7. The maximum number of storefront cannabis retailers in the City is five (5) private retailers and one (1) Government run store.

Application Process

The applicant must undertake all of the standard processes required for a rezoning application pursuant to Development Application Procedures Bylaw No. 2790, 2014 and amendments thereto.

AUTHORIZATION:	DATE:
-----------------------	--------------

ATTACHMENT No. 3
Provincial Referral to City



Job # 003173

April 24, 2020

Via email: tsetta@courtenay.ca

Tatsuyuki Setta
Manager of Planning
City of Courtenay

Dear Tatsuyuki Setta,

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: COAST RANGE CANNABIS LTD.
Proposed Establishment Name: Coast Range Cannabis
Proposed Establishment Location: #302 - 444 Lerwick Rd , Courtenay , V9N0A9

The Applicant, COAST RANGE CANNABIS LTD., has applied to the Liquor and Cannabis Regulation Branch (LCRB) for a Non-Medical Cannabis Retail Store (CRS) licence proposed to be located at the above-noted address. The applicant contact is Sheila Rivers. They can be reached at 250-218-9701 or via email at sheila@coastrangecannabis.com.

Local governments and Indigenous nations are a crucial part of the licensing process. Section 33(1) of the [Cannabis Control and Licensing Act](#) prevents the LCRB from issuing a CRS licence without a positive recommendation regarding the CRS licence application from the local government or Indigenous nation.

The LCRB is requesting the City of Courtenay to consider the application and provide the LCRB with a written recommendation with respect to the application. To assist with your assessment of the application, a site map of the proposed cannabis retail store is attached. The following link opens a document which provides specific and important information and instructions on your role in the CRS licensing process, including requirements for gathering the views of residents.

[Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores](#)

OR

[Indigenous Nations' Role in Licensing Non-Medical Cannabis Retail Stores](#)

The LCRB will initiate an applicant suitability assessment regarding this CRS application, also known as a "fit and proper" assessment of the applicant and persons associated with the applicant. Once the assessment is complete, you will be notified of the LCRB's determination. You may choose to withhold your recommendation until the LCRB has made a final decision regarding the applicant's suitability.

Liquor and Cannabis
Regulation Branch

Mailing Address:
PO Box 9292 Stn Prov Govt
Victoria BC V8W 0J8

Location:
645 Tyee Road
Victoria BC V9A 6K5
Phone: 250 952-5787
Facsimile: 250 952-7066

Website:
www.gov.bc.ca/cannabisregulationandlicensing



If you choose not to make any recommendation regarding this application, please contact the LCRB at the earliest convenience. Please note that a Cannabis Retail Store Licence cannot be issued unless the LCRB receives a positive recommendation from the local government or Indigenous nation. Similarly, if a local government or Indigenous nation decides not to make any recommendation, the LCRB will not consider the application any further.

If you have any questions regarding this application, please contact me at #778-974-4274 or Tracy.Altman@gov.bc.ca.

Sincerely,

Tracy Altman
Senior Licensing Analyst

Attachment: Site Plan

copy: Sheila Rivers

ATTACHMENT No. 4
Applicant's Eligibility and Suitability
Requirements



September 3, 2020

Job #003173

via email: tsetta@courtenay.ca

Tatsuyuki Setta
Manager of Planning
City of Courtenay

Re: Application for a Non-Medical Cannabis Retail Store Licence
Applicant: COAST RANGE CANNABIS LTD.
Proposed Establishment Name: Coast Range Cannabis
Proposed Establishment Location: #302 - 444 Lerwick Rd, Courtenay BC

The Liquor and Cannabis Regulation Branch (LCRB) has completed its assessment of the eligibility and suitability requirements of the *Cannabis Control and Licensing Act* ("the Act") for Coast Range Cannabis, including the persons associated with Coast Range Cannabis.

This letter confirms that based on the application, the General Manager has determined that the applicant is presently fit and proper for the purposes of the Act. Please note that the General Manager has the authority under the Act to assess whether an applicant or licensee is fit and proper at any time during the application process or during the term of the licence.

One of the requirements that must be met before the issuance of a Non-Medical Cannabis Retail Store licence under the Act is a positive recommendation from the local government and/or Indigenous nation of the area in which the proposed retail store would be located. The remainder of the licensing process depends in part upon this recommendation. The General Manager must take the recommendation into account in deciding whether to issue the Cannabis Retail Store licence to the applicant. If the local government or Indigenous nation has decided or decides that it will not make a recommendation regarding this application, please contact the LCRB at your earliest convenience.

For more information on roles of local governments and Indigenous nations, please see the following links.

https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/documents/local_government_role_in_licensing_cannabis_retail_stores.pdf

OR

https://www2.gov.bc.ca/assets/gov/employment-business-and-economic-development/business-management/liquor-regulation-licensing/documents/indigenous_nation_role_in_licensing_cannabis_retail_stores.pdf

If you have any questions, please feel free to contact me at 778-974-4274.



Sincerely,

A handwritten signature in dark ink, appearing to read "Tracy Altman".

Tracy Altman
Senior Licensing Analyst

copy: Applicant
Rupi Gill, Provincial Director Compliance

ATTACHMENT No. 5
Public Mail Out Notification, Public
Outreach Card and Public Comments

**PUBLIC INFORMATION MAIL OUT
PROPOSED ZONING AMENDMENT BY-LAW NO. 3010, 2020
UNIT 302, 444 LERWICK ROAD
CROWN ISLE SHOPPING CENTRE**



Application Date: June 8, 2020
Application Number: RZ00047
Applicant Information:
Attn: South Coast Consulting
189 Clare Avenue
Port Colborne, ON L3K 5Y1
Tel: 905-733-8843
Email: steven.p.rivers@gmail.com

This property is presently designated in the Official Community Plan as: COMMERCIAL SHOPPING CENTRES and zoned as: COMPREHENSIVE DEVELOPMENT ONE F ZONE (CD-1F)

An application has been made to allow a text amendment to the Comprehensive Development One F Zone (CD-1F) to allow "Storefront Cannabis Retailer" as a permitted use at this particular location.

To get more information view relevant documents on The City of Courtenay website:
www.courtenay.ca/devapptracker (search by file number or address)

Or Visit: City of Courtenay, Planning Department
830 Cliffe Avenue
Courtenay, BC V9N 2J7
Tel : 250-703-4839 Fax: 250-334-4241
Email: planning@courtenay.ca

Information requests and comments may also be submitted to local business Coast Range Cannabis at: sheila@coastrangecannabis.com. Your support of local business is appreciated.

Please return your comments by July 13th, 2020.

Comments can be submitted to the City of Courtenay by one of the following methods:

- Drop your comment sheet off in the drop box located at the front entrance of the City of Courtenay or mail: City of Courtenay, Planning Services Department, 830 Cliffe Avenue, Courtenay BC V9N 2J7
- Email your comments to planning@courtenay.ca
- Fax your comments to 250-334-4241



WHO WE ARE

Coast Range Cannabis is a locally-owned provincially licenced cannabis retailer. Our first location, which opened October 2019, is located at 221C Church Street, Comox, next to the Church St. Bakery.

At Coast Range Cannabis, we are insatiably curious with an ardent desire to pass along our knowledge through the highest level of customer service in a fun and creative atmosphere.

We look forward to opening our second location in Crown Isle where we will curate local, safe, Health Canada approved products such as topicals, edibles, CBD oils, organic and award-winning flower while supporting Vancouver Island and B.C growers first.



*Design concept for Coast Range Cannabis
Crown Isle at 302-444 Lerwick Rd.*

YOUR SUPPORT IS APPRECIATED

The City of Courtenay is in the process of gathering public input. Please take a moment to email your support for our local business by **July 13th**. See reverse for full details.

NEIGHBOUR STANDARDS

COAST RANGE CANNABIS

We have operated our Comox location on Church Street since October 2019, where we have proven to be a positive addition to the area. Our customers come from all over the Valley as they prefer our elevated atmosphere, customer service, selection, staff knowledge, and prices. We are excited to make the Coast Range experience more accessible with our second location in Crown Isle.

~

Our **Good Neighbour Standards** below will ensure the addition of Coast Range Cannabis will not be disruptive; we will be a valuable and active part of the community.

Community Involvement - As Comox Valley residents, we are part of the community, and our goal is to further its health and wellness. Our Crown Isle location has pledged \$10,000 to the Comox Community Foundation.

Sustainability - At Coast Range, we work with our suppliers, builders, staff, and patrons to minimize our footprint. We were the first retailer to bring the TweedXTerracycle cannabis recycling program to the Comox Valley. Through this program, we have sent off hundreds of pounds of cannabis packaging to be resued.

Smoking - There are appropriate places to enjoy the cannabis products that Coast Ranges offers, but public areas are not one of them. Through signage and in-store education, we will inform our customers of the by-laws about cannabis use. There will be no consumption on-site.

Odour - All cannabis products are delivered from the Liquor Cannabis Control Branch of BC. Each product comes sealed in an airtight jar. We do not sell "bulk products." We use carbon air filters and find these efforts in Comox to neutralize any odours released.

YOUR SUPPORT IS APPRECIATED

The City of Courtenay is gathering public input on the proposed zoning amendment for 302-444 Lerwick Rd. Please take a moment to email your support for our local business.
Please email your note of support to planning@courtenay.ca by July 13th.

QUESTIONS? LET'S CHAT!

My name is Sheila Rivers; I am a local Comox Valley resident and owner/operator of Coast Range. Please contact me with questions or comments at sheila@coastrangecannabis.com.

| [REDACTED]
From [REDACTED]
Sent: Friday, June 26, 2020 9:56 AM
To: PlanningAlias
Subject: RZ00047

This is regarding the above application. I have no concerns with this retailer being in the Crown Isle Shopping Centre. (Coast Range Cannabis)

Thank you,

[REDACTED]
#107-2828 Bristol Way
Courtenay, BC
V9N 0C5

Sent from my iPad

From: [REDACTED]
Sent: Saturday, June 27, 2020 1:44 PM
To: PlanningAlias
Subject: Coast Range Cannabis

Hi there, as a resident of Courtenay, I just want to say that the present Coast Range store is a very professionally run establishment and another location would be an added bonus, and an asset to the valley !!! Thank you [REDACTED]

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

From [REDACTED]
Sent: Friday, June 26, 2020 9:12 AM
To: PlanningAlias
Subject: Coast range canabis

We are the owners of a unit in "The Grove" strata immediately adjacent to Crown Isla Plaza. We support the application of Coast Range Cannabis to establish a retail outlet at Crown Isle Plaza.

[REDACTED] 105 2828 Bristol Way, Courtenay

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

From: [REDACTED]
Sent: Sunday, June 28, 2020 5:25 PM
To: PlanningAlias
Subject: Fwd: Application#RZ00047, Proposed Zoning Amendment By-Law No.3010,2020

>>
>> City of Courtenay:
>>
>> Zoning amendment 302-444 Lerwick Rd.
>>
>> I do not support the Coast Range Cannabis business in this part of our community. There are already two businesses in the Comox Valley where customers are able to access this product and the businesses are well located with easy access.
>>
>> We live in a community of mostly seniors and would rather see a business that this community could happily support, like a community pub and/or restaurant, where folks could actually walk to and enjoy an evening out.
>>
>> This would make better planning in our area.
>>
>> Thank you!

From: [REDACTED]
Sent: Monday, June 29, 2020 9:22 AM
To: PlanningAlias
Subject: Cannabis at Crown Isle

I strongly object to a cannabis outlet being allowed to operate in the Crown Isle Plaza. There are enough Cannabis stores in the Valley, we need a restaurant/pub, boutique store, shoe store etc.

[REDACTED]
Bristol Way,
Courtenay, B. C.

From: [REDACTED]
Sent: Saturday, June 27, 2020 11:24 AM
To: PlanningAlias
Subject: coast range cannabis, new store

I live on Royal place in crown isle right beside the thriftys plaza,

I support the new store opening at 302 444 lerwick rd

it will save me gas driving all the way to their comox location

I am a regular at their comox location

thanks

[REDACTED]

From: [REDACTED]
Sent: Monday, June 29, 2020 11:46 AM
To: PlanningAlias
Subject: Cannabis retailer

Please be advised that I am totally opposed to Cannabis Retailer opening shop in our neighborhood. There are enough locations between Comox and Courtenay and we certainly don't need another one here. I have personally seen some of the cliental that some of these stores attract and I strongly suggest they look and another location. We do not need them here. I hope when the counts are in that we have access to the results.
Thankyou

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

From: [REDACTED]
Sent: Monday, June 29, 2020 10:47 AM
To: PlanningAlias
Subject: None

We absolutely don't want another cannabis store. There are 2 in Comox 3 in Courtenay and 1 going in near the Casino thank you.. This is too close to the high school. Most people in this area have vehicles and can drive to any of these places. Definitely not welcome.

Sent from my iPad

From: [REDACTED]
Sent: Saturday, June 27, 2020 11:43 AM
To: PlanningAlias
Subject: 302-444 LERWICK RD. ZONING AMMENDMENT

Our names [REDACTED] and we are writing this to offer our wholehearted support to Coast Range Cannabis in their efforts to establish a retail Cannabis store at #302-444 Lerwick Rd.
With no retail Cannabis stores on this side of the city, we feel our area is completely under serviced. The addition of this store would benefit the entire area of East Courtenay.
We support private enterprise, local ownership and refuse to fight our way through that horrible parking lot at the bottom of the hill to try and access the Government store.
Currently we drive over to Comox to shop at the Coast Range Cannabis store on Church street. There we find a nicely designed, spotless store staffed by highly knowledgeable and helpful professionals willing to spend time with their customers and answer any questions they may have. We are confident this level of competence and professionalism will be on full display at their new location on Lerwick Rd.
We urge council to approve this zoning amendment.

Thank you

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

From: [REDACTED]
Sent: Saturday, June 27, 2020 5:25 PM
To: PlanningAlias
Cc: Howard Siebert
Subject: Application Number RZ00047- Storefront Cannabis Retailer

I do not support a zoning amendment of By-Law No. 3010,2020to allow a storefront Cannabis retailer to locate on the Thrifty's Mall.
I do not feel it is appropriate for our neighbourhood and would detract from the image that we feel proud of in our part of Courtenay.
I do not think the local residents would want or need to avail themselves of the services this facility proposes to offer..

To be clear I am strongly opposed to the proposed amendment.

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

From: [REDACTED]
Sent: Saturday, June 27, 2020 5:34 PM
To: PlanningAlias
Cc: sheila@coastrangercannabis.com
Subject: Application#RZ00047, Proposed Zoning Amendment By-Law No.3010,2020

City of Courtenay:

Zoning amendment 302-444 Lerwick Rd.

I do not support the Coast Range Cannabis business in our community. There are already two businesses in the Comox Valley where customers are able to support this business. The businesses are well located with easy access to them.

We live in an 80% retired community. I would rather see a business that this community would support like a community pub and restaurant, where folks could actually walk to and enjoy an evening out.

This would make better use of a facility in our area.

From: [REDACTED]
Sent: Saturday, June 27, 2020 7:01 PM
To: PlanningAlias
Subject: Application RZ00047

Hello

I am a property owner next to the mall area. I am not in favor of having a Cannabis retailer next to me. My work site regularly tests for any marijuana signs. If there is a positive test, my job is at jeopardy. I also do not see the need, there are several stores in the valley right now, and I think a store like this may bring in crime. I bought in Crown Isle because of the type of area, higher end appealing presence. Under store front regulations, cannabis accessories and packaging and labelling of cannabis and cannabis accessories must not be visible from outside the store. I believe a store front of this kind will also not go with the rest of the retail stores and would be an eye soar, as most I have seen, are a big blank wall to the outside, which detracts from the overall appearance of the mall. I believe these cannabis stores would be better suited in industrial areas where appearance is not such an issue.

Regards

From: [REDACTED]
Sent: Monday, June 29, 2020 12:25 PM
To: PlanningAlias
Subject: Reference Proposed Zoning Amendment By-law # 3010,2020

Re: Unit 302-444 Lerwick Road, Crown Isle Shopping Centre

Application to allow "Storefront Cannabis Retailer" as a permitted use at this particular location.

My wife and I reside at 843 Monarch Drive and **we are dead set against having such a retail outlet located at the noted location**. This location is approx. 150 yards of our residence and we do not need a store that sells drugs in our neighbourhood under any circumstances. Nor do we need the clientele that it may attract. That type of retail outlet would significantly detract from the property values located in nearby residences, the majority of which are owned by seniors who do not need their financial situation degraded any further than it already is.

Further Monarch Drive and Royal Place are used as a walkway by the students between the local high school and Crown Isle Shopping Centre and they do not need any further enticement to perhaps start on the slippery slope to drug use.

From: [REDACTED]
Sent: Tuesday, June 30, 2020 8:29 PM
To: PlanningAlias
Subject: Proposed Zoning Amendment By-Law No. 3010, 2020

Dear City of Courtenay, Planning Department

We are submitting our comments re: Proposed Zoning Amendment regarding Unit 302, 444 Lerwick Road, Crown Isle Shopping Centre.

We are not in favour to allow "Storefront Cannabis Retailer" as a permitted use at this location for the following reasons:

1. There are already a sufficient number of cannabis retailers operating within the Comox Valley to serve cannabis users.
2. Increased traffic as a result of such a business.
3. There is a greater need for other types of business such as a pub/restaurant, e.g., Olive Garden, Brown's Social House, etc.

Sincerely,

[REDACTED]
Unit 117 – 2828 Bristol Way
Courtenay, BC V9N 0C5

-----Original Message-----
From: [REDACTED]
Sent: Wednesday, July 1, 2020 11:49 AM
To: PlanningAlias
Subject: Coast Range Cannabis, proposed Crown Isle Location

I am NOT in favour of having yet another Cannabis store in the Courtenay/Comox area.

It was very proactive of the proposed owners to canvas the area and talk to residents who might be affected by the location of the new store. Their reasons for a store in this location didn't sway me to their side:-

A) The "high end products" to be sold at this location implies that either their products elsewhere are not of the same standard, or, they intend to up the prices to 'gouge' local residents as they think residents of this area can afford to pay more.

If the prices are higher, then people will continue to drive elsewhere to get the product.

B) The fact that they think people will walk to the store, also gives me pause. Does that mean they think patrons might be impaired?

As it is, we have people walking to and from the stores, the majority of whom carry home their own litter etc. The ones who drop wrappers, beverage containers etc are the school age kids who walk up from Vanier School during their lunch break. If kids want cannabis, then they are going to find a way to get it, and having a store right on their walk way just gives them one more possibility or opportunity.

If people are going to smoke on their way to and from the store, I really do not want any more in the way of cigaret butts etc. in front of my home for pets, or small children to pick up.

Thank you for your consideration.

>

> -----Original Message-----

> From: [REDACTED]
> Sent: Monday, July 6, 2020 7:10 PM
> To: PlanningAlias <planning@courtenay.ca>
> Subject: Zoning

>

>

> I believe there is no need for more Cannabis Retailers in Comox Valley right now, the ones there is here don't seems that busy. Bad idea

> [REDACTED]

Fri 03/07/2020 9:25 AM

Zoning Amendment

PlanningAlias

Follow up. Start by July-03-20. Due by July-03-20.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22

Just a short note re: proposed zoning amendment By-Law No. 3010, 2020 – Unit 302, 444 Lerwick Road.

I live close by the subject property on Royal Place and would have no problem/concerns with this proposed zoning amendment.

July 3-2020

Re: Application # RZ 00047

By-Law No 3010, 2020

This is to advise that I am totally opposed to ANY

Storefront ~~Cannabis~~ Cannabis Retailer setting up and doing business anywhere at Crown Isle Plaza and area!

There are three schools, a hospital, a college within walking distance of the proposed location.

We already have undesirable activities taking place at Pinegrove Park which is just across from Crown Isle Plaza and the proposed Cannabis Retail store.

We do not want this business in our neighbourhood!

We do not need this business in our neighbourhood!

It is totally irresponsible to even request permission for

a Cannabis Retailer to set up business in such a sensitive

area with so many vulnerable students around.

Does anyone really care or is it just money, money, money!



Mon 7/13/2020 9:33 PM

To: PlanningAlias

We removed extra line breaks from this message.

Re Proposed Zoning Amendment By-Law No. 3010, 2020

Unit 302, 444 Lerwick Rd, Crown Isle Shopping Centre

I believe that we have sufficient Storefront Cannabis Retailers already located

in the Courtenay/Comox area, and that Application Number RZ00047, dated June 8th 2020 for

a Storefront Cannabis Retailer located in Unit302, Crown Isle Shopping Centre, is neither needed nor necessary.

Crown Isle Resident

-----O
From:
Sent: Monday, July 13, 2020 4:38 PM
To: PlanningAlias
Subject: Response to application number RZ00047

To whom this might concern,

I received your public information mail out about the by-law amendment to allow a storefront cannabis retailer into the Crown Isle Shopping Centre. I think that any business willing to take the financial risk of opening a storefront in these trying times should be given the opportunity to do so. The provision should be that what is being sold is legal and that all associated laws and rules are observed, which I believe to be the case. The plus side is that said business will be providing some employment as well as contributing to the tax base of the city. What this particular store will be selling is of no interest to myself or my wife so my response has no self serving purpose. We will probably never set foot in the store. I believe that the owners should be able to take the risk of having their enterprise succeed or fail without the heavy hand of government making that decision for them. With the recent hysteria over covid driving many small businesses into bankruptcy every opportunity to add a business should be embraced.

Cc: PlanningAlias; sheila@coastrangercannabis.com

Follow up. Start by Monday, June 29, 2020. Due by Monday, June 29, 2020.

- > On Jun 27, 2020, at 5:34 PM,
- >
- > City of Courtenay:
- >
- > Zoning amendment 302-444 Lerwick Rd.
- >
- > I do not support the Coast Range Cannabis business in our community. There are already two businesses in the Comox Valley where customers are able to support this business. The businesses are well located with easy access to them.
- >
- > We live in an 80% retired community. I would rather see a business that this community would support like a community pub and restaurant, where folks could actually walk to and enjoy an evening out.
- >
- > This would make better use of a facility in our area.
- >

ATTACHMENT No. 6
Planning Justification and Impact Analysis Report

**PLANNING POLICY JUSTIFICATION
AND
IMPACT ANALYSIS REPORT**

**For
Coast Range Cannabis Inc.**

Re:

**Crown Isle Shopping Centre
Unit 302, 444 Lerwick Road, City of Courtenay**

Prepared By:
South Coast Consulting
Land Use Planning and Development Project Management

Table of Contents	
INTRODUCTION.....	5
Coast Range Cannabis.....	5
DESCRIPTION OF THE PROPOSAL.....	7
AGENCY AND PUBLIC COMMENTS.....	10
Agency Comments	10
Planning Division Comments/Questions.....	10
Summary of Referral Comments.....	10
City Fire	11
First Nation.....	11
Comox Valley RCMP	12
Utilities and Service Providers	12
Public Mail Out, Sign, and Neighbourhood Canvas Comments and Response	12
SITE CONTEXT.....	14
POLICY AND PLANNING ANALYSIS	14
Comox Valley Regional Growth Strategy	19
Official Community Plan	19
Storefront Cannabis Retailer Policy	20
Rezoning Considerations.....	23
Number of Stores.....	23
EVALUATION	25
SUMMARY AND CONCLUSIONS	28
OPINION & RECOMMENDATIONS	29
CLOSING	29
ANNEX 1 SITE PLAN.....	31
ANNEX 2 SURVEY	34
ANNEX 3 EXCERPTS FROM RELEVANT DOCUMENTS	35

Comox Valley Regional Growth Strategy	35
A Blueprint for Courtenay / City of Courtenay Official Community Plan	36
Storefront Cannabis Retailers Policy.....	38
Number of Stores	39
Distance between Stores	39
Rezoning Considerations.....	40
The Zoning By-Law (By-Law 129-90)	41

PLANNING POLICY JUSTIFICATION AND IMPACT ANALYSIS REPORT

**Crown Isle Shopping Centre
Unit 302, 444 Lerwick Road, City of Courtenay**

INTRODUCTION

South Coast Consulting, Land Use Planning and Development Project Management was retained on 2020-04-30 by Coast Range Cannabis Inc. to write this Planning Policy Justification and Impact Analysis Report. A Zoning By-law Amendment application was submitted to allow a storefront cannabis retailer in an existing commercial building. The purpose of this Planning Policy Justification and Impact Analysis Report is to review a proposed for a Storefront Cannabis Retailer at the Crown Isle Shopping Centre, 444 Lerwick Road, specifically the approximately 190 square metres gross floor area of Unit 302.

The Subject Property is **designated Commercial Shopping Centers** in the City of Courtenay Official Community Plan, as illustrated in *Figure A3.1, City of Courtenay Land Use Plan Excerpt*, in Annex 4. The Courtenay Zoning By-law zones the Subject Property **Comprehensive Development Zone 1F (CD-1F)** as illustrated in *Figure A3.2, City of Courtenay Zoning Map Schedule No.8 Excerpt*, in Annex 4.

Coast Range Cannabis

The family behind Coast Range Cannabis is actively involved in the Comox Valley community, already owning and operating two successful businesses. Coast Range Cannabis is a Comox Valley based business that has brought excellence in the retailing of cannabis product to Comox. Coast Range Cannabis has a strong reputation for its first-rate operation, its quality products, and professional management and staff. Coast Range Cannabis's philosophy is to engage and support its community and have a visible commitment of giving back in many ways.

The Coast Range Cannabis family have managed and operated businesses in the Comox Valley since 2016, opening Coast Range in the fall of 2019. They are active in many community events with their school age children. Coast Range Cannabis's bookkeeping, legal, and accounting servicers are all located in the Comox Valley as are all of the management and staff.

Sheila Rivers leads Coast Range Cannabis as its owner and manager. She is a marketing and communications professional with over ten years of experience in business operations. Sheila's background in media relations through managing the communications for Mt. Washington Alpine Resort, has positioned her well to be one of the primary spokespeople for private retail cannabis in BC. Coast Range was featured



Province-wide with the launch of the 2.0 cannabis products, and Island-wide with feature stories on 2.0 products and COVID-19's impact on cannabis retail. Additionally, the store has been featured several times in local editorials and radio.

Sheila's ability to find ways to market the store within compliance has built up a robust email database of almost 1000 unique customers.

Coast Range Cannabis has proven it is a responsible local business working within the guidelines of the Federal, Provincial and local municipal governments and its proven reporting and monitoring illustrates its transparency and credibility. Coast Range Cannabis's business strategy and procedures have been developed in its existing retail cannabis storefront on Church Street in Comox and will be carried over to the Crown Isle Shopping Centre location.

Coast Range Cannabis believes its local business can be a driving force for positive change in the community. If this application is approved provincially and a business licence is ultimately issued by the City of Courtenay, Coast Range Cannabis will offer a cash continuation \$10,000 towards affordable housing in Courtenay. Additionally, as with our Comox store, we will set up proceed donation days to local charities throughout the year.

DESCRIPTION OF THE PROPOSAL

This section of the Report provides details about the proposed uses. The Description of the Proposal also provides a brief description of the other technical supporting studies submitted as a part of the complete application, in support of the zoning by-law amendment application and how these relate to applicable planning policies (i.e. the City Official Community Plan and the Storefront Cannabis Retailers Policy).

The [Floor Plan](#) is indicative at this point in the development process, reflecting a desirable development scenario for the Subject Property and is an articulation of established best practices in the design of storefront cannabis retail businesses.

The applicant proposes to rezone one of the units within the overall complex. This means that the "storefront cannabis retailer" use will only be allowed in unit #302 should this amendment be successful, as illustrated in [Figure 1, Subject Property](#).

Coast Range Cannabis will lease retail unit #302 to establish a cannabis storefront within the existing commercial building. The company selected this particular location due to its location within an underservice area of the City of Courtenay. The floor area of the proposed store is approximately 98 square metres (1,050 square feet), which includes retail space that will be visible to customers. The retail unit also includes a bathroom, secure storage area, and office space.

New signage is proposed at the entrance and interior improvements including the installation of: walls, retail POS, counter tops; lighting, shelving; cabinetry; and security equipment. Exterior work is limited to the installation of security equipment. Coast Range Cannabis will make a separate sign and building permit applications to allow these signs. Any exterior work to the retail unit would be limited to the new signage and fenestration. The proposed plans are illustrated in *Figure 2, Floor Plan*.

Figure 1: Subject Property

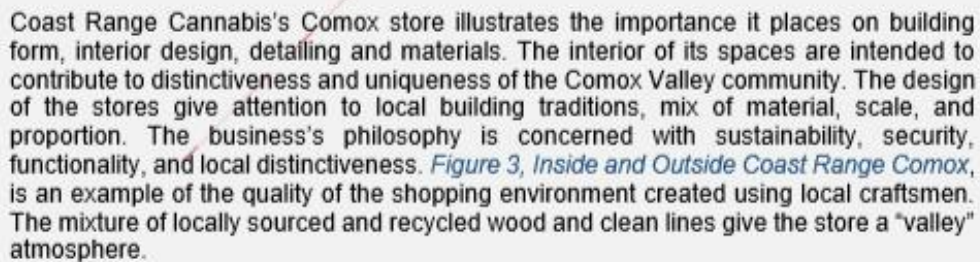


The store would be open to the public between 9 am and 9 pm Monday through Sunday, except:

- Remembrance Day (shortened hours)
- Christmas Eve (shortened hours)
- Christmas Day

The store will be managed by five staff and a manager. All other operational requirements including security requirements are regulated by the provincial licencing regulations.

FLOOR PLAN WITH SECURITY



AGENCY AND PUBLIC COMMENTS

Agency Comments

Planning Division Comments/Questions

Off-Street Parking for Storefront Use:

Zoning Bylaw No. 2500 requires commercial shopping centres to provide parking spaces at a rate of 1 space per 22.5m². Based on the floor area indicated in the application (98m²) four parking spaces will need to be provided. Please provide the Planning Division with a plan demonstrating where the four parking spaces for the proposed storefront retailer will be located onsite.

Response The accompanying Site Plan drawings illustrate the provision of the required parking spaces.

Proposed Exterior Signage:

Please note that exterior signage is subject to the regulations contained within the City of Courtenay Sign Bylaw No. 2760. An approved sign permit from the City is required prior to any signage being posted on the exterior of the building.

Response A sign permit will be applied for.

City of Courtenay Cannabis Policy:

In 2018 City Council adopted the Cannabis Retailers Policy. In accordance with this policy (7) the City has already approved 6 Cannabis Retailers within the City including 5 private retailers and 1 government run store.

Response The Planning Justification and Impact Analysis Report provides the basis for Council to approve the Zoning By-law Amendment application.

Summary of Referral Comments

City Building Department

The applicant must comply with all Provincial, Federal, and City of Courtenay Regulations / Acts / Bylaws relating to the Manufacture and Sale of Cannabis.

Summary of Referral Comments

City Building Department

The applicant must comply with all Provincial, Federal, and City of Courtenay Regulations / Acts / Bylaws relating to the Manufacture and Sale of Cannabis.

Response The applicant understands these requirements and is pursuing the appropriate approvals.

Building permits are to be applied for and approved for any alterations or additions to the spaces including the addition or relocation of walls, doors, and plumbing fixtures.

Response The applicant understands the requirement for building permits and will make applications for any alterations or additions to the spaces including the addition or relocation of walls, doors, and plumbing fixtures.

Window coverings and security grills to comply with the City's Sign Bylaw and Business license bylaw in relation to "Store Front Cannabis Retailers".

No security bars are to be located within one meter of window that may be seen outside of the premises.

The retailer must install and maintain an air filtration system that effectively minimizes odour impacts on neighbouring properties.

Response The applicant understands these requirements and will install required window coverings and security grills and a carbon filter in the HVAC system to minimize any odours. Coast Range will secure the perimeter of its facility to prevent unauthorized intrusion. For its storage, it will implement the following measures to secure the perimeter of our building: video surveillance; clear security film on exterior windows; and, security lighting and alarm systems.

City Fire

The fire department does not have any concerns with this proposal.

First Nation

The We Wai Kai Nation is in receipt of the above-mentioned application regarding planning referral – RZ000047 (444 Lerwick Road). This application is located within the We Wai Kai statement of intent area; it is the interest of the We Wai Kai Nation to respectfully maintain our rights and access to resources throughout our territory.

The We Wai Kai Nation has no comment at this time regarding this application being issued. Please note that this "No Comment" letter is specifically for this application and is without prejudice to all future consultation with our nation regarding other applications within our traditional territory including the renewal or any alteration of this application.

The We Wai Kai Nation may choose in the future to address the issues of Aboriginal rights and title infringement and compensation through the treaty process, the courts or other dispute resolution process. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above

development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.

Comox Valley RCMP

There are no concerns from the Comox Valley RCMP.

Utilities and Service Providers

Fortis

No conflicts identified.

Emterra

No concerns with regards to this application.

BC Hydro

No concerns regarding this application.

Shaw Cable

No issues with the proposed application.

Public Mail Out, Sign, and Neighbourhood Canvas Comments and Response

The applicant has been judicious seeking public comments. In addition to the required sign and Public Information Mail Out sent to all property owners and business within 100 metres of the Crown Isle Shopping Centre in Annex 6 the applicant hand delivered the Public Outreach Card in Annex 7 to the neighbourhood and discussed the proposal with residents.

Of the 21 comments 14 opposed the proposal and 7 were in favour. The reasons for opposing the proposal varied with there being no demand or need for the business the most quoted. The next most mentioned reason for opposing the proposal was a preference for a pub or restaurant. After that minors buying the product and crime related to the clientele were equally significant as reasons for opposition.

The following table summarizes the concerns of those who objected.

That there is a need or demand for the business is evidenced by the applicants desire to open in a second premises in an underserved location in east Courtenay. In the Comox Valley Regional District the 20+ population is 44,745. This provides a total market of 10,291 with 3,396 being daily users.



Reason	Number
No Demand / Need	9
Product Quality	1
Pricing	1
Impaired Patrons	1
Litter by Minors	1
Use by Minors	4
Cigarette Butts	1
Sufficient Number	1
Traffic	1
Prefer Drinking Establishment	5
Cienteles / Crime	4
Property Value	1
Blank Façade / Appearance / Neighbourhood Image	2

There are currently four restaurants in the Crown Isle Plaza and the Thrifty store also has a dining area. Other restaurants are within walking distance including the Silverado Steak House and the Timber Room Grill.

Coast Range Cannabis does not sell to minors.

Other concerns always raise for any proposal are traffic and property values. Traffic in and out of Crown Isle Plaza is a function primarily of the gross floor area of all the uses with the major generators already located there. Traffic generated has already been considered in previous approvals for the development of the Plaza based on the gross floor area of the permitted uses. A storefront cannabis retail use is anticipate to generate no more traffic than the permitted use and probably less than a pub. Land values are not a land use planning consideration and as a result this report has no comment.

Coast Range Cannabis pays its employees above a living wage and provides ongoing education and training. Employee retention is 100% since it opened in the Comox location.

SITE CONTEXT

The site context is intended to provide an understanding of where the proposal is located and the characteristics of the site and the surrounding area. The Subject Property, illustrated in *Figure 1, Subject Property*, where the proposed cannabis storefront is located at the northeast corner of the intersection of Lerwick and Ryan Roads. The proposal is for a storefront cannabis retailer illustrated in *Annex 1, Site Plan* and *Figure 2, Floor Plan*. The Subject Property abuts existing commercial, institutional, and residential uses as illustrated in *Figure 4, Adjacent Land Use Schematic*.

The Subject Property is occupied by a commercial buildings containing multiple retail units including a liquor store, insurance sales, vision care, cleaners, restaurants, a medical clinic, coffee shops, chocolates, grooming, clothing, a bank, department, and grocery stores.

POLICY AND PLANNING ANALYSIS

The BC provincial legislation provides local governments with the authority to regulate certain criteria in terms of land use management with respect to non-medical cannabis retail. Similar to the previous storefront applications, the proposal for the Subject Property is evaluated according to the City's Storefront Cannabis Retailers Policy as well as rules and regulations that apply to all zoning amendment applications.

The Policy and Planning Analysis provides the basis for establishing why the proposal should be considered and approved. The Analysis provides an outline of applicable planning policy documents and regulatory context quoting specific policies that are relevant to the proposal. The Analysis establishes the basis for the applications by providing a detailed analysis of the identified relevant policies and explaining how the proposal conforms to the policies.

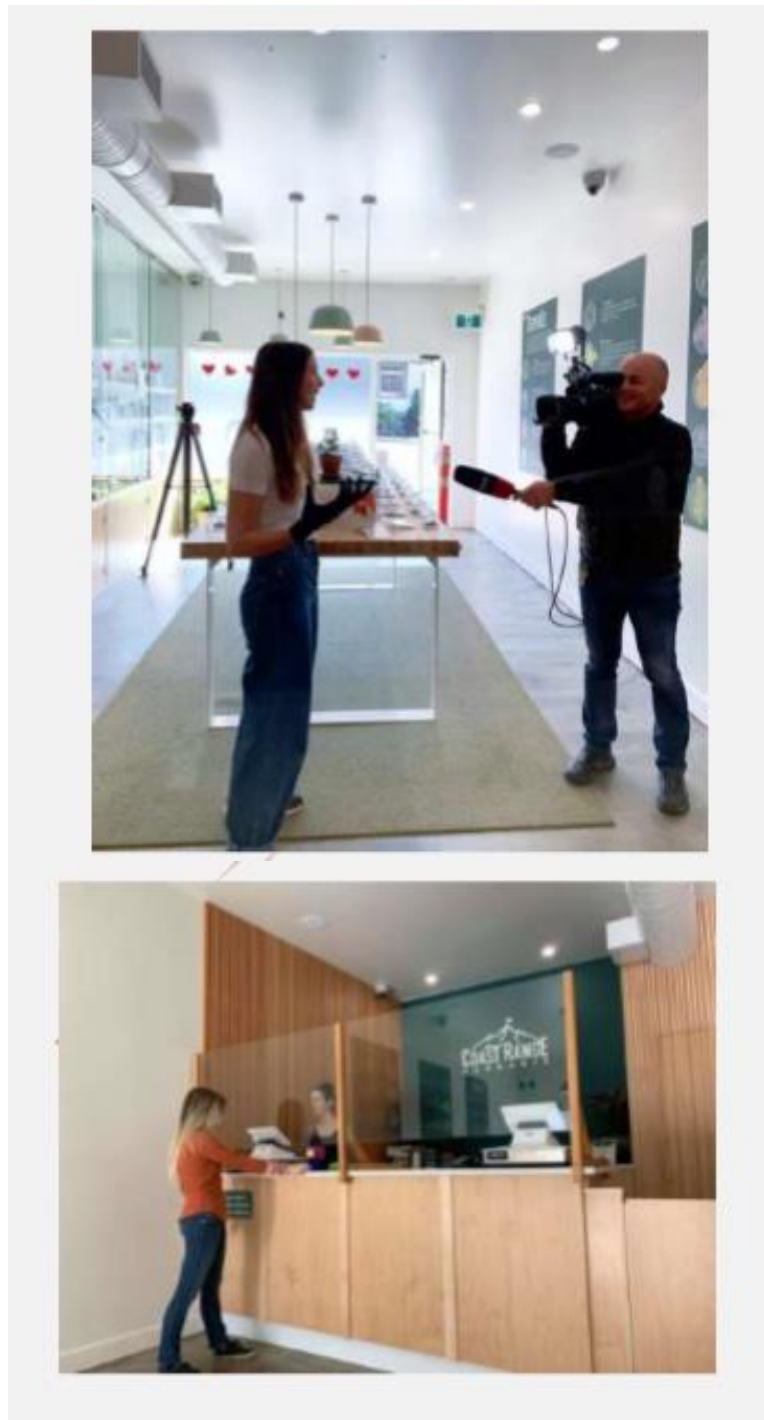
Where changes to the Zoning By-law's permitted uses are proposed, the Analysis discusses the appropriateness of the requested amendments, including the policy basis for requested modifications specific to the proposal. The Comox Valley Regional Growth Strategy, A Blueprint for Courtenay / City of Courtenay Official Community Plan, and Storefront Cannabis Retailers Policy are addressed as part of the Policy and Planning Analysis.

The Policy and Planning Analysis provides the rationale and opinion as to why the proposed zoning by-law amendment is appropriate, in terms of how it addresses good planning principles and the goals and objectives of the policy documents.

Good planning practice directs that the plan and its policies are not written in stone. Planning policies such as those reviewed here, are used to try to reach a goal. They are not to be used as a set of threshold measures where the inability to meet every policy results in a proposal's failure. All of the policies may not be and, based on good planning practice, do not have to be, satisfied as though they are zoning by-law regulations. If, on the balance, the proposal satisfies most of the policies and moves the community towards its stated goals, then the proposal should be given serious consideration for approval.

Figure 3: Inside Coast Range Comox





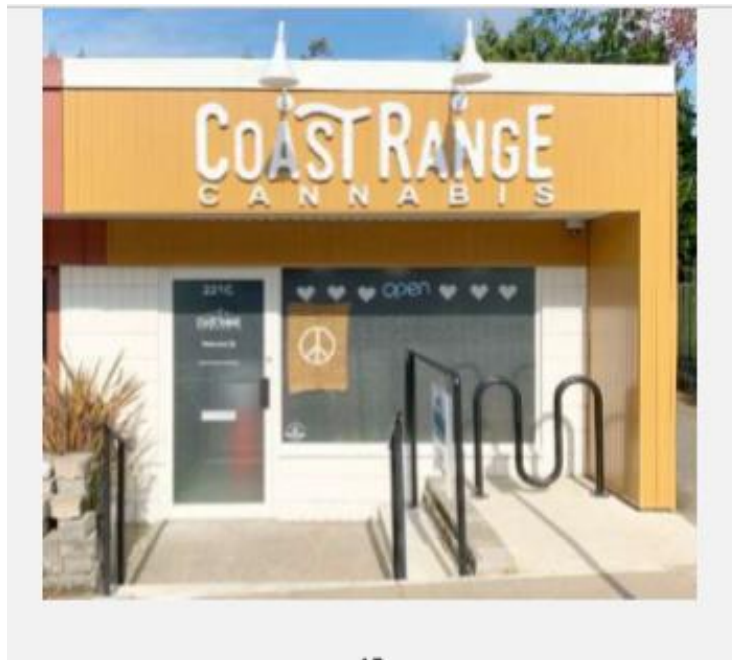




Figure 4: Adjacent Land Use Schematic

Use – Institutional OCP – Public / Institutional Uses Zone – PA-3	Use – Commercial OCP – Commercial Shopping Centers Zone – P	Use –Commercial OCP – Commercial Shopping Centers Zone – CD-1F
Use - Residential OCP – Multi Residential and Parks and Recreation Zone – MH-2 and PA-2	Subject Property	Use – Residential OCP – Mixed Use Zone – CD-1B
Use - Residential OCP - Parks and Recreation Zone – PA-2	Use - Residential OCP – Mixed Use Zone – CD-1B	Use – Residential OCP – Mixed Use Zone – CD-1B

Comox Valley Regional Growth Strategy

The Comox Valley Regional Growth Strategy's (RGS) vision statement describes the desired future for the region:

The Comox Valley will continue to evolve as a region of distinct, well-connected and, well-designed urban and rural communities. As stewards of the environment, local governments, the K'ómoks First Nation, public agencies, residents, businesses and community and non-governmental organizations will work collaboratively to conserve and enhance land, water and energy resources and ensure a vibrant local economy and productive working landscapes.

A goal of the RGS is to *achieve a sustainable, resilient and dynamic local economy supporting Comox Valley businesses and the region's entrepreneurial spirit*. The issue overview states a healthy, strong and diverse local economy is one of the cornerstones of more sustainable and complete communities. The issues overview points out that without a strong local economy, Comox Valley local governments may have difficulty funding important services, residents may be forced to work further from their homes, and overall community liveability may suffer.

Objectives of the RGS include:

- supporting local business investment;
- creating a positive business-enabling environment through cooperating on policies and procedures that help to attract new businesses and investment; and
- increasing the regional job base to help create a diverse, dynamic and self-supporting local economy making it possible for the valley's younger population to find work and remain in the community

The proposed zoning by-law amendment aligns with the RGS goals, objectives, and policies to:

- Locate retail and other commercial employment activities within Core Settlement Areas;
- Create a complete community;
- Move the region toward its entrepreneurship vision;
- Adds to the solid tax base to better support local service delivery;
- Support local business investment; and
- Provide employment opportunities.

Official Community Plan

The Official Community Plan (OCP) is a statement of the City's long term vision of the community setting the direction locations of commercial uses to minimize travel patterns, costs, and environmental impacts.

The vision is for a City to become the most liveable community in the province and to be the centre of commerce for the Comox Valley. One of the goals providing the foundation of this vision is moving toward a greater balance of development between the east and the west sides of Courtenay.

As illustrated on [Figure A3.3, Current Properties Zoned and Proposed for Storefront Cannabis Retailer Use](#) the goal of balance between the east and west sides for storefront cannabis retail use has not been achieved.

The OCP's goal for local economic development is to achieve a sustainable, resilient, and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit. To achieve this goal, there are designated commercial areas, such as the Subject Property, offering a wide range of choice and selection of goods and services. Commercial goals include supporting a strong, diversified commercial base providing employment opportunities.

There are no direct references in the OCP to storefront cannabis retailer use; however, the OCP supports the utilization of existing serviced and designated commercial lands. The proposed zoning by-law amendment provides an entrepreneurial business in a location:

- Minimizing travel patterns, costs, and environmental impacts by balancing storefront cannabis retailer uses between the east and the west sides;
- Achieving a sustainable, resilient, and dynamic local economy;
- Supporting the entrepreneurial spirit in a designated commercial area; and
- Providing employment opportunities.

[Storefront Cannabis Retailer Policy](#)

The Storefront Cannabis Retailers Policy restricts the retail sale of cannabis in the City and provides guidance for staff and applicants on locating retail stores. It does not fetter Council's decision-making authority in relation to each application, which would ultimately be considered on its own merits.

The Federation of Canadian Municipalities Municipal Guide to Cannabis Legalization provides the following options for land use management of retail trade of cannabis:

- Policy options:
 - Allow and issue an authorization for cannabis shops. Permit this as you would any other business in a commercial district;
 - Carve this type of retail sales out of existing permitted use categories. Only permit cannabis businesses at particular locations or under the authority of a special permit; and

- Prohibit cannabis retail stores completely if the enabling legislation permits the prohibition of uses;
- Regulatory options:
 - Make no regulatory change, or amend existing regulations to make it clear that retail cannabis sales are included in permitted retail trade land use categories;
 - Amend existing permitted use categories to exclude retail cannabis sales activities, except at specific locations or under the authority of a special permit, from all land use categories that could conceivably include the use; and
 - Add these activities to a list of prohibited uses.

The Federation of Canadian Municipalities Municipal Guide to Cannabis Legalization also provides the following options for business regulation of retail trade of cannabis:

- Policy options:
 - Simply allow the activities to occur within existing business regulations as business activities, which may or may not require a business licence under the applicable regime and which are not subject to any particular regulations; and
 - Specifically regulate cannabis retail businesses to address issues related to these types of businesses, if the provincial/territorial enabling legislation permits this;
- Regulatory options:
 - Make no regulatory change, or amend existing regulations to specify the applicable business licence fee for this category of business, if the enabling legislation permits this; and
 - Amend existing regulations to set out specific business regulations for cannabis retail businesses, if the enabling legislation permits this.

In the Cannabis Legalization in Your Community, a Primer for BC Local Governments the Union of British Columbia Municipalities provides guidance on land use management, zoning, licensing, and other regulations. In addition to typical land use management responsibilities (e.g. zoning for non-medical cannabis retail operations), local governments have the option to exercise the following authority over non-medical cannabis retail operations:

- Advertising (e.g. signage) requirements beyond those listed in the federal Cannabis Act and BC's Cannabis Control and Licensing Act;
- Distance requirements (e.g. distance between cannabis retail outlets and schools/daycares);
- Odour and noise regulations (e.g. through business licence or nuisance bylaws);
- Hours of operation for retailers (within the 9 a.m. – 11 p.m. provincial restriction);
- Type of permitted retail operations (public, private, both or neither);
- Setting a maximum on the number of provincially approved retail outlets permitted to operate within a local jurisdiction (capping the number of non-medical cannabis retail outlets will create a system similar to the liquor primary licensing system, and will ensure that retail outlets do not proliferate. An uncapped system will allow consumer

demand and profitability to determine the number of non-medical cannabis retail outlets that exist.);

- Security measures beyond the minimum security requirements listed in the Cannabis Retail Store Licence Terms and Conditions Handbook; and
- Application fee to cover costs associated with assessing a retail application, in order to provide comments and recommendations on the application.

The Local Governments' Role in Licensing Non-Medical Cannabis Retail Stores document explains the local government's role in providing comments and recommendations regarding non-medical cannabis retail applications. The process can be summarized as follows:

- The Liquor and Cannabis Regulation Branch (LCRB) receives an application, and subsequently notifies the local government;
- The local government has the option to make a recommendation:
 - The local government may choose not to make a recommendation, in which case the licence will not be approved by the LCRB;
 - If the local government chooses to make a recommendation, it must gather the views of residents through written comment, public hearing, referendum or other appropriate method;
 - If the local government ultimately recommends denying the application, LCRB will not approve the licence; and
 - If the local government recommends approving the application, LCRB will have the discretion to approve or deny the licence based on consideration of whether or not the applicant meets the required criteria, but must consider the local government's input/recommendation.

The recommendation provided by the local government must be in writing; show that consideration was given to the proposed store location; outline the views of the local government on potential impacts to the community; include the views of residents (if they were gathered by the local government) and how they were gathered; and, provide a local government recommendation and reasons for this decision. During the time the local government is considering an application, the Province will be conducting a financial integrity assessment and security check on the applicant.

Ultimately a retail licence will not be issued without a positive recommendation from a local government. There is no time limit for local governments to provide a recommendation. Authority to provide comments and a recommendation can be delegated to staff. A local review will occur concurrently with the LCRB's own licence review; the LCRB intends to be in constant communication with the local government during this time.

Rezoning Considerations

The City's Storefront Cannabis Retailers Policy states that storefront cannabis retailers will only be considered in an established retail location where the zoning permits retail sales. Since the land use designation of the subject property is commercial, the proposed location is consistent with the policy. No building alterations are proposed except interior renovations.

As guided by the Policy and as illustrated in *Figure 5, East Courtenay School and Playground Buffers* from the Storefront Cannabis Retailers Policy Staff Report dated 2018-10-04 below, the proposed storefront cannabis retailer is:

- In an established retail location where the current zoning permits retail sales;
- 300 metres (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school;
- 400 metres (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, the Government Store on Ryan Road; and
- 300 metres from a City owned playground facility including the spray park and skateboard parks.

Only one storefront cannabis retailer is proposed on the lot.

Parking is provided for in accordance with Policy 5 of the Cannabis Retailers Policy and Division 7 of the Zoning By-law. A total of 472 parking spaces for the combined retail uses onsite.

Number of Stores

The Policy seeks to limit the maximum number of storefront cannabis retailers in the City to five (5) private retailers and one (1) Government-run store. Through public consultation the City determined the highest proportion of respondents supported an unlimited number of stores or limiting the number to between seven (7) and nine (9) stores. Staff had proposed a limit of five (5) stores, however the report to Council suggested this number increase to six (6). No rationale was given for Staff's recommendation.

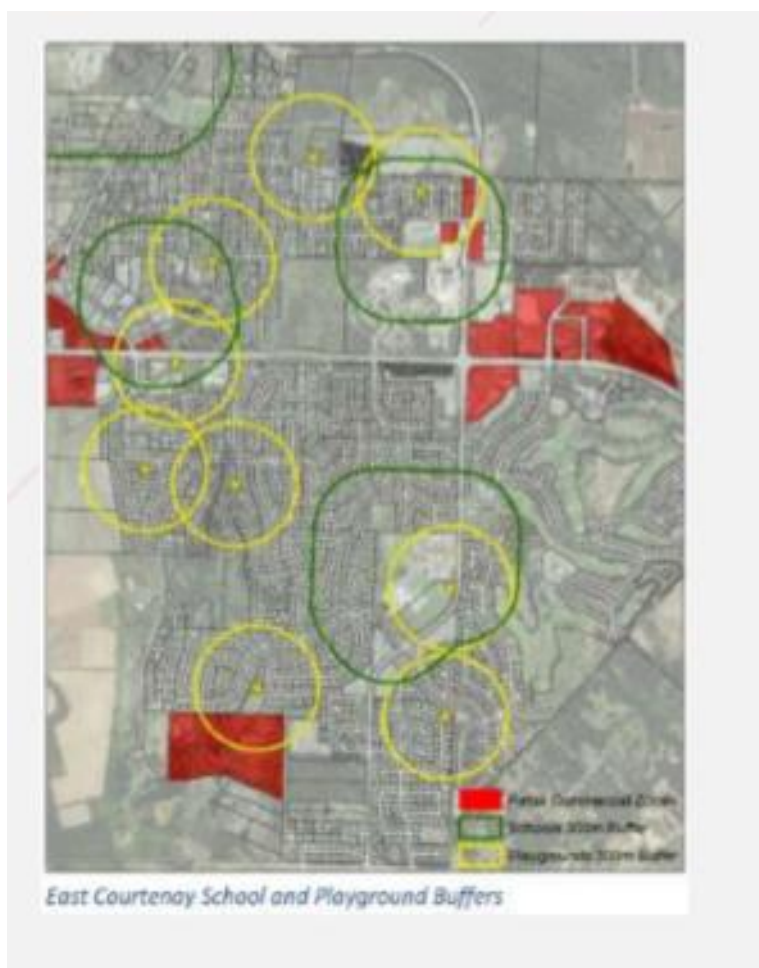
Applications were to be considered on a first-come, first-served basis, as they are referred to the City by the Provincial Government. As government-run stores are not required to apply for licensing through the Provincial referral system, staff recommend that 1 of the 6 stores be allocated for a Government store. The most recent information available from the City and a survey of businesses on the status of storefront cannabis retailers is illustrated in the table below.

This application is considered in recognition of the status of the previous rezonings illustrated in [Table 1, Storefront Cannabis Applications Status](#) summarizing the status of applications considered by Council.

Contrary to the preference from the public the City has limited the number of storefront cannabis retailers and has used the provisions of the Zoning By-law to do it. The LCRB requires that if the City decides to consider the notice of application and to provide comments and recommendations as to the location of the proposed retail store for a Non-Medical Cannabis Retail Store (CRS) licence The City must gather the views of residents of the area if the location of the proposed store may affect nearby residents. Staff opted to use the zoning by-law amendment process and its required public comment and hearing process to review and approve storefront cannabis retailers rather than the process used for liquor licensing.

Unlike in the process for liquor licensing, local governments are not required to provide a recommendation on a cannabis retail store application within a specific time period.

Figure 5: East Courtenay School and Playground Buffers



An alternative to the requirement for a zoning by-law amendment that is used in other municipalities for approval of Liquor Licences is a Council resolution provided within 90 days of accepting the application. The review process involves:

- Staff review – Police, Planning, Engineering and Bylaw Enforcement;
- Public notification including a mailed notice to residents with 100 meters of the establishment and a notice posting for 30 days at the establishment;
- A report to Council considering comments from the staff review and public comments; and
- The report to Council will be shared with the applicant prior to presenting to Council and the opportunity to address or mitigate concerns brought forward will be provided.

Table 1: Storefront Cannabis Applications Status

Application	Location	Zoning Status	Building Permit Status
#1	#1400 – 201 Cliffe Avenue (Driftwood Mall)	Approved 2019-03-04	Had not applied for BP as of 2019-12-05 NOT OPEN
#2	#105-789 Ryan Road (Superstore Shopping Mall)	Approved 2019-03-18 (Government Store)	Approved & Open
#3	143 5 th Street	Approved 2019-04-01	Approved & Open
#4	605/625 Cliffe Avenue (Courtenay Mall)	Approved 2019-05-06	Approved & Open
#5	#103-2270 Cliffe Avenue	Approved 2019-08-19	Approved & Open
#6	#101-576 England Avenue	Approved 2019-09-03	Had not applied for BP as of 2019-12-05 NOT OPEN

EVALUATION

As illustrated in *Table 2: Evaluation of Proposal*, the proposal is consistent the policies guiding storefront cannabis retailers.

The closest cannabis retailer to this proposed store is located at #105-789 Ryan Road (Superstore Shopping Mall), well over 400 metres away.

Regarding the proposed storefront's distance to playground facility, the closest playgrounds and spray and skateboard parks to the Subject Property are over 300 metres away.

Coast Range Cannabis is committed to providing a safe and secure premise and has a zero tolerance for use of cannabis products on its premises. No smoking signs will be posted on the exterior of the building. Coast Range Cannabis's plans include a security camera plan which includes seven (7) cameras within the interior of the storefront. The retail unit will also have an alarm system monitored by Price's Alarms.

Coast Range Cannabis will endeavour to alleviate concerns expressed by neighbouring residents and commercial users regarding the safety and security within the interior and exterior of the proposed storefront and similar to its Comox location, will continue its policy of being a good neighbour.

Policy 7 of the City's Storefront Cannabis Retailers Policy limits the maximum number of storefront retailers to five (5) private and one (1) Government run store. Council has approved the five (5) locations for private retailers and the one (1) location for the government run store. Should this location be approved it will be the sixth private retailer, exceeding the number of private retailers permitted in the policy.

The City's Policy on retail cannabis sales is not a regulatory document and is a guiding policy document when dealing with individual applications, each of which is to be evaluated on its own merits. The policy does not limit Council from considering variances to the separation distances based on circumstances related to a specific application, if Council finds the proposal reasonable.

Only three of the maximum number of six (6) retailers permitted by the City have opened.

Table 2: Evaluation of Proposal

Policy Statements	Policy	Proposal
General Location	Only be permitted in an established retail location where the current zoning permits retail sales	The property is zoned Comprehensive Development Zone 1F (CD-1F), where retail sales are permitted
Distance	<ol style="list-style-type: none"> A storefront cannabis retailer should be: <ol style="list-style-type: none"> At least 300 meters from public or independent elementary, middle or secondary school. At least 400 meters (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active on that lot At least 300 meters from a City owned playground facility including the spray park and skateboard parks This policy does not limit Council from considering variances to the separation distances noted above based on circumstances related to a specific application. 	<p>Outside the 300 metre buffer from any public or independent schools</p> <p>Not within the 400 metre buffer from another cannabis storefront retail use</p> <p>Outside the 300-meter buffer from a City owned playground facility including the spray park and skateboard parks</p>
Restricted at temporary events	Cannabis sales are not permitted at special events, public markets or farmers markets	At a permanent location and scheduled to be open between 9 am and 9 pm daily.
Parking	Satisfactory to the off-street parking requirements outlined in Division 7 of Zoning Bylaw 2500, 2007	Satisfies the off-street parking requirements outlined in Division 7 of Zoning Bylaw 2500, 2007
One store is permitted per lot	Only one storefront cannabis retailer will be allowed per lot.	No other applications are made at this location
The Maximum Number of Retailers Permitted in the City	Five (5) private retailers and one (1) Government operated store in the City	<p>Six (6) previous applications received final approval</p> <p>Only three (4) have opened</p>

SUMMARY AND CONCLUSIONS

The proposed zoning by-law amendment aligns with the RGS goals, objectives and policies to:

- Locate retail and other commercial employment activities within Core Settlement Areas;
- Create a complete community;
- Move the region toward its entrepreneurship vision;
- Add to the solid tax base to better support local service delivery;
- Support local business investment; and
- Provide employment opportunities.

There are no direct references in the OCP to storefront cannabis retailer use, however the OCP supports the utilization of existing serviced and designated commercial lands. The proposed zoning by-law amendment provides an entrepreneurial business in a location:

- Minimizing travel patterns, costs, and environmental impacts by balancing storefront cannabis retailer uses between the east and the west sides;
- Achieving a sustainable, resilient, and dynamic local economy;
- Supporting the entrepreneurial spirit in a designated commercial area; and
- Providing employment opportunities.

As guided by the Policy, the proposed storefront cannabis retailer is:

- In an established retail location where the current zoning permits retail sales;
- 300 metres (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school;
- 400 metres (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, the Government Store on Ryan Road; and
- 300 metres from a City-owned playground facility, including the spray park and skateboard parks.

Only one storefront cannabis retailer is proposed on the lot.

Contrary to the Staff proposed a limit of five (5) stores the public supported an unlimited number of stores. The Staff report to Council suggested this number be increased to six (6). No rationale was given for the number of stores recommended.

Figure A3.3, Current Properties Zoned and Proposed for Storefront Cannabis Retailer Use illustrates the distribution of storefront cannabis retailers which is contrary to the OCP goal of a balance of commercial uses between the east and west sides of the City.

OPINION & RECOMMENDATIONS

The proposed Zoning By-law Amendment:

- Conforms with provisions of the Regional Growth Strategy and Official Community Plan,
- Permits the proposed commercial use in a commercial zone;
- Creates no significant negative impacts, and
- Is good planning.

In my opinion Council direct staff to schedule and advertise a statutory public hearing with respect to the above-referenced proposal.

CLOSING

This report is intended solely for Coast Range Cannabis Inc. (the "Client") in providing the City of Courtenay this requested Planning Justification Report to obtain necessary *Planning Act* approvals for the proposed residential development at 3303 Jarvis Street. This report is prohibited to be used by any other party without written consent by an authorized representative of 2198795 Ontario Limited Operating as Steven P Rivers Land Use, Planning & Development (Steven Rivers. This report is considered Steven Rivers' professional work product and shall remain the sole property of Steven Rivers. Any unauthorized reuse, redistribution of, or reliance on, the report shall be at the Client's and recipient's sole risk, without liability to Steven Rivers. The Client shall defend, indemnify and hold Steven Rivers harmless from any liability arising from or related to the Client's unauthorized distribution of the report. No portion of this report may be used as a separate entity; it is to be read in its entirety and shall include all supporting drawings and appendices.

The conclusions and recommendations made in this report are in accordance with my present understanding of the proposed project, the current site use, surface and subsurface conditions, and are based on available information, a site reconnaissance on the date(s) set out in the report, records review and interviews with appropriate people and the work scope provided by the Client and described in the report and should not be construed as a legal opinion. Steven Rivers relied in good faith on the data and information provided by the Client and from other materials as noted in this report. Steven Rivers has assumed that the information provided was factual and accurate. Steven Rivers accepts no responsibility for any deficiency, misstatement, or inaccuracy contained in this report as a result of omissions, misinterpretations or fraudulent acts of persons interviewed or contacted. Reliance on this report is only extended to the Client. No other representations or warranties of any kind, either expressed or implied, are made. Any use which a third party makes of this report, or any reliance on or decisions made based on it, are the sole responsibility of such third parties. If conditions at the property change or

if any additional information becomes available at a future date, modifications to the findings, conclusions and recommendations in this report may be necessary.

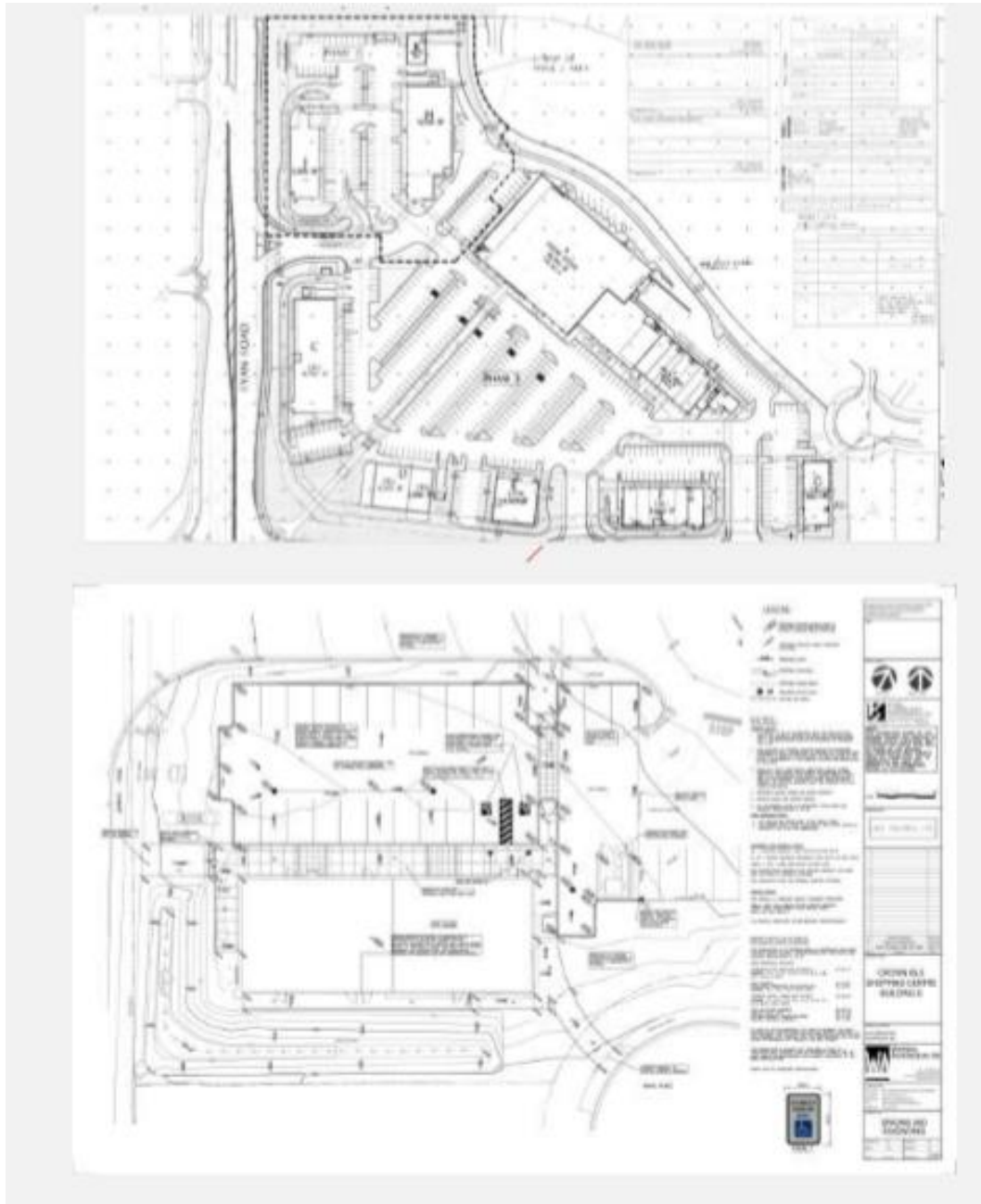
I trust this information will meet your current requirements. Please do not hesitate to contact me should you have any questions or require additional information.

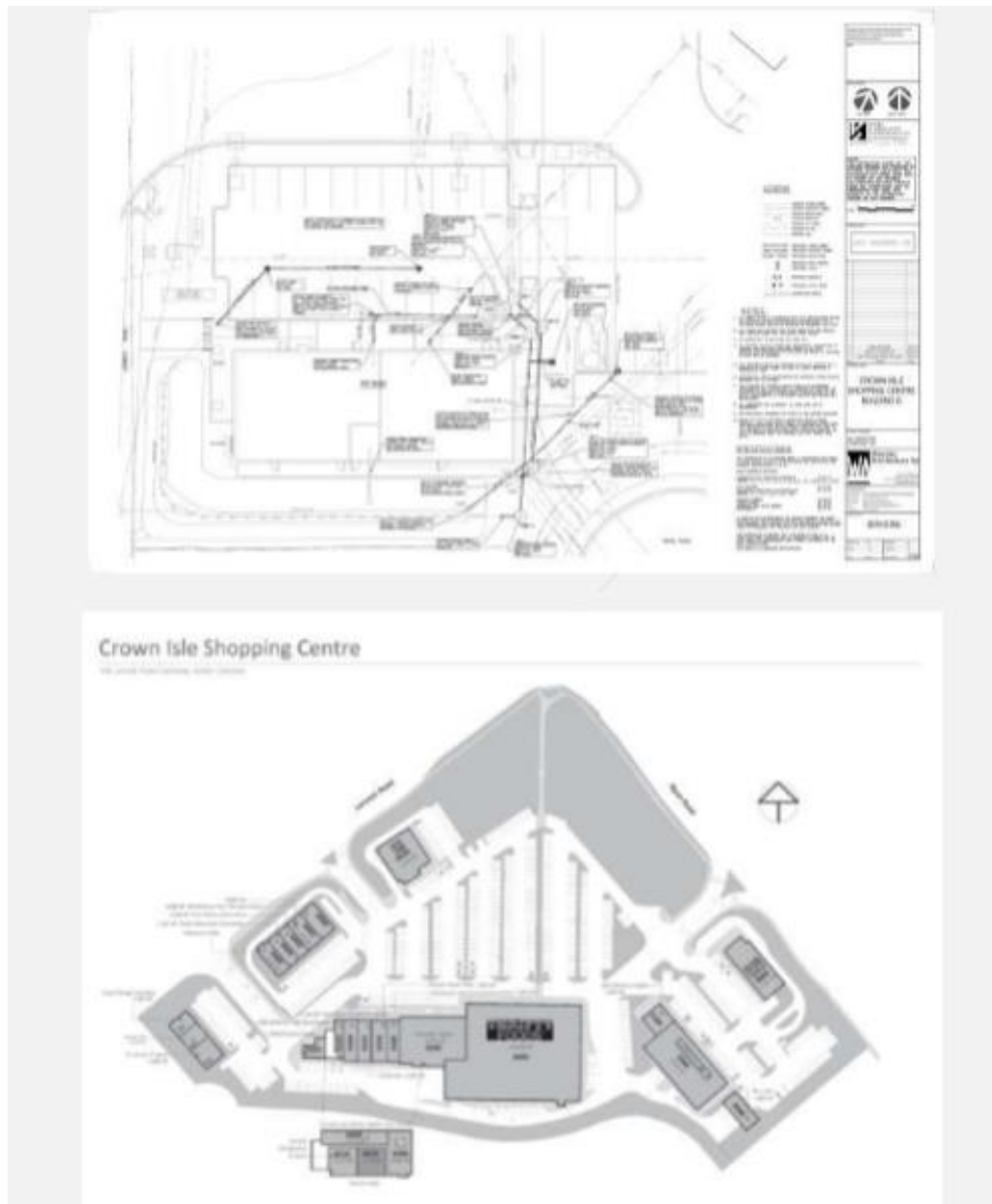
Steven Rivers

South Coast Consulting
Land Use Planning and Development Project Management
Steven Rivers, MCIP, RPP
189 Clare Avenue
Port Colborne, Ontario L3K 5Y1
Phone: 905-733-8843
Email: steven.p.rivers@gmail.com

2020-08-11

ANNEX 1
SITE PLAN









ANNEX 3

EXCERPTS FROM RELEVANT DOCUMENTS

Regional growth strategies and official community plans are tools used by municipalities and regional districts when planning their communities to describe the long-term vision of communities. Local government land use regulations, such as zoning bylaws enable local governments to implement the vision expressed in these plans.

A regional growth strategy is a strategic plan that directs long-term planning for municipal official community plans. Regional growth strategies are designed to promote human settlements that are socially, economically and environmentally sustainable and that make efficient use of public facilities, land and other resources to support and enhance regional sustainability and resilience. A regional growth strategy would work toward economic development that supports the unique character of communities.

Official community plans describe the long-term vision of communities. They are a statement of objectives and policies that guide decisions on municipal planning and land use management. These decisions impact communities' sustainability and resilience. Division 4, section 471 of the *Local Government Act* states an official community plan is a statement of objectives and policies to guide decisions on planning and land use management, within the area covered by the plan, respecting the purposes of local government.

Zoning implements municipal and regional district land use planning visions expressed in official community plans and regional growth strategies, and may support community sustainability and resilience goals. Zoning bylaws regulate how land, buildings and other structures may be used. Municipalities may adopt land use bylaws under the authority for these bylaws is provided in the *Local Government Act*. Division 5, section 479 states a local government may divide the whole or part of the municipality into zones, regulate the use of land and buildings, and make different provisions for different uses within a zone and different siting circumstances.

Comox Valley Regional Growth Strategy

Section 3.1 of the Comox Valley Regional Growth Strategy (RGS) states the vision statement describes the desired future for the region and sets the basic direction for planning, policies and action.

The Comox Valley will continue to evolve as a region of distinct, well-connected and well-designed urban and rural communities. As stewards of the environment, local governments, the K'ómoks First Nation, public agencies, residents, businesses and community and non-governmental organizations will work

collaboratively to conserve and enhance land, water and energy resources and ensure a vibrant local economy and productive working landscapes.

Section 3.2 states a goal of the RGS is to *achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit*. The issue overview states a healthy, strong and diverse local economy is one of the cornerstones of more sustainable and complete communities. Complete communities not only attract new investment and jobs, they also help retain existing jobs, **encourage entrepreneurship and create a solid tax base to better support local service delivery**. Without a strong local economy, Comox Valley local governments may have difficulty funding important services, residents may be forced to work further from their homes, and overall community liveability may suffer.

The RGS provides an opportunity to encourage and support the development of a more diverse and healthier local economy, which in turn will help support the Comox Valley on its journey to become a more sustainable region. With regard to retail and human services The RGS states Courtenay-Comox is a regional hub for shopping and services which also draws some business from neighbouring regions. **Opportunities exist to diversify and expand the range of services available.**

Objective 3-A is to **support local business** retention, development and **investment** and work with the Comox Valley Economic Development Society (CVEDS) in **creating a positive business-enabling environment** through cooperating on policies and procedures that help to support and retain existing businesses and **attracts new businesses and investment**.

Objective 3-B: is to **increase regional job base**. A goal of 0.55 jobs per resident is realistic over the longer term. This ratio will help create a diverse, dynamic and self-supporting local economy and will make it possible for the valley's younger population to find work and remain in the community.

The proposed zoning amendment aligns with the Regional Growth Strategy policy to locate retail and other commercial employment activities within Core Settlement Areas.

A Blueprint for Courtenay / City of Courtenay Official Community Plan

As illustrated on *Figure A3.1, City of Courtenay Land Use Plan Excerpt*, the Subject Property is **designated Commercial Shopping Centers**. The Introduction to the Official Community Plan (OCP) says it is a statement of the City's long term vision of the community. It establishes a strategy guiding Council in their decision making role. It sets the direction for future locations of commercial uses, influences daily living patterns and

Figure A3.1: City of Courtenay Land Use Plan Excerpt



strives to minimize travel patterns, costs and environmental impacts. The plan will strengthen the City as a viable and liveable community.

Section 2.1 states the vision is for a City that is unique and different from other communities. It is to become the most liveable community in the province. It can be expressed as having, among other things, a role to be the centre of commerce for the Comox. One of the goals providing the foundation of this vision is moving toward greater balance of development between the east and the west sides of Courtenay, and maintain downtown as the core of the community.

The OCP's goal for local economic development is to achieve a sustainable, resilient and dynamic local economy that supports Comox Valley businesses and the region's entrepreneurial spirit. To reach this goal outside of the Downtown area there are designated commercial areas offering a wide range of choice and selection of goods and services including Crown Isle at Ryan / Lerwick. Commercial goals include supporting a strong, diversified commercial base within municipal boundaries which will provide employment and service opportunities. Shopping Centres function as the major shopping centres for the region. They are or can be expected to be anchored by major retailers, with a mix of smaller retailers. (Policy 4.3.2.1)

There are no direct references in the OCP to storefront cannabis retailer use, however the OCP generally supports the utilization of existing serviced and designated commercial lands prior to considering new commercial development areas.

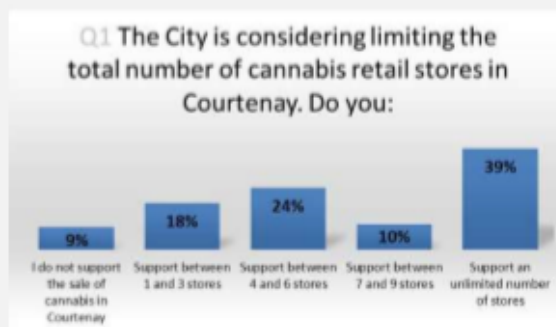
Storefront Cannabis Retailers Policy

The Storefront Cannabis Retailers Policy restricts the retail sale of cannabis in the City and provide guidance for staff and applicants on locating retail stores while at the same time not fettering Council's decision making authority in relation to each application which would ultimately be considered on its own merits. The approach aligns with the Provincial cannabis legislation. While the Provincial Government has the authority to issue licences for the retail sale of cannabis, the City retains control over land use management criteria such as zoning and determining where and how many cannabis retail stores will be permitted.

Similar to the existing liquor licensing process, the City will be required to gather the views of residents prior to forwarding comments to the province. As such the public hearing process required for a rezoning application can also be used to gather the views of residents for the provincial licence.

Number of Stores

Respondents to the City survey regarding storefront cannabis retailers generally supported retail cannabis sales in the City with only 9% opposed. As illustrated in the following image, the highest proportion of respondents (39%) supported an unlimited number of stores. An additional 10% supported between seven (7) and nine (9) stores.



Source: Storefront Cannabis Retailers Policy Staff Report, File No.: 3360-20-1811, September 4, 2018

Contrary to the Staff proposed a limit of five (5) stores the public supported an unlimited number of stores. The Staff report to Council suggested this number be increased to six (6). No rationale was given for the number of stores recommended.

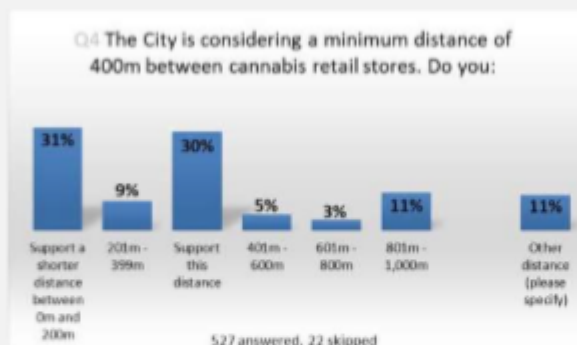
The report stated the Downtown Courtenay Business Improvement Association (DCBIA) was consulted to gauge its desire for cannabis retailers in the Downtown area. Following a survey of their members the board made the following - "Downtown Courtenay will allow for dispensaries Downtown Courtenay but must be a limited number of 3". The report further states the discretion in the proposed policy framework is designed to take into consideration concerns of immediate neighbours in the decision making process.

Applications would be considered on a first come first served basis as they are referred to the City by the Provincial Government. As government run stores are not required to apply for licensing through the Provincial referral system, staff recommend that 1 of the 6 stores be allocated for a Government store.

Distance between Stores

The draft policy contained a provision for a minimum distance of 400 metres between individual stores. As part of the survey, the public were asked if they supported this distance or if they support shorter or longer distances. As illustrated in the image below the responses showed a desire to maintain or reduce this distance. 31% of respondents

supported 0 to 200 metres between stores and 30% supported the proposed 400m distance while 9% supported between 201 and 399m.



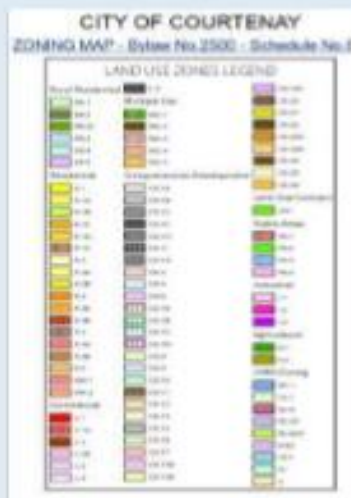
Source: Storefront Cannabis Retailers Policy Staff Report, File No.: 3360-20-1811, September 4, 2018

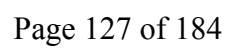
While the public clearly supported maintaining or reducing the proposed 400 metre buffer there was no clear preference. Accordingly, staff recommend keeping the original 400m proposal. No rationale was provided for retaining the 400 metre buffer.

The purpose of Storefront Cannabis Retailers policy is to outline the criteria that may be considered by City Council as part of a rezoning application to allow for retail cannabis sales at a particular location. This policy is intended to guide applicants and City staff as part of the application process but it is not intended to fetter Council's discretion when dealing with individual applications, each of which will be evaluated on its own merits.

Rezoning Considerations

- Storefront cannabis retailers will only be considered in an established retail location where the current zoning permits retail sales.
- A storefront cannabis retailer should be:
 - At least 300 m (in a straight line from closest lot line to closest lot line) from a public or independent elementary, middle or secondary school.
 - At least 400 m (in a straight line from closest lot line to closest lot line) from another lot where a storefront cannabis retailer is permitted, whether or not a storefront cannabis retailer is active on that lot.
 - At least 300m from a City owned playground facility including the spray park and skateboard parks.
- The off-street parking requirements applicable to retail stores as outlined in Division 7 of Zoning Bylaw 2500, 2007 and amendments thereto will apply to storefront cannabis retailers.
- Only one storefront cannabis retailer will be allowed per lot.





ATTACHMENT No. 7
Sustainability Evaluation Checklist



CITY OF COURTENAY
Development Services
830 Cliffe Avenue
Courtenay, BC, V9N 2J7
Tel: 250-703-4839 Fax: 250-334-4241
Email: planning@courtenay.ca

SUSTAINABILITY EVALUATION

COMPLIANCE CHECKLIST

The following checklist provides a quick reference list of required sustainability criteria that, where applicable, shall be satisfied for all development applications including Official Community Plan (OCP) and Zoning Bylaw amendments, Development Permits, Development Variance Permits, Tree Cutting and Soil Removal Permits, Agricultural Land Reserve and Subdivision applications. These criteria are established to ensure that the goals and objectives of the OCP are satisfied. **Please briefly state in the "Description" column how the application achieves the stated criterion.** Where an element of the development proposal does not comply with a sustainability criterion, a justification stating the divergence and the reason shall be made. A separate sheet may be used to provide comment. **Incomplete forms will result in application delays.**

The Sustainability Evaluation Checklist Policy states: *Proposed developments will be considered where a development:*

- provides substantial benefits to the City;*
- will not negatively impact on the City's infrastructure, neighborhood or environment;*
- new development that supports destination uses such as the downtown, Riverway Corridor or a Comprehensive Planned Community;*
- Meets applicable criteria set out in the OCP.*

The complete Sustainability Evaluation Checklist policy is contained within the City of Courtenay Official Community Plan No. 2387, 2005.

Project Address: 444 Lerwick Road, Crown Isle Shopping Centre **Date:** 2020-06-03

Applicant: Coast Range Cannabis

Signature:

APPLICATION REQUIREMENTS To be filled out by applicant

Land Use. The application:	Description of how the criteria are met
a) Provides a mix of housing types and sizes;	No. It is in a commercial shopping centre not zoned to permit residential uses. See accompanying Preliminary Planning Policy Justification Report.
b) Balances the scale and massing of buildings in relation to adjoining properties;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report.
c) Complements neighboring uses and site topography;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report.
d) Provides or supports mixed used developments or neighborhoods;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
e) Promotes walking to daily activities and recreational opportunities;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
f) Supports a range of incomes;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
g) Is a positive impact on views and scenery;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
h) Preserves and provides greenspace, trails and landscaping;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report

Building Design. The application:	Description of how the criteria are met
a) Exhibits high standard of design, landscaping and environmental sensitivity;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
b) Maintains a high standard of quality and appearance;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
c) Includes articulation of building faces and roof lines with features such as balconies, entrances, bay windows, dormers and vertical and horizontal setbacks with enhanced colors;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
d) Avoids creating a strip development appearance;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
g) Builds and improves pedestrian amenities;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
h) Provides underground parking;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
i) Applies CPTED (Crime Prevention Through Environmental Design) principles;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
Transportation. The application:	Description of how the criteria are met
a) Integrates into public transit and closeness to major destinations;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
b) Provides multi-functional street(s);	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
c) Prioritizes pedestrian and cycling opportunities on the public street system and through the site location that can provide an alternative to public road;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
d) Provides or contributes towards trail system, sidewalks, transit facilities, recreation area or environmentally sensitive area;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
Infrastructure. The application:	Description of how the criteria are met
a) Includes stormwater techniques that are designed to reduce run-off, improve groundwater exchange and increase on-site retention;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report

Character & Identity. <i>The application:</i>	Description of how the criteria are met
a) Provides a positive image along waterfront areas and fronting road;	Not applicable
b) Is designed with quality and variety of features within the project (i.e. street furniture, street lights, signs, curb treatments);	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
c) Provides public and private amenity space;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
d) Preserves heritage fixtures;	Not applicable
e) Orients to views, open space and street;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
Environmental Protection & Enhancement. <i>The application:</i>	Description of how the criteria are met
a) Protects riparian areas and other designated environmentally sensitive areas;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
b) Provides for native species, habitat restoration/improvement;	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report
c) Includes tree lined streetscapes.	In an existing approved development with buffering. See accompanying Preliminary Planning Policy Justification Report



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 3360-20-2010

From: Chief Administrative Officer

Date: October 19th, 2020

Subject: Zoning Amendment Bylaw No. 3016 to Allow for a Secondary Suite at 540 - 17th Street

PURPOSE:

The purpose of this report is for Council to consider an application to rezone the property located at 540 17th Street from Residential One (R-1) to Residential One S Zone (R-1S) to permit the addition of a secondary suite to an existing house.

CAO RECOMMENDATIONS:

That based on the October 19th, 2020 staff report "Zoning Amendment Bylaw No. 3016 to Allow for a Secondary Suite at 540 - 17th Street" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3016, 2020; and,

That Council considers Zoning Amendment Bylaw No. 3016, 2020 consistent with the City's Official Community Plan; and

That Council waives the requirement to hold a public hearing with respect to Zoning Amendment Bylaw No. 3016, 2020 pursuant to Section 464 (2) of the *Local Government Act* and directs staff to give notice of the waiver of the public hearing pursuant to Section 467 of the *Local Government Act* in advance of considerations of Third Reading of the bylaw.

Respectfully submitted,

Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

BACKGROUND:

The subject property is an approximately 1,071m² residential lot located at 540 17th Street in West Courtenay, legally described as Lot A, Section 68, Comox District, Plan 17818 (**Figure 1**). The property is currently zoned Residential One (R-1) and there is an existing 208.5m² (2,244ft²) two-storey single family dwelling on the parcel. The home contains a garage and carport. There is also space for two vehicles in the front driveway and two additional vehicles off the lane that runs adjacent to the side yard (for a total of 6 parking spaces). Plans and elevations are shown in **Attachment No. 1**.

The secondary suite is proposed within the basement of the existing home. The proposed suite is 83.4m² (898ft²) in size and includes two bedrooms, one bathroom, laundry, a living room, dining room, and a kitchen (**Attachment No. 1**). The applicant's rationale for the rezoning can be found in **Attachment No. 4**.



Figure 1. Context map with the Subject Property outlined in yellow.

DISCUSSION:

The subject property is located within less than two kilometres of the Thrifty Food shopping complex, Downtown Courtenay, Courtenay Elementary School, Dogwood Park, Driftwood Mall, and SmartCentres Courtenay. These destinations are accessible by cycling, walking, or transit (with three bus routes that travel along Cliffe Avenue).

OCP Review

The proposed application represents infill development within an established neighbourhood designated Urban Residential in the Official Community Plan (OCP).

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

Zoning Review

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

Requirements	Proposal
Total not more than 90.0 m ²	Approximately 83.4m ² (includes 2 bedrooms, 1 bathroom, living room, kitchen)
Floor Area Less than 40% of the total habitable floor space of the building	~40%
Located within a building of residential occupancy containing only one other dwelling unit	Yes
Located within a building which is a single real estate entity	Yes
Three Parking Spaces (2 spaces for the principal dwelling unit and 1 additional space for the secondary suite)	6 parking spaces: 4 full-sized driveway spaces, and two parking spaces in the garage/carport (Attachment No. 1)

FINANCIAL IMPLICATIONS:

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

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



ADMINISTRATIVE IMPLICATIONS:

Processing Zoning Bylaw amendments is a statutory component of the corporate work plan. Staff has spent approximately 18 hours processing this application to date. Should the proposed zoning amendment proceed to public hearing, an additional two hours of staff time will be required to prepare notification for public hearing and to process the bylaw. Additional staff time will be required to process the subsequent building permit application including plan checking and building inspections.

ASSET MANAGEMENT IMPLICATIONS:

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

2019 – 2022 STRATEGIC PRIORITIES REFERENCE:

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

OFFICIAL COMMUNITY PLAN REFERENCE:

The proposed zoning amendment is consistent with the Urban Residential land use designation of the Official Community Plan. It represents infill residential development near existing amenities and services, providing a range of housing choice, while fulfilling OCP Section 4.4.3 4 a) – limited infill will be considered

only in keeping with the character and scale of an existing neighbourhood and 4.4.3.4 d) – secondary suites will be considered as part of a principle single family residential building subject to zoning approval.

REGIONAL GROWTH STRATEGY REFERENCE:

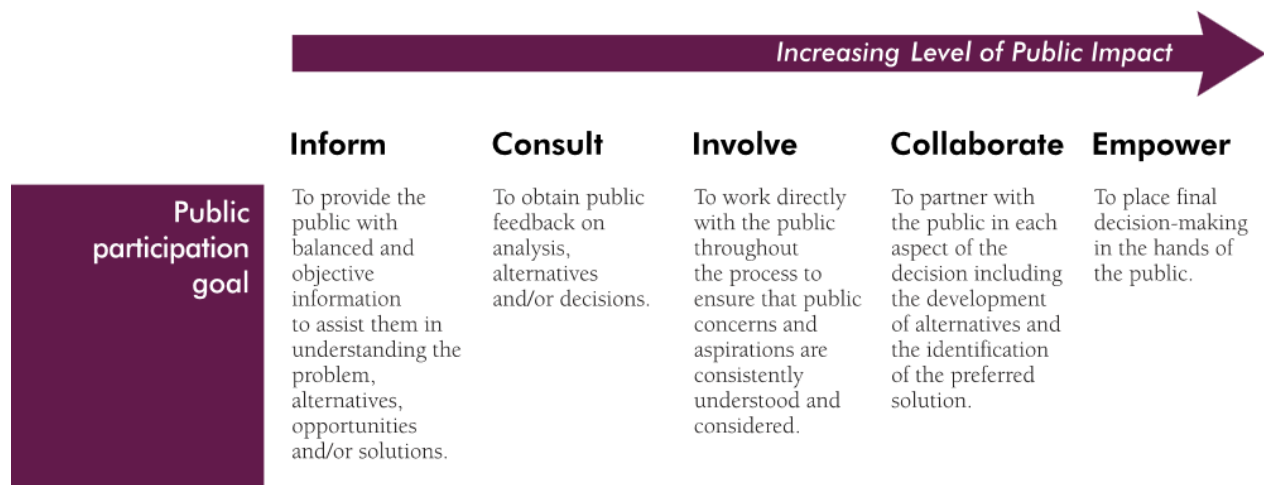
The development proposal is consistent with the RGS Housing Goal to “ensure a diversity of affordable housing options to meet evolving regional demographics and needs” including:

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

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

CITIZEN/PUBLIC ENGAGEMENT:

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



Staff are recommending Council waive the public hearing requirements. Should Zoning Amendment Bylaw No. 3016, 2020 receive First and Second Readings, notice of the waiver will be provided to property owners and occupiers within 100m of the subject property, in accordance with the *Local Government Act*.

Prior to this application proceeding to Council, the applicant distributed an alternative public information package to property owners and occupiers within 100m of the property and collected and summarized feedback, over a two week period as per the new Alternative Development Information Meeting process. The information provided to neighbours and the summary of the process can be found in **Attachment No. 2**. According to the applicant, no members of the public submitted a response to the applicant. The City has received two pieces of correspondence directly from the public regarding the proposal. One in support, and one opposed.

All feedback can be found in **Attachment No. 3**. The one neighbour who had cited opposition, said they could generally support the idea, but they had the following concerns:

- Privacy
- Parking

It is important to note that the zoning bylaw requires one additional off-street parking space be provided for a suite, and these requirements for parking will be exceeded on the subject property.

OPTIONS:

OPTION 1: (Recommended)

THAT based on the October 19th, 2020 staff report “Zoning Amendment Bylaw No. 3016 to Allow for a Secondary Suite at 540 - 17th Street” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3016, 2020; and,

THAT Council considers Zoning Amendment Bylaw No. 3016, 2020 consistent with the City’s Official Community Plan; and

THAT Council waives the requirement to hold a public hearing with respect to Zoning Amendment Bylaw No. 3016, 2020 pursuant to Section 464 (2) of the *Local Government Act* and directs staff to give notice of the waiver of the public hearing pursuant to Section 467 of the *Local Government Act* in advance of considerations of Third Reading of the bylaw.

OPTION 2

THAT Council approve OPTION 2 and proceed to First and Second Readings of Zoning Bylaw No. 3016; 2020; and

THAT Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw following the resumption of regular Council meetings, or when an alternative process is developed.

OPTION 3: Defer consideration of Bylaw No. 3016 with a request for more information.

OPTION 4: Defeat Bylaw No. 3012.

Prepared by:



Cassandra Marsh,
Planner I

Reviewed by:



Matthew Fitzgerald, RPP, MCIP
Manager of Development Planning

Concurrence by:



Ian Buck, RPP, MCIP
Director of Development Services

Concurrence by:



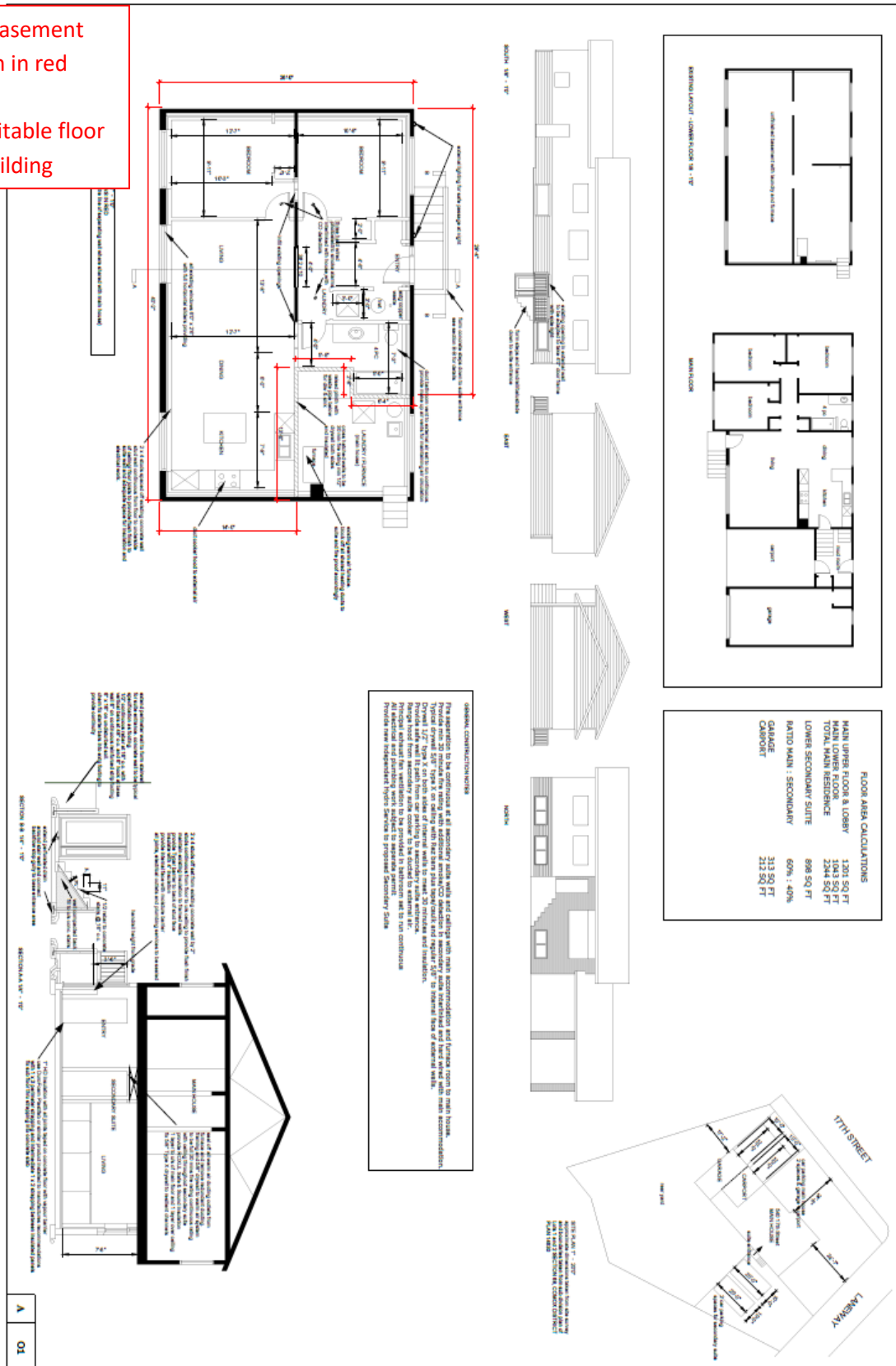
Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

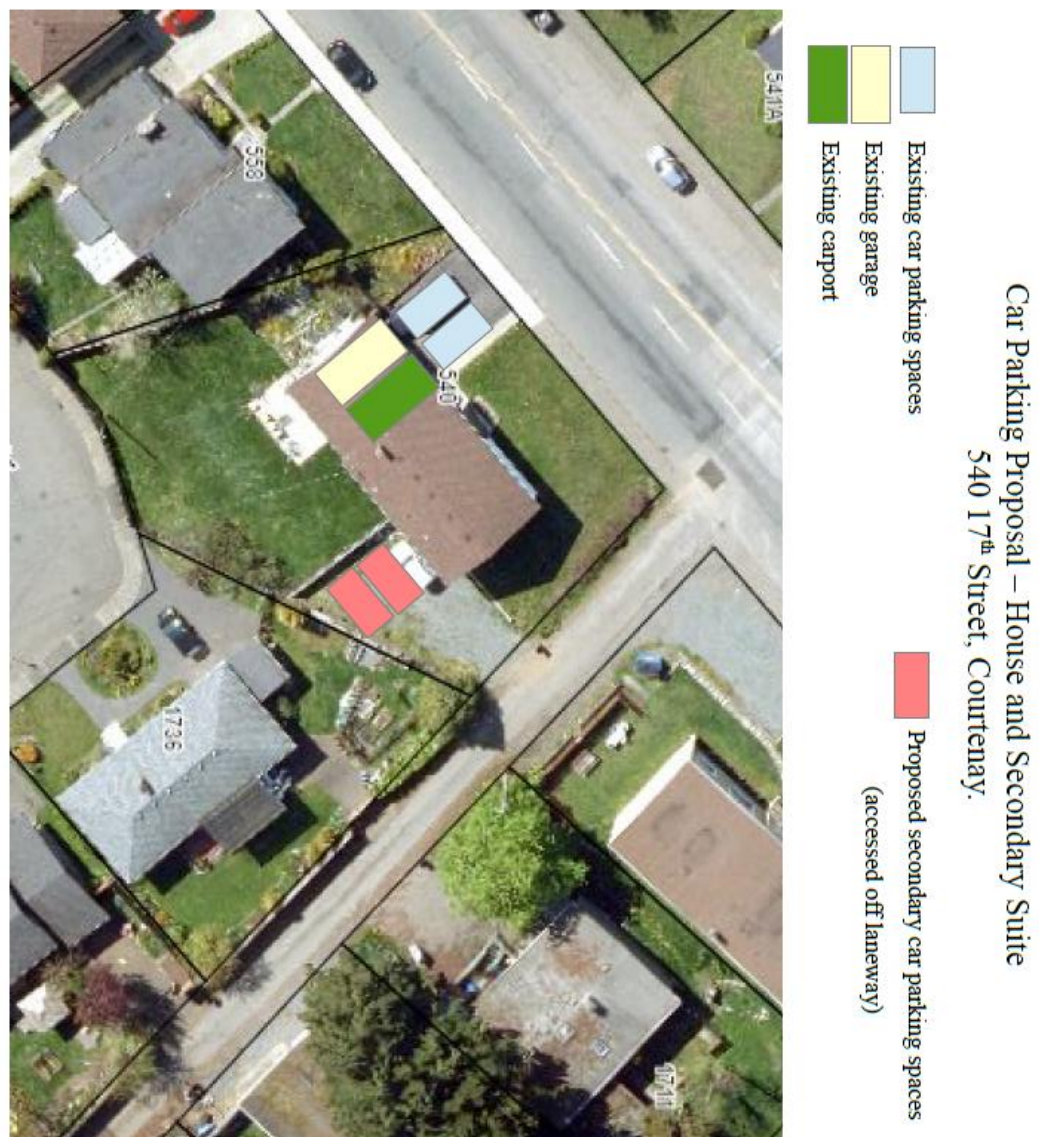
Attachments:

1. *Attachment No. 1: Plans and Elevations*
2. *Attachment No. 2: Alternative Public Information Meeting Mail Out and Summary*
3. *Attachment No. 3: Public Comments*
4. *Attachment No. 4: Applicant's Rationale*
5. *Attachment No. 5: Sustainability Evaluation Checklist*

Attachment No. 1: Plans and Parking

Proposed basement
suite shown in red
83.4m²
40% of habitable floor
space of building





Attachment No. 2: Public Information Meeting Summary

August 24, 2020

City of Courtenay
Planning Department
Attn: Cassandra Marsh

Re: Rezoning file RZ000049

The attached letter was mailed to residents within 100 m of our property on Saturday, July 25th. Below is our Public Information Mailout (PIM) Summary for our property on 540 17th Street:

- Comments received via mail: 0
- Comments received via email: 0
- Comments received via telephone: 0

Sincerely,

Justin Crawford & Jenny Hogan
1240 4th Street
778-879-9324

Attachment No. 3: Public Comments

City of Courtenay
Planning Services Department
830 Cliff Avenue
Courtenay, B.C.
V9N 2J7

Sir/Madam

Re: File Number RZ000049

[REDACTED]
540 – 17th Street
Courtenay, B.C.

In reply to the application quoted above I do not accept the zoning amendment and redevelopment of the stated property as presented. If the following provisions are completed, then I do not have any objections to the zoning amendment and redevelopment of the stated property.

a. As there will be increased back yard usage with the parking for the downstairs tenants and travelling from the house to their vehicles very close to the fence line, my privacy in my backyard (which has not been an issue as there has been minimal use along the fence line) will be compromised, therefore there must be a solid fence 2.5 meters high starting from ground level from the existing front fence to the alley property, following the property line between my residence 1736 Grant Ave., and the subject property before the construction on the subject property is started.

b. Being that there is limited legal access to the alleyway that will be the access to the tenant parking (double solid line so turning left off of 17th Street heading West is illegal) and there is only 2 parking spots designated for the tenants, there may be people parking on Grant Ave., accessing the property through the back gate of the fence on Grant Ave. There is a parking spot they can use but if there are large gatherings, I am concerned about the street area in front of the entrance to my house and driveway could become blocked. I have medical conditions and may need either family or emergency services and they have to be able to access my front walkway. Therefore, I request that tenants be informed they must not block this walkway by any vehicles at any time.

c. As for parking on Maple Drive, parking must allow for full visibility of the playground sign on Maple Drive.

Yours truly

[REDACTED]


1736 Grant Ave.
Courtenay, B.C.
V9N 2T5



Wed 7/29/2020 3:29 PM

[REDACTED]
RZ000049

To PlanningAlias

 Follow up. Start by Thursday, July 30, 2020. Due by Thursday, July 30, 2020.

Hello,

I received notification from the owners of the property at 540 17th St, Courtenay that they have applied for a zoning variance for this address from R-1 to R-1S. I live just around the corner and support rezoning the property. Courtenay has a severe lack of housing inventory, so allowing multiple unit zoning in residential neighborhoods is an excellent means of making more housing available. It is also far more environmentally friendly to maximize density within Courtenay before creating new neighborhoods on existing woodlands and fields. Higher population density also makes delivery of municipal services more efficient and cost effective. I would encourage the Courtenay Planning Department to allow this variance and to support future variances that add additional residential units to existing properties whenever possible. Density is infinitely preferable to sprawl! This would be a small but important step in alleviating the housing crisis in this community.

Thank you,

[REDACTED]
1732 Fitzgerald Ave

Attachment No. 4: Applicant's Rationale

540 17th Street, Courtenay

Project Summary


Application for Secondary Suite (R1 to R-1S)

- Existing two storey property is unfinished at lower floor level
- Area is under utilized and can easily accommodate a secondary suite
- Main carport and garage accessed off 17th Street
- Additional access for suite from laneway to NE of property
- This laneway access will not compromise car parking to main house
- In addition laneway access will not directly affect 17th Street traffic
- Lower floor internal reno will not externally impact building design
- Reno has been designed to be less than 90m²
- Remaining lower floor area will remain as laundry area to main house
- Complete separation of Hydro utilities proposed for the suite
- Adequate fire and sound insulation can also be achieved
- External lighting will also be provided for the suite
- Location of suite is within 20 minutes walking distance of downtown area
- Proposal is also central to the two main transit hubs (Driftwood Mall & Museum)
- Location of suite is within 500m of cycle pathways on Rotary Trail and Courtenay Riverway

Affordable Housing Policy

- Creates affordable housing within envelope of existing structure without compromising the main building and/or accommodation
- All main shopping and medical facilities are within easy walking distance of the proposal
- Transit is on the door step of the proposal reducing the reliance on automobiles
- Centrally located between the main Transit hubs at Driftwood Mall and the Museum which cover the whole of The Comox Valley
- Two main cycle lanes are within 500m of the proposal
- Provides additional unit within the framework of The City of Courtenay affordable housing policy in which the City actively encourages secondary suites (Adopted 13th November 2007)
- Improves the availability of housing in low vacancy rate area
- Proposal is for a two bedroom secondary suite which is better suited for a family rather than a single person or couple

Attachment No. 5: Sustainability Evaluation Checklist



CITY OF COURTENAY
Development Services
830 Cliffe Avenue
Courtenay, BC, V9N 2J7
Tel: 250-703-4839 Fax: 250-334-4241
Email: planning@courtenay.ca

SUSTAINABILITY EVALUATION

COMPLIANCE CHECKLIST

The following checklist provides a quick reference list of required sustainability criteria that, where applicable, shall be satisfied for all development applications including Official Community Plan (OCP) and Zoning Bylaw amendments, Development Permits, Development Variance Permits, Tree Cutting and Soil Removal Permits, Agricultural Land Reserve and Subdivision applications. These criteria are established to ensure that the goals and objectives of the OCP are satisfied. **Please briefly state in the "Description" column how the application achieves the stated criterion.** Where an element of the development proposal does not comply with a sustainability criterion, a justification stating the divergence and the reason shall be made. A separate sheet may be used to provide comment. **Incomplete forms will result in application delays.**

The Sustainability Evaluation Checklist Policy states: *Proposed developments will be considered where a development:*

- provides substantial benefits to the City;
- will not negatively impact on the City's infrastructure, neighborhood or environment;
- new development that supports destination uses such as the downtown, Riverway Corridor or a Comprehensive Planned Community;
- Meets applicable criteria set out in the OCP.

The complete Sustainability Evaluation Checklist policy is contained within the City of Courtenay Official Community Plan No. 2387, 2005.

Project Address: 540 17th ST. COURTENAY	Date:
Applicant:	Signature:
APPLICATION REQUIREMENTS To be filled out by applicant	
Land Use. The application:	Description of how the criteria are met
a) Provides a mix of housing types and sizes;	MAIN HOUSE & SECONDARY SUITE
b) Balances the scale and massing of buildings in relation to adjoining properties;	SUITE 60M ² AS PER RECOMMENDATION IN GUIDELINES
c) Complements neighboring uses and site topography;	NO CHANGE IN TOPOGRAPHY MIXTURE OF RESIDENTIAL USES ALREADY ESTABLISHED IN AREA
d) Provides or supports mixed used developments or neighborhoods;	SITE PROVIDES ADDITIONAL AFFORDABLE HOUSING
e) Promotes walking to daily activities and recreational opportunities;	DOWNTOWN AREA WITHIN 20 MIN WALKING DISTANCE (SEE ATTACHED SHEET)
f) Supports a range of incomes;	AFFORDABLE HOUSING WILL ASSIST LOW VACANCY RATE
g) Is a positive impact on views and scenery;	NO CHANGE
h) Preserves and provides greenspace, trails and landscaping;	NO CHANGE

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Page 1 of 3

Building Design. The application:	Description of how the criteria are met
a) Exhibits high standard of design, landscaping and environmental sensitivity;	NO CHANGE FROM EXISTING USE
b) Maintains a high standard of quality and appearance;	H
c) Includes articulation of building faces and roof lines with features such as balconies, entrances, bay windows, dormers and vertical and horizontal setbacks with enhanced colors;	H
d) Avoids creating a strip development appearance;	H
e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);	—
f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;	ANY WORK WILL BE SUBJECT TO CODE
g) Builds and improves pedestrian amenities;	NO CHANGE FROM EXISTING
h) Provides underground parking;	N/A
i) Applies CPTED (Crime Prevention Through Environmental Design) principles;	EXTERNAL LIGHTING TO BE PROVIDED FOR SAFE ACCESS
Transportation. The application:	Description of how the criteria are met
a) Integrates into public transit and closeness to major destinations;	LOCATED VERY CLOSE TO TRANSIT ROUTES 1+4 AND BEING CENTRALLY LOCATED BETWEEN TRANSIT BUSES AT BRITWOOD MALL & MUSEUM
b) Provides multi-functional street(s);	—
c) Prioritizes pedestrian and cycling opportunities on the public street system and through the site location that can provide an alternative to public road;	WITHIN 500M OF CAUTENAY RIVERWAY CYCLE PATH WITHIN 500M OF ROTARY TRAIL
d) Provides or contributes towards trail system, sidewalks, transit facilities, recreation area or environmentally sensitive area;	SEE ABOVE
Infrastructure. The application:	Description of how the criteria are met
a) Includes stormwater techniques that are designed to reduce run-off, improve groundwater exchange and increase on-site retention;	AS EXISTING
b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;	—

Character & Identity. <i>The application:</i>	Description of how the criteria are met
a) Provides a positive image along waterfront areas and fronting road;	N/A
b) Is designed with quality and variety of features within the project (i.e. street furniture, street lights, signs, curb treatments);	N/A
c) Provides public and private amenity space;	EXISTING PRIVATE AMENITY
d) Preserves heritage fixtures;	N/A
e) Orients to views, open space and street;	AS EXISTING
Environmental Protection & Enhancement. <i>The application:</i>	Description of how the criteria are met
a) Protects riparian areas and other designated environmentally sensitive areas;	N/A
b) Provides for native species, habitat restoration/improvement;	N/A
c) Includes tree lined streetscapes.	AS EXISTING



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 1705-20 / 1830-05

From: Interim Chief Administrative Officer

Date: October 19, 2020

Subject: 2021 - 2025 Municipal Solid Waste, Recyclables, and Yard Waste Budgets

PURPOSE:

The purpose of this report is to consider the 2021 - 2025 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 2021, a general user fee increase of 5.0% is required to ensure that the 2021 costs to deliver the service are fully covered.

CAO RECOMMENDATIONS:

That based on the October 19th, 2020 staff report "2021 - 2025 Municipal Solid Waste, Recyclables, and Yard Waste Budgets" Council approve OPTION 1 and increase 2021 user fees by 5.0%, and;

That Bylaw Number 3022, 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 2021 Municipal Solid Waste, Recyclables and Yard Waste user fees.

Respectfully submitted,

Trevor Kushner, BA, DLGM, CLGA
Interim 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 will increased by 5.0% on November 1, 2020. This is largely due to increased labour, fuel, and insurance costs faced by the contractor.

Approximately 52% of the user fee covers the collection contract costs and 4.0% of the 5.0% recommended increase to the user fee is attributable to these increases.

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

For 2021, the regional landfill tipping fee will remain at \$140 per tonne which was increased from \$130 per tonne on September 1, 2020.

Approximately 41% of the user fee covers tipping fees and 1.0% of the 5.0% 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 – 2025 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. 2023-2025 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 4.5%-2022, 3.25%-2023, 3%-2024, and 3%-2025 will provide revenues sufficient to offset the operating costs.

A reduction of 5% was also included in the 2021 revenues from services provided to businesses, to account for the slowdown in commercial activities experienced since the beginning of the pandemic in March 2020.

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 2021-2025.

FINANCIAL IMPLICATIONS:

In order to provide the same level of service to customers in 2021, a 5.0% 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 \$173.73 to \$182.42, a difference of \$8.69 per year;
2. Multi-family apartments and stratas (excluding yard waste) will increase from \$152.63 to \$160.26, a difference of \$7.63 per year;
3. Additional service fee charges for extra yard waste pickup will change from \$20.54 to \$21.57, a difference of \$1.03 per year.

Attachment #2 identifies all applicable rate changes in comparison to 2020.

ADMINISTRATIVE IMPLICATIONS:

Staff will update the utility billing system and Financial Plan documentation to reflect the approved rates for 2021 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:

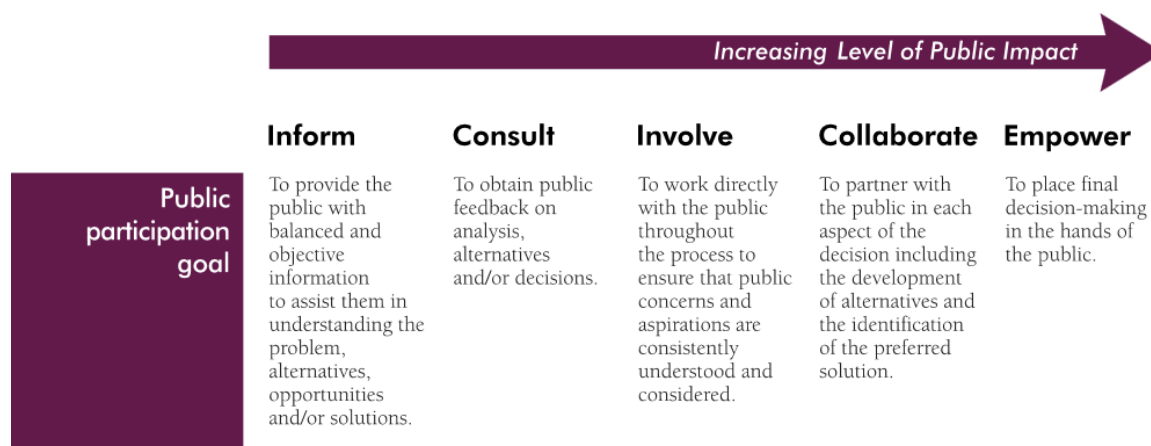
Goal 8: Climate Change:

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 2021-2025 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 2021-2025 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 3022, 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 2021 Solid Waste, Recyclables and Yard Waste user fees.

OPTION 2: That Council defer endorsing the proposed increase to the 2021 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 2021 Budget process.

OPTION 3: That Council leave all Solid Waste, Recycling and Yard Waste user rates unchanged for 2021.

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:



Annie Bérard, CPA, CMA, MBA
Manager of Financial Planning,
Payroll and Business Performance

Reviewed by:



Jennifer Nelson, CPA, CGA
Director of Financial Services

Concurrence by:



Trevor Kushner, BA, DLGM, CLGA
Interim Chief Administrative Officer

Attachments:

- 1: 2021 – 2025 Solid Waste, Recycling and Yard Waste Financial Plan Summary
- 2: 2021 Solid Waste and Recycling User Fee Collection Rates

City of Courtenay
2021 - 2025 Five Year Financial Plan

Attachment #1

Solid Waste Summary	Budget	Final Budget	Proposed Budgets for Discussion			
	2020	2021	2022	2023	2024	2025
User fee annual increase %		5.00%	4.50%	3.25%	3.00%	3.00%
REVENUES						
Garbage Collection	3,188,600	3,293,000	3,461,200	3,592,200	3,723,200	3,859,300
RecycleBC Revenue	338,100	344,100	344,100	344,100	344,100	344,100
RecycleBC Eductaion Grant	28,500	28,600	28,600	28,600	28,600	28,600
Total Revenues	3,555,200	3,665,700	3,833,900	3,964,900	4,095,900	4,232,000
EXPENDITURES						
OPERATING						
Collection Services						
General Services - Emterra	1,782,000	1,889,000	1,983,500	2,043,100	2,104,400	2,167,600
CVRD Services	1,490,300	1,510,600	1,585,600	1,653,800	1,720,300	1,790,000
Advertising	28,500	38,600	38,600	38,600	38,600	38,600
Sub-Total	3,300,800	3,438,200	3,607,700	3,735,500	3,863,300	3,996,200
Dog Stations	28,500	28,700	29,100	29,300	29,500	29,700
Public Education		19,000	19,300	19,600	19,900	20,200
Miscellaneous	8,500	2,000	2,000	2,000	2,000	2,000
Litter Baskets - City Crew	95,100	95,900	96,900	98,000	99,100	100,200
Sub-Total	132,100	145,600	147,300	148,900	150,500	152,100
Total Operating Expenses	3,432,900	3,583,800	3,755,000	3,884,400	4,013,800	4,148,300
ADMINISTRATIVE / Staff Recovery						
Finance Clerk Wage Recovery	73,200	76,900	78,400	80,000	81,600	83,200
Postage, Billing Cycles	500	500	500	500	500	500
Total Administrative Expenses	73,700	77,400	78,900	80,500	82,100	83,700
Total Expenditures	3,506,600	3,661,200	3,833,900	3,964,900	4,095,900	4,232,000
Net Suplus (Deficit)	48,600	4,500	-	-	-	-

SOLID WASTE + RECYCLING COLLECTION FEES					2020	2021	
					Approved	Proposed	
					Rates	Rates	Change
a) Dwelling Basis Fee (included recycling & yard waste)					\$ 173.73	\$ 182.42	\$ 8.69
Extra Bag Ticket (50 litre) As of March 7					\$ 2.75	\$ 2.75	\$ -
b) Multifamily, Apt, Strata per unit (no blue box, no recycling)					\$ 152.63	\$ 160.26	\$ 7.63
	a) Recycling Pick Up per unit				\$ -	\$ -	\$ -
	b) Yard Waste Pick Up per unit				\$ 20.54	\$ 21.57	\$ 1.03
c) Trade Premises - per Pick Up					\$ -	\$ -	\$ -
Cans	1 Can or Equivalent				\$ 3.02	\$ 3.17	\$ 0.15
	Each Extra Can				\$ 3.02	\$ 3.17	\$ 0.15
DCBIA - Per Unit Per Year					\$ 332.48	\$ 349.10	\$ 16.62
Containers - Mixed Per Pick Up		Calculated Rates					
Bins	2 Yd³	Base Rate			\$ 18.09	\$ 18.99	\$ 0.90
	3 Yd³	2 yd3 mixed container base rate X	1.5		\$ 27.14	\$ 28.49	\$ 1.35
	6 Yd³	2 yd3 mixed container base rate X	3		\$ 54.27	\$ 56.97	\$ 2.70
	12 Yd³	2 yd3 mixed container base rate X	6		\$ 108.54	\$ 113.94	\$ 5.40
	20 Yd³	2 yd3 mixed container base rate X	10		\$ 180.90	\$ 189.90	\$ 9.00
***Sizes other than listed above charged at a rate per cubic yard					\$ 9.05	\$ 9.50	\$ 0.45
Compactors - Mixed Per Pick Up							
Bins	27 Yd³	Base Rate			\$ 488.88	\$ 513.32	\$ 24.44
	28 Yd³	27 yd3 compactor Base Rate +	1	2 yd3 mixed bins container rate	\$ 506.97	\$ 532.31	\$ 25.34
	30 Yd³	27 yd3 compactor Base Rate +	3	2 yd3 mixed bins container rate	\$ 543.15	\$ 570.29	\$ 27.14
	35 Yd³	27 yd3 compactor Base Rate +	8	2 yd3 mixed bins container rate	\$ 633.60	\$ 665.24	\$ 31.64
	40 Yd³	27 yd3 compactor Base Rate +	13	2 yd3 mixed bins container rate	\$ 724.05	\$ 760.19	\$ 36.14
***Sizes other than listed above charged the Applicable Year's 27 cubic yard base rate plus multiple of 2 cubic yard base rate					\$ 18.09	\$ 18.99	\$ 0.90
Containers - Cardboard Per Pick Up							
Bins	2 Yd³	Base Rate			\$ 9.90	\$ 10.40	\$ 0.50
	3 Yd³	2 yd3 containers-cardboard Base rate x	1.5		\$ 14.85	\$ 15.60	\$ 0.75
	6 Yd³	2 yd3 containers-cardboard Base rate x	3		\$ 29.70	\$ 31.20	\$ 1.50
***Sizes other than listed above charged at a rate per cubic yard					\$ 4.95	\$ 5.20	\$ 0.25
Compactors - Cardboard Per Pick Up							
Bins	27 Yd³	Base Rate			\$ 163.01	\$ 171.16	\$ 8.15
	30 Yd³	2 yd3 mixed container base rate X	1	plus Compactors Cardboard base rate	\$ 181.10	\$ 190.15	\$ 9.05
	35 Yd³	2 yd3 mixed container base rate X	2.67	plus Compactors Cardboard base rate	\$ 211.31	\$ 221.86	\$ 10.55
	40 Yd³	2 yd3 mixed container base rate X	4.34	plus Compactors Cardboard base rate	\$ 241.52	\$ 253.58	\$ 12.06
***Sizes other than listed above charged the Applicable Year's 27 cubic yard base rate plus multiple of 2 cubic yard base rate					\$ 6.04	\$ 6.34	\$ 0.30



THE CORPORATION OF THE CITY OF COURTENAY

BRIEFING NOTE

To: Council

File No.: 5360-02

From: Director of Public Works Services

Date: October 14, 2020

Subject: Solid Waste - 2021 Curbside Collection Schedule Changes

ISSUE:

At its November 14, 2019 meeting the Comox Strathcona Waste Management Board adopted the following recommendation:

209/19 *“THAT the Comox Valley Waste Management Centre and Campbell River Waste Management Centre cease operations and be closed to the public on statutory holidays, effective July 1, 2020.”*

After further discussions with member municipalities and the collection contractor the effective date of the statutory holiday closures was deferred to January 1, 2021.

BACKGROUND:

These new closures impact all solid waste collection providers levels in the Comox Valley for all service levels (single family, multi-family, commercial, industrial, institutional) as waste cannot be disposed at the landfill on statutory holidays. In 2021, there are nine (9) statutory holidays that will impact waste collection in the Comox Valley.

Additionally, the City has seen significant residential growth in a number of development nodes, in particular East Courtenay's Crown Isle and West Courtenay's Buckstone/The Ridge development. This growth has created an imbalance of collection points and waste volumes within the current four-zone/day residential collection schedule, resulting in the need for logistical and operational changes.

The combination of statutory closures at the landfill along with the increased growth in residential areas has resulted in the need for the implementation of a rotating collection schedule, known as an “Add-a-Day” collection system.

KEY CONSIDERATIONS:

To accommodate the statutory holiday regional landfill closures, staff have developed an Add-a-Day collection calendar (*see Attachment A.*) With the Add-a-Day collection calendar, curbside pickup would shift by one day after every statutory holiday. “Day” of pickup now becomes “Zone number” as collection shifts through the days of the week throughout the year. This type of collection system eliminates the need to reschedule collection for each statutory holiday. The Add-a Day system is currently used in a number of jurisdictions on Vancouver Island and throughout the Lower Mainland.

Significant growth in a number of residential development nodes has disproportionately increased the collection points, particularly in the current Wednesday and Thursday collection zones. Staff have analysed and redistributed collection zone boundaries to develop more balanced collection routes. This has resulted in an additional collection zone, creating a 5-day a week collection system (*see Attachment B*).

The additional zone will redistribute collection points more evenly and takes into consideration the City's 5-year growth projections for known and potential development.

The implementation of the collection changes will require significant public education and outreach. In the coming months, staff will coordinate communication materials for distribution in the newspaper, radio, the City website, social media platforms, the Courtenay Collects app, and as a direct mail-out of the new calendar to residents. The new collection calendar and notification letter will be mailed to each residential address receiving curbside collection in November to allow sufficient time for residents to become familiar with the service changes before implementation.

Total cost for public communications is approximately \$26,000. Funding will be provided from a combination of Solid Waste advertising and Ambassador Program funding and, the RecycleBC public education grant that is received annually.

These operational changes will utilize existing operational funds and will not result in a net increase to the overall cost of service delivery for the Solid Waste Services Program for 2021.

Respectfully Submitted,



Kyle Shaw, ASCT, CPWI
Director of Public Works Services

Concurrence by:



Trevor Kushner, BA, DLGM, CLGA, PCAMP
Interim Chief Administrative Officer

Attachments:

1. Add-a-Day Calendar Example - Zone 1
2. New Collection Zones

Solid Waste - 2021 Curbside Collection Schedule Changes

Attachment 1: Add-a-Day Calendar Example - Zone 1














January 2021

S	M	T	W	T	F	S
27	28	29	30	31	1	2
3	  	5	6	7		9
10	 	12	13	14	15	16
17	  	19	20	21	22	23
24	 	26	27	28	29	30
31	1	2	3	4	5	6

February 2021

S	M	T	W	T	F	S
31	  	2	3	4	5	6
7	 	9	10	11	12	13
14		15	  	17	18	19
21		22	 	24	25	26
28	1	2	3	4	5	6

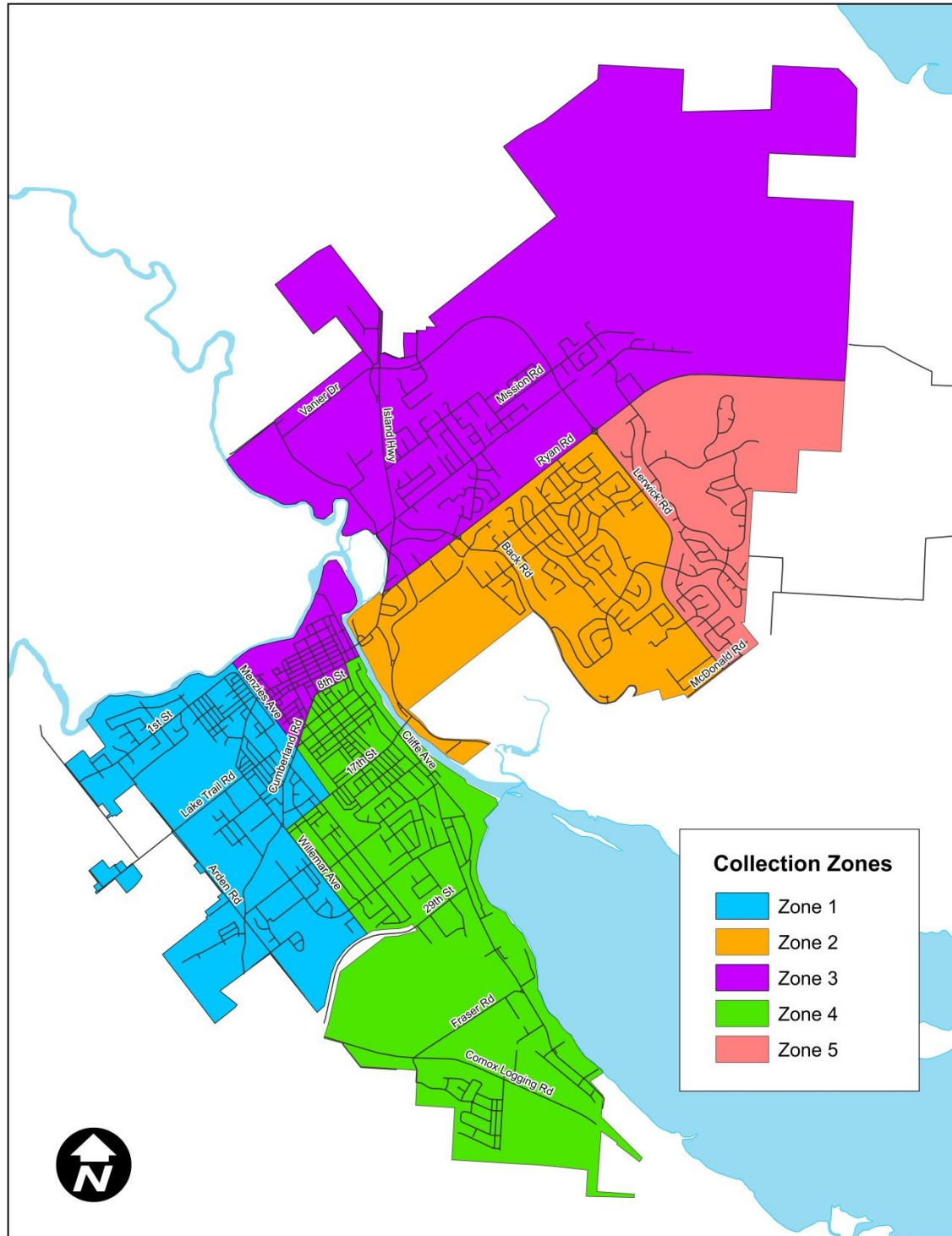
March 2021

S	M	T	W	T	F	S
28	1	  	3	4	5	6
7	8	 	10	11	12	13
14	15	  	17	18	19	20
21	22	 	24	25	26	27
28	29	  	31	1	2	3

April 2021

S	M	T	W	T	F	S
28	29	30	31	1		3
4	5	6	 	8	9	10
11	12	13	  	15	16	17
18	19	20	 	22	23	24
25	26	27	  	29	30	1

Attachment 2: New Collection Zones



Economic Recovery Task Force Steering Committee

October 1, 2020

Courtenay City Hall
830 Cliffe Avenue
Courtenay, BC, V9N 2J7

Sent via email: rmatthews@courtenay.ca
mayor@courtenay.ca

Dear Mayor Wells and Council,

Re: Economic Recovery Task Force - Industry Advisor Business Case Action Plan Submission Summary Report.

The Comox Valley Economic Recovery Task Force (ERTF), initiated by the Comox Valley Regional District Board, has been working with a wide range of Industry Advisors and businesses throughout the region to capture key recommendations on recovery measures that will set strategic direction for a strong and resilient economy for the Comox Valley. Submissions have been focused on actions and initiatives within an immediate time frame, (response during pandemic) and long term (recovery after pandemic).

At its September 24, 2020 Steering Committee meeting, the following motions were carried:

“THAT the Comox Valley ERTF Steering Committee approve the recommended actions contained in the Industry Advisor Business Case Action Plan Submissions Report dated Sept 10, 2020 and,

THAT the Comox Valley ERTF Steering Committee provide a summary of projects that have potential for meeting the criteria of the Stronger BC Community Economic Recovery Infrastructure Program to local governments.

AND FURTHER THAT the report be forwarded to the Chair and Board of the CVRD, Mayors and Council of Comox , Courtenay, Cumberland, K’ómoks First Nation, the Chair of the EASC and representative of CFB Comox for consideration and action on the recommendations that are within their jurisdiction.”

The report contains links to each submission received and considered to date by the ERTF. Submissions are grouped alphabetically by sector.

Please find the [report linked here](#) for your review and consideration. Recommended actions approved by the ERTF Steering Committee are colour coded as follows:

- | | |
|---------|--|
| Yellow: | Actions for all, or a specific local government. |
| Green: | Actions that will require further consideration by CVRD for future CVEDS work plans and/or something requiring resources. |
| Blue: | Actions for consideration of the ERTF Steering Committee in regards to advocacy and/or general encouragement and support of submitted recommendations by Industry Advisors through the facilitation process. |
| White: | Actions that are currently in process and/or can be accommodated |

At the October 1, 2020 ERTF Steering Committee meeting, 6 priority pillars for economic recovery were identified based on the many submissions to the taskforce from local business and industry advisors. The Priority Pillars include:

- Shop local / arts and culture support
- Agriculture and Food Security
- Tech / digital support for businesses
- Childcare
- Transportation and regional connectivity
- Streamline permitting process for businesses

These priority pillars for recovery will be further considered by the Steering Committee as part of its role in advancing immediate and longer term recovery strategies for the Comox Valley.

The Committee would like to draw attention to the [Community Economic Recovery Program Infrastructure Program](#) (CEIRP) that was developed by the Government of British Columbia to help communities in BC recover from the economic impacts experienced from Covid-19 as part of the implementation of the Building BC's Recovery Together Plan guiding economic recovery from the pandemic.

For full review of the Task Force Steering Committees information, please visit: [Economic Recovery Taskforce](#)

Sincerely,



City of Courtenay Mayor Bob Wells,

On behalf of the Co-Chairs,

Comox Valley Economic Recovery Task Force Steering Committee

cc: J. Watson, Executive Director, Comox Valley Economic Development

TAC Business Case Action Plan – ERTF Recommendations Summary Report

SECTOR: Business, Development, and Partner Organizations

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Comment / Recommendation
Business Development Bank of Canada	Immediate - Advocacy	
	1. Encouraging entrepreneurs to future proof their business by adopting more efficient operational practices and digitizing their operations	Explore a partnership with the Innovation Island Technology Association for an increased focus in the Comox Valley via their Digital Economy Restart, Recover, Reimagine Program (DER3) . DER3 provides one-to-one business & technical expertise for companies that need to consider changes to their business models, or action plans to better engage with the digital economy.
	2. Dedicating municipal staff time, or employing 3rd party contractors, to assist local businesses with digitizing their businesses.	Request Comox Valley CAO's to investigate capacity and potential for their IT to provide a meaningful contribution such as support for workshops.
	3. Helping older entrepreneurs transition their businesses to a younger generation.	Add to CVEDS 2021 work plan discussions and review Innovate 2030 Economic Development Master Plan for strategies referring to business retention and attraction.
	4. The valley as a whole needs to review its process of property development and redevelopment so that the process can be streamlined and more business owners can be incentivised to invest in the community.	Request further information from the Comox Valley Developers and Construction Association and the Vancouver Island Construction Association.
	5. Dedicating resources to help younger entrepreneurs form businesses.	Add to CVEDS 2021 work plan discussions and review Innovate 2030 Economic Development Master Plan for strategies referring to business retention and attraction.
	Long Term – Funding	
	6. Expand the Comox marina to enable more boats.	Refer to the Town of Comox for further consideration in future strategic planning sessions - <i>Note that a broader submission is expected from the Marine Tourism industry and Comox Valley Harbour Authority.</i>
	7. Build a number of backcountry cabins for ski touring, bike packing and hiking.	Request CVRD Parks input on this potential and other partners and agencies that may need to be involved (ie. BC Parks, Mount Washington Alpine Resort, Forestry Companies)
	Long Term – Advocacy	
	8. Look at transportation issues in the Comox valley and encourage more use of public transit, biking, and walking.	Request an update on Transportation planning from the CVRD.
	9. Please consider closing 5th street in Courtenay to motor vehicle traffic and Dunsmuir Ave in Cumberland.	Refer road closure request to City of Courtenay and Village of Cumberland.

TAC Business Case Action Plan – ERTF Recommendations Summary Report

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Comment / Recommendation
Community Futures Strathcona	Immediate – Marketing	
	1. Help with promoting to shop local.	Request CVEDS to explore options for increased support and partnership with Small Business BC (SBBC) on their BC Small Business Marketplace .
	2. Create a Shop Comox Valley/Campbell River/etc. rather than each individual trying to set up online.	See above
	Long Term – Advocacy	
	3. Assistance with business startup and development process information and support for entrepreneurs.	Add to CVEDS 2021 work plan discussions and review Innovate 2030 Economic Development Master Plan for strategies referring to entrepreneurship and services to business.
Comox Valley Chamber of Commerce	Immediate – Advocacy	
	1. Governments to acknowledge that businesses are still failing through the cracks.	The Economic Recovery Taskforce Steering committee was establish to recognize and address the critical economic issues facing small business in the Comox Valley. Request CVRD and local government staff to work with CVEDS to support increased local government communication on the ERTF process.
	Long Term – Advocacy	
	2. City of Courtenay’s OCP is a very important step in this process. Continuation of the OCP process still needs to happen, we need to keep moving forward.	ERTF to send a letter of support to the City of Courtenay recognizing the importance of the OCP process to the business community and to long term economic recovery.
Comox Business In Action (BIA)	Immediate – Marketing	
	1. Staycation packages for our locals to enjoy the tourism businesses that we have to offer in the Valley, as well as marketing campaigns to larger areas such as Vancouver and Victoria to come vacation in the Comox Valley	CVEDS to include in fall and winter planning with tourism industry members of the ERTF.
	Immediate – Advocacy	
	2. Create a larger voice from all Small Businesses in the Comox Valley area that have not been able to receive any support. Have the team write letters or make phone calls to our MP to communicate that more support may be needed.	Refer to the Comox Valley Chamber of Commerce for input and comment.
Cumberland Economic Development	Immediate – Advocacy	
	1. Support in securing supply chain of ppe and/or cleaning supplies	Refer/advocate for provincial support of ppe supply chain. Utilize communications to identify and connect businesses with local ppe manufacturers/distributors.
	2. Support in creating additional space for consumers within commercial areas	Recommend the incorporation of COVID health measures within existing event permitting processes (ie street markets) to ensure public safety and increased consumer confidence in visiting local commercial areas.
	3. Improved COVID related public health signage and messaging	Recommend that public health/safety signage is provided within all high traffic commercial areas.
	4. Certainty in availability of relief benefits (rent / employment support)	Ensure a consistent communication of, and access to provincial/federal relief benefit information.

TAC Business Case Action Plan – ERTF Recommendations Summary Report

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Comment / Recommendation
Comox Valley Airport Commission	Immediate – Advocacy	
	1. Provincial governments need to work with each other using the advice of their public health experts to determine when travel between provinces is considered safe. They should also ensure that a public statement outlining plans for the eventual elimination of travel restrictions is included in the published phased recovery.	Request further information from the CVAC that can be circulated to local governments and Provincial MLA's.
	Long Term – Advocacy	
	2. YQQ acquisition of adjacent property; need assistance in completing the purchase (permission for subdivision)	Refer to the Town of Comox and provide a letter of support that recognizes the importance of the Comox Valley Airport expansion in economic recovery.
	3. Increase to BC government Air Access Program funding.	CVEDS to work with the CV Airport Commission on Provincial and Federal advocacy requirements and provide further recommendations for ways local governments can engage in advocacy of these initiatives.
	4. Federal Government needs to define a clear set of health standards and procedures that align with internationally recognized protocols.	See above.
Puntledge Business Area	5. Federal government should also increase the funding of the Airport Capital Improvement Program.	See above.
	Immediate – Funding	
	1. Traffic light at the corner (Puntledge / 5 th).	Refer to the City of Courtenay.
	Immediate – Marketing	
	2. Marketing campaign to drive customers to the area.	Add to CVEDS 2021 work plan discussions.
	Immediate – Advocacy	
	3. Need incentives for new businesses to come to the area; need to market available space (e.g. old blockbuster building, red cross space).	Add to CVEDS 2021 work plan discussions and review Innovate 2030 Economic Development Master Plan for strategies including entrepreneurship and business attraction.
	Long Term – Marketing	
	4. Bring the Puntledge Days back; all the business used to have a “Customer Appreciation Day”; with music, raffles, food and a costumer’s passport.	See above.
	5. Have a “Meet the businesses Poster” all the businesses interested will create poster with their information and have it displayed in every store involved on the promotion.	See above.
	Long Term – Advocacy	
	6. Puntledge area needs a structured, practical way of presenting a united voice to City Hall.	Request CVEDS to explore the steps required to create a Business Improvement Association.
	7. Floodplain risk needs to be addressed.	Refer to the City of Courtenay.
	8. The City should turn the empty lot where The Courtenay Hotel used to be into a parking lot.	Refer to the City of Courtenay.

TAC Business Case Action Plan – ERTF Recommendations Summary Report

SECTOR: Agriculture

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Mid Island Farmers Institute	Long Term - Funding	
	<ol style="list-style-type: none"> The sector needs to come together with processors and other buyers to: <ol style="list-style-type: none"> Make better connections between demand and supply; See where the gaps in infrastructure lie, and; Organize on a systems level. Additionally, coordination of local food aggregation and distribution is also needed. Estimated \$10,000 cost 	That the CVRD be asked to prioritize the review of agriculture sector strategies completed during the Innovate 2030 Plan, and consider a request to the Province and other granting bodies for funding to support implementation of the specific recommendations.
Comox Valley Farmers' Institute	Long Term – Advocacy	
	1. Grow and improve the agri-food value chain; a unified, representative, forward looking agriculture strategy should be in place for the Valley.	Request the CVRD to consider a long-term, forward looking update of the Comox Valley Agriculture Plan which would contemplate and incorporate the recommendations from the agriculture sector and take into consideration the impacts of Covid-19 pandemic on the industry.
	2. Local government needs access to independent, non-political professionals, who are knowledgeable about the larger picture, agriculturally trained, connected locally and who understand the complexities of the agri-food chain as well as the regulatory environment that farmers and processors are expected to work within.	Included in updated agriculture plan process.
	3. Agri-food incubator; allow for the testing and refining of small batches of new value added products.	Included in updated agriculture plan process.
	4. Explore with partners options for food storage and food storage/aggregation infrastructure within the valley.	Included in Innovate 2030 Master Plan implementation.
	5. Explore with partners options for local food procurement policy for institutions and organizations.	Taskforce to support, encourage and advocate for local food procurement policy for institutions and organizations.
	6. Explore with partners the planning and development of a regional food hub.	Included in Innovate 2030 Master Plan implementation.
	7. Explore how to open up agricultural land and how to attract/keep a younger generation of farmers.	Refer to the Young Agrarians Organization for additional information on potential solutions.
	8. Engage with CVFI, CVEX and the CV Multiplex Association on concept of a Comox Valley Agri-plex which could potentially house some of the infrastructure around incubators, food storage and processing needed.	Refer to CVRD to engage with all farm groups on the concept of an agriculture facility that would suit the needs of the sector, and not affect or impact the agricultural land reserve.

TAC Business Case Action Plan – ERTF Recommendations Summary Report

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Comox Valley Farmers' Market	Immediate – Advocacy	
	1. The biggest immediate concern for the Farmers' Market is an adequate indoor space to accommodate physical distancing and other COVID-19 measure during the fall and winter months when we are unable to be outside.	ERTF to refer CVEDS to work with the Farmers Market, local governments, and the private sector to arrive at temporary or permanent solution for the coming winter.
	Long Term – Advocacy 2. Collaboration between farmers, labourers, processors and buyers to ensure that the food is harvested, processed and distributed in a timely manner. Of immediate importance for our region is: <ul style="list-style-type: none"> a) Increase in meat processing and packaging b) Increased storage (cold and dry) c) Need Commercial kitchen space d) Need for more farm labour e) Need availability of supplies for producers (seed, amendments, fertilizers and farming supplies) 	Included in the updated agriculture plan process. Note that commercial options for small scale meat processing, cold storage and commercial kitchen space are occurring. Demand continues to increase for added value processing within the Valley and region.
Comox Valley Exhibition Society	Immediate - Advocacy	
	1. CVEX requests exemption from the Municipal Grant application deadline.	Refer to local government.

TAC Business Case Action Plan – ERTF Recommendations Summary Report

SECTOR: Arts & Culture

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Comox Valley Community Arts Council	Immediate - Funding	
	1. Mortgage/tax/rent relief for commercially zoned venues & facilities so they can continue to be used or continue to exist until things change	Refer to local governments with facilities and venues that are capable of accommodating events to consider immediate options for fall/winter.
	2. Microgrants for artists & orgs to support transition to digital (equipment, training & tech acquisition)	Refer to CVRD with a request to consider if micro grants are an option for the Grant-In-Aid program.
	Immediate - Advocacy	
	3. Adapted rules for gathering in outdoor spaces to allow more flexibility	ERTF to request that a meeting be convened of Local Government staff responsible for Arts, Culture and Heritage facilities and programs to discuss and explore options for indoor and outdoor gathering spaces during COVID-19 and until the pandemic is over.
	Long Term - Marketing	
	4. Promotional support: assistance with joint promotions and marketing/coordinated promotional initiatives around Arts & Culture	Refer to the CVRD to consider a potential framework for Regional Arts, Culture and Heritage Funding where new programs, services and special events that support regional goals and deliver benefits to the entire region receive funding from the CVRD as part of the 2021-2025 Financial Planning Process.
	Long Term - Advocacy	
	5. Mitigation of public liability insurance costs or underwriting liability for events on public property	Refer recommendations #5 - 10 to local governments to determine options for flexibility in events on public property or in public facilities during the pandemic.
	6. Major overhaul to funding processes and limitations to allow for ongoing fluidity and nimble response to major events	See above.
	7. Reduced or free use of public facilities to present my/our work	See above.
	8. Regular street closures to allow for easy creator markets in dense neighbourhoods, or downtowns	See above.
	9. Partnerships for special events	See above.
	10. Community Access Programs to local theatre	See above.
	11. Creating a tax credit for buying Canadian Artworks (any genre) to stimulate sales.	
	12. Access to reliable, affordable, high-capacity internet is a significant barrier. Any way that government can mandate/encourage/incentivize providers to increase service and affordability would be a huge benefit to the entire community.	See recommendation #1 in IITA re technology strategies.
	13. Overall, the creative community would like to be acknowledged as a priority and be recognized for the contribution they make to our economy, our community wellness and our exceptional quality of life.	

TAC Business Case Action Plan – ERTF Recommendations Summary Report

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Sid Williams Theatre Society	Immediate - Advocacy	
	1. Assist with timely delivery of information on new emergency/special funding programs from other levels of government and major foundations.	Ongoing via Provincial associations and CVEDS.
	2. BC Gaming grant timelines currently do not aid our sector in responding to the pandemic. The Community Gaming Grant deadline was very early in the pandemic (April) when many Arts and Culture organizations had not had time to assess their needs. More responsive timelines are needed from the Gaming Branch.	ERTF to request information from the BC Gaming Grants on application deadlines during the pandemic.
	3. Because the Theatre/Live-Performance Sector is especially hard hit by the public health restriction on mass gatherings, it is important that programs like CEWS/CERB are extended for members of this sector as long as possible until the virus is no longer a threat.	ERTF to send a letter to appropriate Federal Government Ministry
	4. Perhaps if CEBA loans could be used for equipment purchases (so that the loan was attached to an asset) rather than just “non deferrable operating expenses”, more groups would make use of it.	Same as above
	Long Term - Funding	
	5. Create a local/regional cultural granting program to assist local organizations.	Refer to recommendation #3 in CVAC to convene a meeting, and/or report, to discuss a regional funding framework.
	6. Increase subsidies for use of public spaces/facilities by local non-profit organizations	See above.
	Long Term - Marketing	
	7. Support marketing/communication efforts by local performing-arts venues/producers.	See above.
	Long Term - Advocacy	
	8. Create opportunities for work hubs to share resources and expertise	CVEDS to include a review of work hubs (maker space/ co-location work spaces) in 2021 work plan.
	9. Modernize outdated/restrictive signage by-laws to allow local organizations that operate venues to install contemporary digital signage with advertising revenue potential.	Refer to local government
	10. Expand the street-entertainer program and share application (audition?) information with live-event organizers looking for performers (e.g. opening acts);	Refer to City of Courtenay.
	11. Consider tax incentives for local businesses that sponsor live-performances/festivals etc.	Refer to local government
	12. Create opportunities for local youth “work-learn-earn” in local live performance industry	Refer to local government
	13. Work with other levels of government and local businesses to create incentives for local youth to volunteer in our community (rec passes, gift cards, course credit)	Refer to local government

TAC Business Case Action Plan – ERTF Recommendations Summary Report

SECTOR: Aviation / Aerospace

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Courtenay Airpark Association	Long Term - Marketing	
	1. The City of Courtenay should mention the Airpark on their website.	CVEDS to work with the City of Courtenay and local governments to improve online awareness of the Airpark.
	Long Term - Advocacy	
	2. Need advocacy to Tourism Vancouver Island and Destination BC for inclusion in visitors guides to the Comox Valley and websites to include the Airpark information and all it has to offer; currently the Airpark is underutilized/valued.	CVEDS to include the Airpark in the update of the 5 year MRDT renewal plan.

SECTOR: Childcare

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Comox Valley Children's Day Care Society	Immediate - Marketing	
	1. Raising the awareness to Valley employers that they will need to be flexible with their staff who have young children.	For discussion and direction
	Immediate - Advocacy	
	2. Encouraging suppliers to offer /sell cleaning supplies to child care programs.	Forward request to Chamber of Commerce
	3. Consider expanding permissive tax exemptions to the child care sector.	ERTF to refer to CVRD and request a letter be crafted to go to UBCM
	4. Create a child care pandemic response team within the UBCM.	Same as above
	5. Increase wages of front-line workers.	Same as above
	6. Work with the sector to develop more specific health and safety guidelines.	
	Long Term - Funding	
	7. Create municipal pandemic response grants for child care.	Forward to local governments
	Long Term - Marketing	
	8. Raising public awareness about the need for increased and sustained funding for child care.	Forward to local governments
	Long Term - Advocacy	
	9. We are very grateful to the Comox Valley Community Foundation who were able to arrange for a large supply of hand sanitizer from Wayward Distillery – so supporting initiatives such as this would be helpful.	Forward to local governments
	10. Senior Government Advocacy; \$10/Day Child Care Plan, fully funded National Pandemic response plan for Child Care, National Child Care Plan, timely release of Federal transfer payments to the Province to meet local needs.	Forward to CVRD with request to craft letter to Provincial and Federal Government

TAC Business Case Action Plan – ERTF Recommendations Summary Report

SECTOR: International Education

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
North Island College	Immediate - Marketing	
	1. Consider 'open CV' campaign for 2021 social media etc.	Refer to CVEDS for 2021 Work Plan for consideration.
	2. Consider a branding system that welcomes newcomers/students.	See above.
	Immediate - Advocacy	
	3. Support for accommodation providers providing quarantine options for arriving students that align with provincial health guidelines.	Refer to the BC Hotel Association for consideration and input.
	4. Encouraging province/feds to ease travel restrictions where appropriate to allow for 'country bubble' movement.	ERTF to provide letter of support to Hon. Melanie Mark, Ministry of Advanced Education, Skills and Training supporting the economic importance of International Education to the Comox Valley.
	5. Relaxation of on-line content policy at ministry of education level for K - 12 sector.	Refer to the School District 71 for further input.
	Long Term - Advocacy	
	6. Consider supports for international tourism sector as they may apply to international education.	International tourism is a Federal mandate within the Destination Canada.
	7. Student employment support (post-secondary).	Refer to CVRD with a request to write and send a letter of support for the expansion of student hiring programs to applicable Provincial and Federal Ministries

SECTOR: Technology

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Innovation Island Technology Association	Immediate - Advocacy	
	1. Greater emphasis should be placed toward digital technology adoption.	CVEDS to provide a summary report of the recent regional and local technology strategies to local government and include specific recommendations for increased digital technology adoption within local government and economic development programs.
	2. Changes to business models should be encouraged and supported with respect to tax breaks, zoning or rent assistance.	Request to CAO's to prepare joint briefing note on limitations on tax break assistance to business.
	Long Term - Advocacy	
	3. Regional solutions should be considered to address regional challenges.	Request more information from the IITA.
	4. Digital literacy programs should be enhanced within district schools to increase a wider base of knowledge with all G12 graduates.	ERTF to endorse and refer to SD 71.

TAC Business Case Action Plan – ERTF Recommendations Summary Report

SECTOR: Tourism – *CVEDS is currently in the process of updating the 5 year MRDT long term marketing plan with a COVID - 19 lens. CVEDS to consider initiatives below in this process.*

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Bed & Breakfasts	Immediate - Funding	
	1. Funding for tourism businesses, including (but not limited to) tax relief	Refer above to recommendation #2 in Technology sector.
	Immediate - Marketing	
	2. More ads to either "staycation" or visit the Comox Valley (for BC residents)	Refer to recommendation #1 from Comox BIA.
	Immediate - Advocacy	
	3. There are so many choices that won't ask a traveler to spend an additional 16% (5 + 8 + 3), such as home exchanges or other jurisdictions, many will choose to go elsewhere. I don't disagree with MRDT in the long run, but not in a year of recovery.	CVEDS to work with Tourism industry in understanding MRDT applicability.
Beverage	Immediate - Funding	
	1. Grant/incentives to buy local.	CVEDS to forward to Chamber of Commerce for consideration of running a buy local campaign
	2. Lower taxes to stimulate economy.	Refer above to recommendation #2 in Technology sector.
	Immediate - Advocacy	
	3. Ensure all government purchases, contracts and tenders buy local first, region then province than other provinces and territories.	Refer above to recommendation #5 in Agriculture sector (CVFI); ERTF to support, encourage and advocate for local food procurement policy for institutions and organizations.
	4. Extended patios and off-sales should continue.	ERTF to approve and refer to local government planning departments.
	5. Incentives to employees to get off CERB and get back to work.	For discussion and direction.
	6. Wave property taxes rather than defer	Refer above to recommendation #2 in Technology sector.
	Long Term - Marketing	
	7. Need a strong marketing campaign to Buy Canadian.	Provincial and Federal mandate.
	Long Term - Advocacy	
	8. Liquor Distribution Branch to have an appeal board. Stop changing the Terms and Conditions with no warning or rationale. LDB should only exist for government stores.	Direct CVEDS to review recommendations 8-13 in conjunction with appropriate provincial ministries, jurisdictions and report back.
	9. Stop increasing minimum wage. Allow a farm wage.	Forward to CVRD with a request to create and send a letter to applicable Federal and Provincial Ministries and/or agencies.
	10. PST reform, too many bulletins that don't make any sense.	Forward to CVRD with direction to seek clarity on PST regulations relating to the beverage industry, and have CVEDS engage with the provincial industries associations including the BCRFA, ABLE BC, BC Craft Brewers, BC Wine Institute for feedback.
	11. Federal government should take control of trade between provinces and allow free movement.	As directed by ERTF steering Committee.
	12. Excise Tax reform - there should not be excise tax on spirits made in Canada. Unable to compete with import spirits in your own country.	Request CVRD to send letter to Applicable Ministries.
	13. Get rid of carbon tax in Canada, and charge on imported items only.	As directed by the steering committee.

TAC Business Case Action Plan – ERTF Recommendations Summary Report

Submission (linked)	Submitted Recommendations	ERTF Steering Committee Recommendation
Festivals & Events	Long Term - Funding	
	1. Support “arts” with a dedicated funding strategy	Refer to recommendation #3 in CVAC to convene a meeting and/or report to discuss a regional funding framework.
	2. Budget line in local/regional budget; dollars used to develop new or enhance existing events/organizations	See above.
Mountain Biking	Immediate - Advocacy	
	1. Expanding or renewing partnerships with the Mountain Bike Tourism Association of BC.	Included as part of MRDT planning process.
	Long Term - Funding	
	2. Local investments into capital projects such as multi-use pathways would be a major asset to the community and create important tourism infrastructure.	Forward to local government
	Long Term - Marketing	
	3. A specific mountain biking tourism strategy that supports and promotes local, regional, and provincial tourism within BC	Forward to CVRD for consideration in CVEDS work plan and direction to explore options for a destination development mountain bike plan with UROC and the Mountain Bike Tourism Association of BC.
Restaurants	4. Support from local agencies to lobby the Province of BC to waive permit fees for 2020 Park and Crown Land Permits	Forward to CVRD for consideration and direction to CVEDS to work with BC Parks and CVRD staff to determine options and capabilities.
	Immediate - Advocacy	
	1. Flexible, Innovative & Expedited Patio permitting is essential.	Refer to BC Restaurant and Foodservices Association to determine alignment with Provincial and Federal advocacy initiatives.
	Immediate - Marketing	
	2. Destination Marketing to unite all Vancouver Island residences and local visitors to Tour Local Stay Local Stay Safe	Refer to recommendation #1 from Comox BIA.
	Long Term - Advocacy	
	3. CECRA - Advocate to introduce a TIER system for those business that are 60% or 50% etc. down to be included in the program.	
	4. Food Sovereignty and Food Security: We seek Government assistance in facilitating our food supply locally, provincially and federally. Our food chain system needs to unify and collaborate with other sectors.	Refer to Agriculture Plan recommendation #1 as noted in Agriculture sector (CVFI) recommendations.

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 3009

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. 3009, 2020”**.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:

(a) Amending Division 8 – Classification of Zones through the addition of:

Part 1 – Residential One E Zone (R-1E) as attached in **Attachment A**.

(b) by rezoning That Part of Lot 9 of District Lot 104, Comox District, Plan 2317 Shown Outlined in Red on Plan 627R as shown in bold outline on **Attachment B** which is attached hereto and forms part of this bylaw, from Residential Two (R-2) to Residential One E (R-1E).

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

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

Read a first time this _____ day of _____, 2020

Read a second time this _____ day of _____, 2020

Considered at a Public Hearing this day of , 2020

Read a third time this _____ day of _____, 2020

Finally passed and adopted this day of , 2020

Mayor

Corporate Officer

Attachment A

Part 1 – Residential One E Zone (R-1E)

8.1.55 Intent

The R-1E zone is intended to provide appropriate zoning for compact infill residential development.

8.1.56 Permitted Uses

In the R-1E Zone, the following uses and development are permitted and all other uses are prohibited within the area identified on Schedule 8, Zoning Map, except as otherwise noted by this bylaw:

- (1) *Single residential dwelling*
- (2) *Secondary suite* located on a lot with an area of not less than 450 m²
- (3) *Secondary residence* located on a lot with an area of not less than 600 m², despite lot size requirements elsewhere in this Bylaw
- (4) *Carriage house* located on a lot with an area of not less than 600 m², with a total floor area of no more than 90 m²
- (5) *Home occupation*
- (6) *Accessory buildings and structures*

8.1.57 Density

- (1) Minimum Lot Size: A lot shall have an area of not less than 300 m²
- (2) Floor Area Ratio: The maximum permitted floor area ratio (FAR) is 0.7

8.1.58 Minimum Lot Frontage

A lot shall have a frontage of not less than 10 m except for a corner lot, where the frontage shall be not less than 13 m. In the case of a lot fronting the bulb of a cul-de-sac, the frontage is measured at the front yard setback line

8.1.59 Lot Coverage

The maximum *lot coverage* shall not exceed 40%

8.1.60 Setbacks

Except where otherwise specified in this bylaw the following minimum building setbacks shall apply:

- (1) Front yard: 6.0 m except that steps, landings, ramps, railings, decks, patios, awnings and covered entry features up to 3.5m in total width and up to 3.0m in height may project up to 1.0m into the front yard setback
- (2) Rear yard: 6.0 m except:

- i. steps, landings, ramps, railings, decks, patios, awnings and covered entry features up to 3.5m in total width and up to 3.0m in height may project up to 1.0m into the rear yard setback, and
 - ii. 1.5 m for a *carriage house* where it is accessed from a lane, where i. above does not apply
- (3) Side yard: 1.5 m except:
 - i. where a *side yard* flanks a street, excluding a lane, in which case, the minimum distance shall be 3.0 m, and
 - ii. where a secondary residence or carriage house behind the principal building lacks side or rear street or laneway access, the minimum side yard setback distance for the principal building on one side shall be 3.0m.

8.1.61 Height of Buildings

- (1) The *height* of a principal building shall not exceed 8.0 m
- (2) The *height* of a secondary residence building or carriage house shall not exceed 6.5 m

8.1.62 Accessory Buildings and Structures

- (1) Shall not exceed 4.5 m in *height*
- (2) Shall have a total *building area* not exceeding 45 m²
- (3) Shall be permitted in the side and *rear yard* provided they shall conform to all relevant siting regulations of this bylaw
- (4) Shall be permitted at the front of a principal *residence* provided they shall conform to all relevant siting regulations of this bylaw
- (5) Shall not be located within 1.5 m from the side and rear *lot line* except where the side or rear yard flanks a *street*, excluding a lane, in which case the minimum *yard* distance shall be 4.5 m

8.1.63 Off-Street Parking

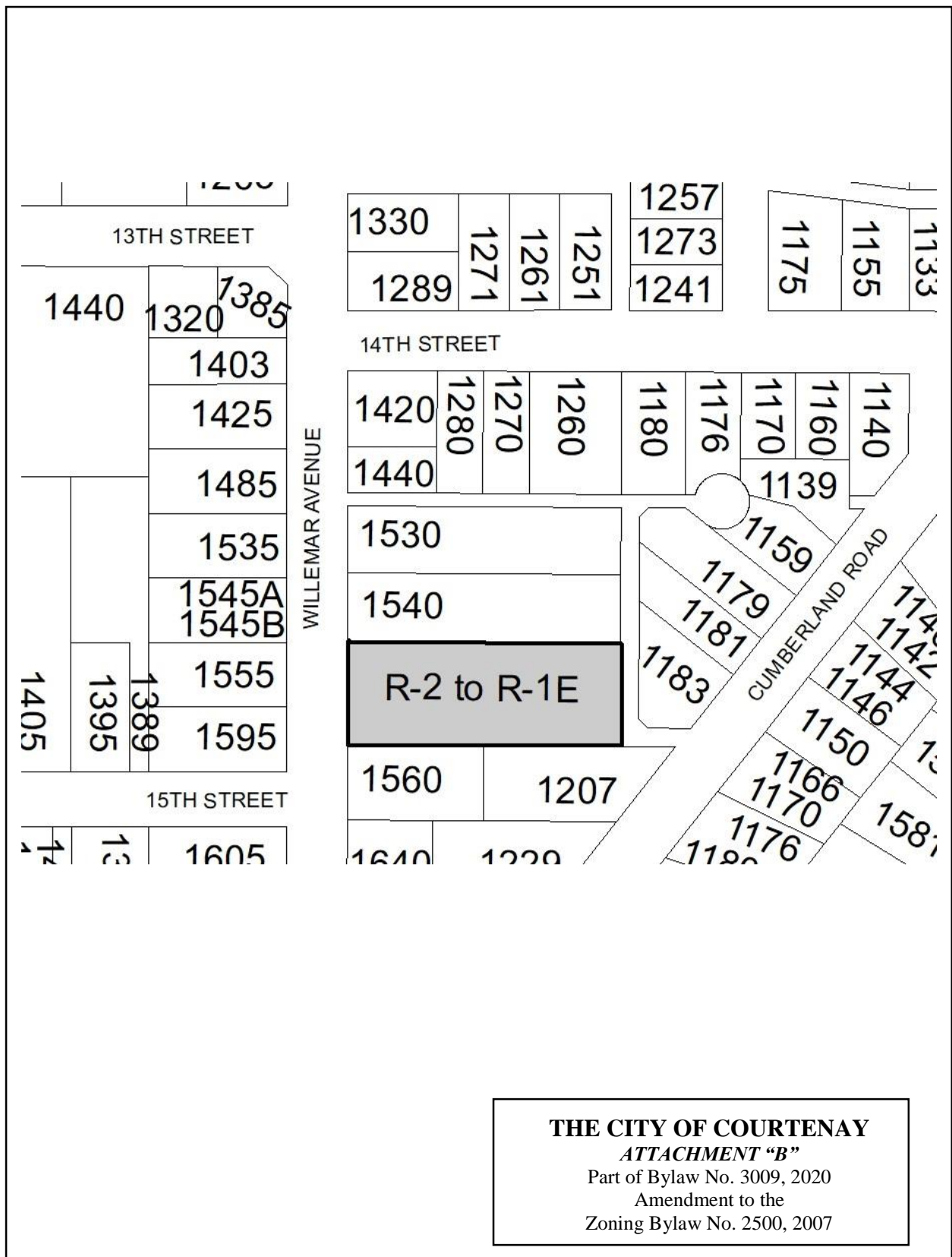
- (1) Except as provided in this section, off-*street* parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw
- (2) No more than 50% of the front yard area shall be used for off-*street* parking
- (3) Where a parking aisle is a strata access road, the minimum parking aisle width shall not exceed 6.5m
- (4) Where two secure, covered bicycle parking spaces are provided on a lot, the minimum number of vehicle parking spaces for a primary residence on the lot may be reduced by one space, except:
- (5) In the case of a strata lot, where 0.5 common property visitor parking spaces and two secure, covered bicycle parking spaces are provided per lot, the minimum number of vehicle parking spaces for primary residences on each strata lot may be reduced by one space

8.1.64 Landscaping and Screening

In addition to the Landscape Requirements identified in Division 6, Part 14 of this bylaw, the following landscape requirements shall be met:

- (1) A vegetated buffer that will reach a minimum of 3.0m in height upon maturity shall be provided and maintained to the satisfaction of the City on all pre-existing property lines adjoining all other adjoining properties

Attachment B



THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 3016

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. 3016, 2020**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
 - (a) by rezoning Lot A, Section 68, Comox District, Plan 17818 (540 17th Street), as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Residential One Zone (R-1) to Residential One S Zone (R-1S); and
 - (b) That Schedule No. 8, Zoning Map be amended accordingly.
3. This bylaw shall come into effect upon final adoption hereof.

Read a first time this _____ day of _____, 2020

Read a second time this _____ day of _____, 2020

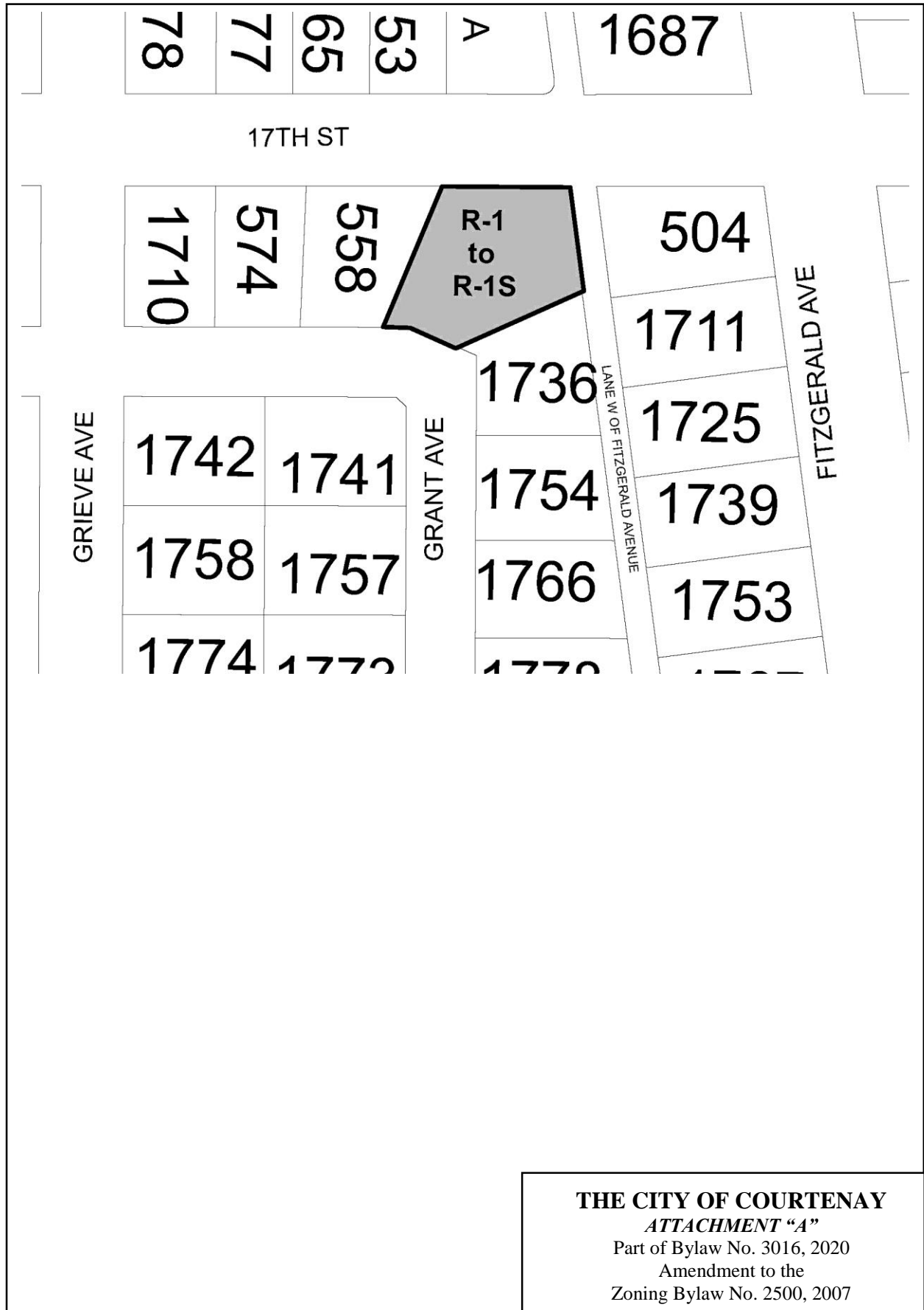
Considered at a Public Hearing this day of , 2020

Read a third time this _____ day of _____, 2020

Finally passed and adopted this day of , 2020

Mayor

Corporate Officer



THE CITY OF COURTENAY
ATTACHMENT "A"

Part of Bylaw No. 3016, 2020
Amendment to the
Zoning Bylaw No. 2500, 2007

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 3022

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. 3022, 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. 3022
SECTION III, APPENDIX IV
SOLID WASTE COLLECTION FEES

- A. Dwelling Basis Fee per unit per year
 -includes recyclables & yard waste pickup \$182.42
- Extra Bag Ticket (50 litre) - each \$2.75
- B. Residential Multifamily, Apartment, Strata per unit per year
 (Fee for yard waste, recyclables not included) \$160.26
- Additional service fee – yard waste pickup, per unit per year \$21.57
- 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)	\$3.17
Every additional can or equivalent 121 litres shall be charged at the rate of	\$3.17
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)	\$349.10

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

2 cubic yards	\$18.99
3 cubic yards	\$28.49
6 cubic yards	\$56.97
12 cubic yards	\$113.94
20 cubic yards	\$189.90
Rate per cubic yard for sizes other than those listed above	\$9.50

Compactors – Mixed Waste (contains no recyclable material)	Per Pickup
27 cubic yards	\$513.32
28 cubic yards	\$532.31
30 cubic yards	\$570.29
35 cubic yards	\$665.24
40 cubic yards	\$760.19
For sizes other than those listed above: \$513.32 (27 cubic yard base rate) + [(Y – 27) * \$18.99 (cubic yard base rate)]	

Refuse to Recycling Centre (no tipping fees)	
DCBIA Recycle Toter Bin	\$2.60 per bin
Containers	Per Pickup
2 cubic yards	\$10.40
3 cubic yards	\$15.60
6 cubic yards	\$31.20
Sizes other than listed above charged at a rate per cubic yard of	\$5.20

Compactors	Per Pickup
27 cubic yards	\$171.46
30 cubic yards	\$190.15
35 cubic yards	\$221.86
40 cubic yard	\$253.58
For sizes other than those listed above: \$171.46 (27 cubic yard base rate) + [(Y – 27) * \$10.40 (cubic yard base rate)]	

