

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

**Date:** January 11, 2021  
**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**

	<b>Pages</b>
<b>1. ADOPTION OF MINUTES</b>	
1.1. Adopt December 21st, 2020 Regular Council meeting minutes	5
<b>2. INTRODUCTION OF LATE ITEMS</b>	
<b>3. DELEGATIONS</b>	
<b>4. STAFF REPORTS/PRESENTATIONS</b>	
4.1. Development Services	
4.1.1. Zoning Amendment Bylaw No. 3010 Updated Proposal - Storefront Cannabis Retailer - 444 Lerwick Road	15
<b>5. EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION</b>	
<b>6. INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION</b>	

**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 January 11<sup>th</sup>, 2021 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

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

8.2. Councillor Cole-Hamilton Resolution - 2021 Strategic Planning - Equity and Inclusion

*Whereas recent events remind us of the presence of bullying, harassment, and discrimination in our community;*

*Whereas the City of Courtenay has Core Values that it strives to uphold including "people matter" and "to be accountable", and seeks to lead by example; and*

*Whereas the Mayor and Council participate in a strategic planning session each year;*

*Be it resolved that the Mayor and Council include a focus on equity and inclusion in our strategic planning for 2021.*

9. UNFINISHED BUSINESS

10. NOTICE OF MOTION

11. NEW BUSINESS

11.1. Letter of Request - Howie Siemens, Emergency Program Coordinator - Comox Valley's Regional Emergency Operations Centre (EOC) - Emergency Operations Centre Policy Group Creation 45

The Regional EOC's "COVID-19 After Action Report" recommends implementing a Policy Group for the ongoing response to the COVID-19 pandemic; regional local governments are being asked to approve the following resolution:

*"THAT the <Mayor/Chair> of <jurisdiction> be appointed to the Comox Valley's Regional Emergency Operations Centre Policy Group in response to the ongoing COVID-19 pandemic;*

*AND FURTHER THAT the Policy Group be tasked with providing leadership and strategic direction/decision making on Emergency Operations Centre policy matters and act as the key communications liaison point between senior government and health officials and the local emergency operations centre and local jurisdictions."*

11.2. Comox Valley Airport Commission (CVAC) Concurrence of Director Reappointment to CVAC Board 51

## 12. BYLAWS

### 12.1. For Third Reading

- 12.1.1. Zoning Amendment Bylaw No. 2977, 2020 (2355 Mansfield Drive) 53  
(A bylaw to rezone property from Commercial Two Zone (C-2) to Comprehensive Development Zone Twenty Eight (CD-28) - 2355 Mansfield Drive)
- 12.1.2. Zoning Amendment Bylaw No. 2989, 2020 (4070 Fraser Road) 63  
(A bylaw to amend Zoning Bylaw No. 2500, 2007 to rezone property from Rural Eight (RU-8) to Comprehensive Development Zone Twenty-One Zone (CD-21) and Public Use and Assembly Two Zone (PA-2); and amend Schedule No. 8 Zoning Map to facilitate a 12 lot subdivision and City parkland - 4070 Fraser Road)
- 12.1.3. Zoning Amendment Bylaw No. 3024, 2020 (Home Occupation Regulations) 67  
(A bylaw to amend Zoning Amendment Bylaw No. 2500, 2007 amending Division 6 - General Regulations, Part 3 - Home Occupation regulations)

### 12.2. For Final Adoption

- 12.2.1. Zoning Amendment Bylaw No. 3024, 2020 (Home Occupation Regulations)  
(A bylaw to amend Zoning Amendment Bylaw No. 2500, 2007 amending Division 6 – General Regulations, Part 3 - Home Occupation regulations)

**See Page 67**

## 13. ADJOURNMENT

**Minutes of a Regular Council Meeting**

**Meeting #:** R28/2020  
**Date:** December 21, 2020  
**Time:** 4:02 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. Sorichta, Corporate Officer, via video/audio conference  
K. O'Connell, Director of Corporate Support Services, 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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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.

**1. ADOPTION OF MINUTES**

**1.1 Adopt December 9<sup>th</sup>, 2020 Special Council meeting minutes (0570-03)**

**Moved By** Frisch  
**Seconded By** Cole-Hamilton

That the December 9<sup>th</sup>, 2020 Special Council meeting minutes be adopted as amended.

**Carried**

**1.2 Adopt December 10<sup>th</sup>, 2020 Special Council meeting minutes (0570-03)**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

That the December 10<sup>th</sup>, 2020 Special Council meeting minutes be adopted.

**Carried**

**2. INTRODUCTION OF LATE ITEMS**

**2.1 Comox Valley Coalition to End Homelessness (CVCEH) - Letter of Request to Use a City-Owned Facility for Temporary Overflow Emergency Shelter**

**Moved By** Morin

**Seconded By** Frisch

That the correspondence dated December 17<sup>th</sup>, 2020 received from the Comox Valley Coalition to End Homelessness (CVCEH) requesting the use of a City-owned facility as a temporary overflow emergency shelter, be added to the December 21<sup>st</sup>, 2020 Council agenda under section *11.00 New Business*.

**Carried**

**3. DELEGATIONS**

**4. STAFF REPORTS/PRESENTATIONS**

**4.1 CAO and Legislative Services**

**4.1.1 Lease Agreement Amendments for Courtenay Airpark 100 - 20<sup>th</sup> Street (2380-30)**

**Moved By** Hillian

**Seconded By** McCollum

That based on the December 21<sup>st</sup>, 2020 staff report “Lease Agreement Amendments for Courtenay Airpark”, Council approve OPTION 1 and authorize the attached lease agreement between the Courtenay Airpark Association and the City of Courtenay for the property having a legal description of:

- PID: 000-892-149, Lot 1, Section 66, Comox District, Plan 14942 except any portion of the bed of the Courtenay River;
- PID: 000-892-068, Lot A, Section 66 and 67, Comox District, Plan 14521 except any portion of the bed of the Courtenay River;

- PID: 004-154-664, Lot 1, Section 68, Comox District, Plan 15512;
- Licence of Occupation, Crown License No. V933091 (Floatplane Ramp)
- Lease Area A Plan EPP99020 (Floatplane Dock); and,

That staff provide public notice to satisfy the statutory advertising requirements for the provision of assistance and disposition of City lands as 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 Lease Agreement.

**Carried**

**4.1.2 Lease Agreement for Lot 2, 100-20<sup>th</sup> Street - Courtenay Airpark (2380-30)**

**Moved By** Cole-Hamilton

**Seconded By** Theos

That based on the December 21<sup>st</sup>, 2020 staff report “Lease Agreement for Lot 2, 100-20<sup>th</sup> Street - Courtenay Airpark”, subsequent to the publication of notice, Council adopt OPTION 1 and authorize the attached lease between Duane John Dubyk and the City of Courtenay for the property having a legal description of PID: 000-892-149, Lot 1, Section 66, Comox Land District Plan 14942 except any portion of the bed of the Courtenay River and further identified as Lot 2 on Plan VIP64872; and

That the Mayor and Corporate Officer be authorized to execute all documentation relating to the lease.

**Carried**

**4.1.3 Lease Agreement for Lot 3, 100-20<sup>th</sup> Street - Courtenay Airpark (2380-30)**

**Moved By** Hillian

**Seconded By** Frisch

That based on the December 21<sup>st</sup>, 2020 staff report “Lease Agreement for Lot 3, 100-20<sup>th</sup> Street - Courtenay Airpark”, subsequent to the publication of notice, Council adopt OPTION 1 and authorize the attached lease between North Bend Ventures Ltd. and the City of Courtenay for the property having a legal description of PID: 000-892-149, Lot 1, Section 66, Comox Land District Plan 14942 except any portion of the bed of the Courtenay River and further identified as Lot 3 on Plan VIP64872; and,

That the Mayor and Corporate Officer be authorized to execute all documentation relating to the lease.

**Carried**

**4.1.4 Lease Agreement for Lot 4, 100-20<sup>th</sup> Street - Courtenay Airpark (2380-30)**

**Moved By** Frisch

**Seconded By** McCollum

That based on the December 21<sup>st</sup>, 2020 staff report “Lease Agreement for Lot 4, 100-20<sup>th</sup> Street - Courtenay Airpark”, subsequent to the publication of notice, Council adopt OPTION 1 and authorize the attached lease between Airspeed High Ultralights and the City of Courtenay for the property having a legal description of PID: 000-892-149, Lot 1, Section 66, Comox Land District Plan 14942 except any portion of the bed of the Courtenay River and further identified as Lot 4 on Plan VIP64872; and

That the Mayor and Corporate Officer be authorized to execute all documentation relating to the lease.

**Carried**

**5. EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**5.1 Letter and Presentation - Ministry of Municipal Affairs - Nicola Marotz, Chair, BC Board of Examiners (0410-20)**

**Moved By** Frisch

**Seconded By** McCollum

That the letter dated December 1<sup>st</sup>, 2020 from Nicola Marotz, Chair, BC Board of Examiners, Ministry of Municipal Affairs, advising that on November 26<sup>th</sup>, 2020 Trevor Kushner, Interim Chief Administrative Officer (CAO) [General Manager of Operations/Deputy CAO], was awarded the Certificate in Local Government Statutory Administration, be received for information.

**Amending motion:**

**Moved By** Hillian

**Seconded By** Morin

That Council heartily congratulate Trevor Kushner, Interim Chief Administrative Officer [General Manager of Operations/Deputy CAO], on his significant accomplishment under exceptional circumstances by presenting him with his Certificate in Local Government Statutory Administration as notified by Nicola Marotz, Chair, BC Board of Examiners, Ministry of Municipal Affairs, awarded to Mr. Kushner on November 26<sup>th</sup>, 2020.

**Carried**

**The main motion was Carried as amended**

**5.2 Comox Valley Regional District (CVRD) - Notice of Disbandment - Integrated Regional Transportation Select Committee (IRTSC) and Acknowledgement of Appreciation to Councillor Frisch (0470-20)**

**Moved By** McCollum

**Seconded By** Cole-Hamilton

That the letter dated December 11<sup>th</sup>, 2020 from the Comox Valley Regional District (CVRD) providing notice of disbandment of the Integrated Regional Transportation Select Committee (IRTSC) as of December 8<sup>th</sup>, 2020, and including acknowledgement of appreciation for Councillor Frisch's dedication and service to the Committee, be received for information.

**Carried**

**5.3 Letter of Appreciation from Courtenay Airpark Association Re: Lease Renewal (0400-20/2380-30)**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

That the letter dated December 16<sup>th</sup>, 2020 from the Courtenay Airpark Association's Board of Directors sharing its appreciation for the efforts of Courtenay Council and City staff with the Courtenay Airpark lease renewals, be received for information.

**Carried**

**6. INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

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

**7.1 Councillor Cole-Hamilton**

Councillor Cole-Hamilton read the following prepared statement aloud in response to a Comox Valley student's project launched at the Comox Valley Art Gallery on December 17<sup>th</sup>, 2020:

“In the last week our community has heard some painful and troubling stories of youth being bullied, taunted and harassed. That this happened at all, is troubling, but that it happened in places where young people have a right to expect safety gives rise to even greater concern. Everyone in our community has a responsibility to treat young people with respect and to ensure that others do the same; and those who choose roles of responsibility towards youth, be they public officials like us, or those who work directly with young people, whether its teachers, councillors, coaches, mentors, police officers and many other roles, owe a special duty to create spaces where young people are safe and respected, and to take clear action when they are not. We have a responsibility to ensure our words and behaviours model these values. I'm sure everyone around this table agrees that bullying and harassment should not be tolerated, and that everyone deserves to feel safe, but words are only part of the answer. Over the weekend, Councillors Morin and McCollum and I spoke about ways in which we could take concrete action to ensure that our own house is in order, and that we're living up to the values we hold dear. In our own *Core Values*, we state that *People Matter*, and to *Be Accountable*, and to that end, I will be putting forward a motion in the New Year that equity and inclusion be a focus of our strategic planning going forward. Thank you.”

## **7.2 Councillor Morin**

Councillor Morin participated in the following events:

- Comox Valley Sewage Commission meeting
- Comox Valley Water Committee meeting
- CVRD Board meeting

Councillor Morin thanked Councillor Cole-Hamilton for his statement regarding equity and inclusion, and furthermore went on to discuss a letter that was recently distributed to her by the City of Dawson in response to an incident of racism towards a staff member. Councillor Morin discussed the importance of community leaders taking stands publicly with words and then with action to make it clear that those behaviours are not welcome in our community.

## **7.3 Councillor Theos**

Councillor Theos supported Councillors Cole-Hamilton and Morin's comments about equity and inclusion.

## **7.7 Mayor Wells**

Mayor Wells reviewed his attendance at the following events:

- Meeting with Honourable Josie Osbourne, Ministry of Municipal Affairs, regarding:
  - Comox Valley Coalition to End Homelessness' (CVCEH) short term and permanent housing requests
  - Concerns around public mental health and addictions
  - Provincial support for small and local businesses
  - Infrastructure grants; in particular, for the 5<sup>th</sup> Street Bridge Rehabilitation Project
  - Internet connectivity in remote communities
- Virtual Menorah Lighting hosted by Rabbi Bentzi via Zoom

Mayor Wells mentioned that the Economic Recovery Task Force (ERTF) is currently working on a *Shop Local Campaign*; information will be distributed through social media channels and local radio to encourage everyone to support local business.

Mayor Wells thanked Council and City staff for all their efforts this year, and wished everyone a Merry Christmas, Season's Greetings, Happy Hanukkah, and Happy New Year in 2021.

**8. RESOLUTIONS OF COUNCIL**

**8.1 In Camera Meeting**

**Moved By** Frisch

**Seconded By** McCollum

That a Special In-Camera meeting closed to the public will be held December 21<sup>st</sup>, 2020 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (c) labour relations or other employee relations;
- 90 (1) (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- 90 (1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

**Carried**

**8.2 Reschedule January 04, 2021 Regular Council Meeting**

**Moved By** Hillian

**Seconded By** Theos

That Council cancel the January 4<sup>th</sup>, 2021 Regular Council meeting and reschedule to January 11<sup>th</sup>, 2021 to accommodate the Christmas and New Year holiday schedule.

**Carried**

**9. UNFINISHED BUSINESS**

**10. NOTICE OF MOTION**

**11. NEW BUSINESS**

**11.1 Comox Valley Coalition to End Homelessness (CVCEH) - Letter of Request to Use a City-Owned Facility for Temporary Overflow Emergency Shelter**

**Moved By** Morin

**Seconded By** McCollum

That the letter dated December 17<sup>th</sup>, 2020 from the Comox Valley Coalition to End Homelessness (CVCEH), requesting the use of a City-owned facility as temporary emergency shelter space in support of their Extreme Weather Response “Overflow” Program to shelter vulnerable citizens during periods of extreme weather, be received for information.

**Carried**

**New motion:**

**Moved By** Hillian

**Seconded By** Frisch

That Council mandate staff to work with the Comox Valley Coalition to End Homelessness (CVCEH) to provide a solution for a temporary emergency shelter needed for the Extreme Weather Response “Overflow” Program outlined in CVCEH’s letter dated December 17<sup>th</sup>, 2020; and,

That staff provide a report at the earliest opportunity on efforts made to identify a suitable site for use as a temporary emergency shelter.

**Carried**

**12. BYLAWS**

**12.1 For Final Adoption**

**12.1.1 City of Courtenay Fees and Charges Amendment Bylaw No. 3023, 2020 (Amend 2021 Sewer Utility Rates)**

**Moved By** Frisch

**Seconded By** McCollum

That “City of Courtenay Fees and Charges Amendment Bylaw No. 3023, 2020” be finally adopted.

**Carried**

**13. ADJOURNMENT**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

That the meeting now adjourn at 5:29 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Corporate Officer**

**Adopted this 11<sup>th</sup> day of January, 2021**

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**Mayor**



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Zoning Amendment Bylaw No. 3010 Updated Proposal - Storefront Cannabis Retailer - 444 Lerwick Road

**File No.** 3360-20-2008  
**Date:** January 11<sup>th</sup>, 2021

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### PURPOSE:

The purpose of this report is to identify minor changes to a referral from the Liquor and Cannabis Regulation Branch (LCRB) regarding a proposal from Coast Range Cannabis Ltd. to establish a Storefront Cannabis Retailer at 444 Lerwick Road, and to amend the associated zoning amendment bylaw prior to scheduling a public hearing and considering third reading of the bylaw.

### CAO RECOMMENDATIONS:

THAT based on the January 11<sup>th</sup>, 2021 Staff report, "Zoning Amendment Bylaw No. 3010 – Updated Proposal - Storefront Cannabis Retailer -444 Lerwick Road." Council approve OPTION 1 and amend Zoning Amendment Bylaw No. 3010 to include unit 301 in the area where a storefront cannabis retailer is permitted; and

THAT Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw.

Respectfully submitted,

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

### BACKGROUND:

On October 19<sup>th</sup>, 2020 Council passed a resolution giving first and second readings of Zoning Amendment Bylaw No. 3010 to rezone unit #302 at 444 Lerwick Road to permit a Storefront Cannabis Retailer. Staff were also directed to schedule and advertise a statutory Public Hearing at that time.

On December 7, 2020 the City was notified by the LCRB that Coast Range Cannabis Ltd. has included a second retail unit, unit #301, in their application for a Storefront Cannabis Retailer (*as seen in Attachment No. 1*). The applicant is now proposing that a Storefront Cannabis Retailer be located within two adjacent vacant retail units (#301 and #302) within the Crown Isle Shopping Centre.



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



Figure 2: Proposed Storefront Units #301 and #302 (both outlined in Red)

**Overview of the Amendments to the Proposal**

Coast Range Cannabis Ltd. has amended their application with the LCRB and is now proposing to rezone retail units #301 and #302 within the Crown Isle Shopping Centre. Staff note that only one storefront retailer is being proposed at this location and it will operate as one business within the two commercial retail units to be renovated to function as one.

This amendment has resulted in minor changes to the floor plan. Additionally, the applicant is proposing a minor modification to the storefront’s proposed hours of operation.

**Floor Plan**

Prior to including unit #301 within the application, the proposed floor area of the retail store was approximately 1,055 ft<sup>2</sup> (98m<sup>2</sup>) and included: a retail space for customers, a secure storage area and a restroom (as seen in **Figure No. 3**).

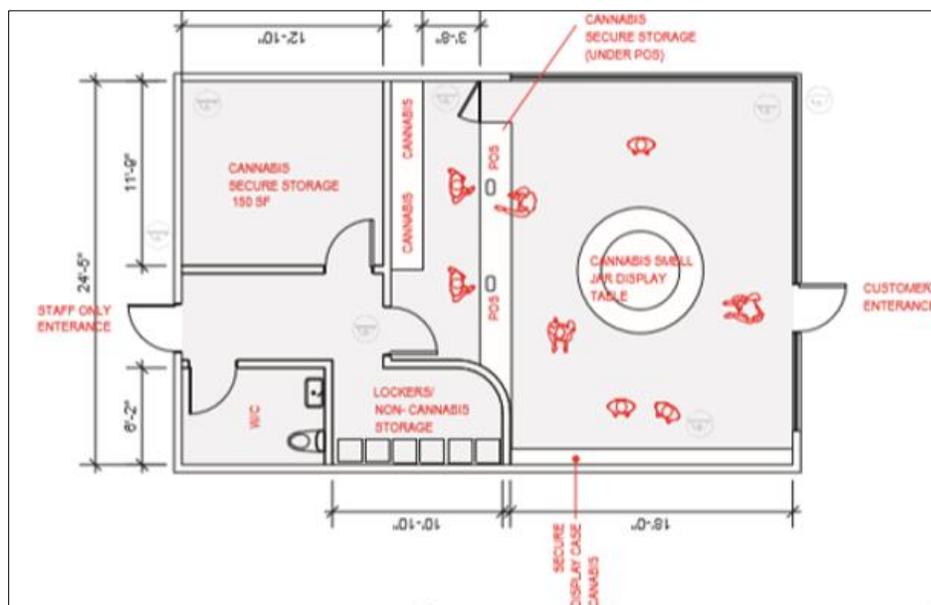


Figure 3: Initial Floor Plan (Unit #302)

The revised floor plan (as seen in **Figure No. 4**) indicates that the new floor area is 2,150 ft<sup>2</sup> (200m<sup>2</sup>) and includes: a larger retail space for customers, dedicated employee office space, a staff room for employees, an expanded storage area and a bigger display area for retail products.

Similar to the original proposal interior improvements are planned for the retail store and 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.

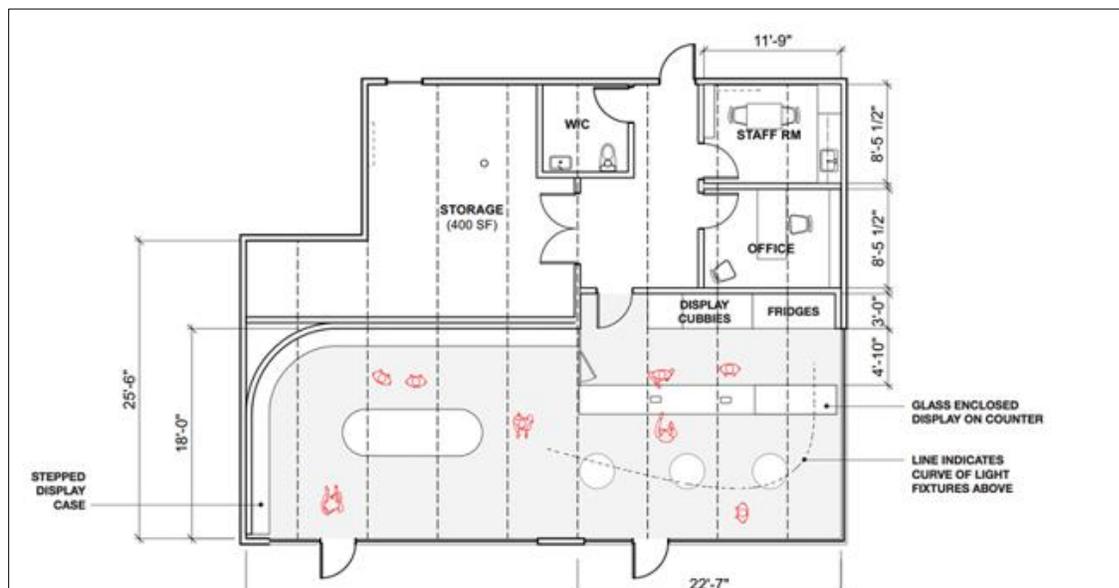


Figure 4: Amended Floor Plan (Unit #301 and Unit #302)

**Hours of Operation**

The proposed operating hours of the business have been modified slightly to include operating hours on December 25<sup>th</sup> each year. The previous proposal indicated that the storefront retailer was going to be closed on December 25<sup>th</sup>.

Zoning Amendment Bylaw No. 3010 has not proceeded to Public Hearing or been given Third Reading. From a process perspective Council has the authority to amend the bylaw at this stage prior to public hearing and consideration of Third Reading.

Staff consider the addition of retail unit #301, including modification to the floor plan, and operating hours as minor changes to the zoning amendment application and recommend the amended bylaw proceed to a public hearing.

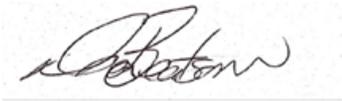
**OPTION 1: (Recommended)**

THAT based on the January 11<sup>th</sup>, 2021 Staff report, “Zoning Amendment Bylaw No. 3010 – Updated Proposal - Storefront Cannabis Retailer -444 Lerwick Road.” Council approve OPTION 1 and amend Zoning Amendment Bylaw No. 3010 to include unit 301 in the area where a storefront cannabis retailer is permitted; and

THAT Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw.

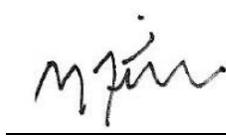
**OPTION 2:** Defer consideration of Zoning Amendment Bylaw No. 3010 as amended with a request for more information.

Prepared by:



Dana Beatson  
Planner II

Reviewed by:



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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

- Attachment No. 1: Amended LCRB Referral to the City of Courtenay*
- Attachment No. 2: Planning Justification and Impact Analysis Report*
- Attachment No. 3: Zoning Amendment Bylaw No. 3010 with proposed amendment*

**Attachment No. 1: Amended LCRB Referral to the City of Courtenay**

Job # 003173

December 7, 2020

Via email: [tsetta@courtenay.ca](mailto: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: #301&302 - 444 Lerwick Road, Courtenay, BC V9N 0A9

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](mailto: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 9202 Stn Prov Govt  
 Victoria BC V8W 0J8

Location:  
 645 Tyne Road  
 Victoria BC V8A 6X5  
 Phone: 250 952-5787  
 Facsimile: 250 952-7066

Website:  
[www.gov.bc.ca/cannabisregulationandlicensing](http://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](mailto:Tracy.Altman@gov.bc.ca).

Sincerely,

A handwritten signature in cursive script, appearing to read "Tracy Altman".

Tracy Altman  
Senior Licensing Analyst

Attachment: Site Plan

copy: Sheila Rivers

**Attachment No. 2: Planning Justification and Impact Analysis Report**

**SUPPLEMENTARY PLANNING POLICY JUSTIFICATION  
AND  
IMPACT ANALYSIS REPORT**

**For  
Coast Range Cannabis Inc.**

**Re:**

**Crown Isle Shopping Centre  
Units 301 and 302, 444 Lerwick Road, City of Courtenay**

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

<b>Table of Contents</b>	
INTRODUCTION .....	4
DESCRIPTION OF THE PROPOSAL .....	4
PARKING .....	6
SITE CONTEXT .....	6
EVALUATION.....	7
SUMMARY AND CONCLUSIONS.....	11
OPINION & RECOMMENDATIONS .....	12
CLOSING .....	12
ANNEX 1 SITE PLAN .....	14

3

**SUPPLEMENTARY PLANNING POLICY JUSTIFICATION  
AND  
IMPACT ANALYSIS REPORT  
Crown Isle Shopping Centre  
Units 301 and 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 City staff report (File No: 3360-20-2008) states: 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). Since the staff report went to Council on 2020-10-19, unavoidable changes in the leasing relationship with the property owner, Crombie REIT, and the leaser, from whom Coast Range Cannabis has an agreement to sublease from, requires Coast Range Cannabis to now lease Unit 301.

The change in the proposal since the public consultation process and the current proposal before Council is not a change in use but rather an increase in the gross floor area that Coast Range Cannabis is required to lease from the Crombie REIT to be able to operate the business.

### 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 two (2) of the units within the overall complex which will operate as one business – to be specific there will only be one storefront cannabis retail business operated by Coast Range Cannabis. This means one (1) "storefront cannabis retailer" use will only be allowed in both Units #301 and #302 should this amendment be successful, as illustrated in *Figure 1, Subject Property*.

Coast Range Cannabis will lease retail Units #301 and #302 to establish a "storefront cannabis retailer" within the existing commercial building. Coast Range Cannabis selected this particular location due to its location within an underserved area of the City. The floor area of the proposed store is now approximately **200 square metres** (2,150 square feet), including retail space for customers and secure storage. The premise also includes bathrooms 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. Exterior changes to the Units will be limited to the new signage and fenestration. The proposed plans are illustrated in *Figure 2, Floor Plan*.

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 are regulated by the provincial licencing regulations.

Coast Range Cannabis's current business requires adherence to the legal requirements of working in the retail cannabis industry resulting in familiarity legislation.

Coast Range Cannabis's Comox store illustrates the importance it places on building form, interior design, detailing and materials. The interior of its spaces are intended to contribute to distinctiveness and uniqueness of the Comox Valley community. The design of the stores give attention to local building traditions, mix of material, scale, and proportion. The business's philosophy is concerned with sustainability, security, functionality, and local distinctiveness. *Figure 3, Inside and Outside Coast Range*

*Comox*, is an example of the quality of the shopping environment created using local craftsmen.

**Figure 1: Subject Property and Proposed Cannabis Retailer Units 301 and 302, 444 Lerwick Avenue  
Subject Property in Red and building in Yellow**



The mixture of locally sourced and recycled wood and clean lines give the store a "valley" atmosphere.

#### 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 22.5m<sup>2</sup> of floor area. Based on the floor area of the Units, nine (9) parking stalls are required. Crown Isle Shopping Centre provides a total of 472 parking stalls for the combined retail uses onsite, meeting bylaw requirements.

#### 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 3, Adjacent Land Use Schematic*.

**Figure 2: Floor Plan**



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.

**EVALUATION**

As summarized in *Table 2, Evaluation of the Proposal*, City Staff determined 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 300 metres. The proposed retail store is located approximately 536 metres (measured in a straight line from closest lot line to closest lot line) from Queneesh Elementary School and 543 metres (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 400 metre minimum separation distance between stores. The nearest existing store at 789 Ryan Road is approximately 2 kilometres 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 300 metres away from a City owned playground facility and the skate park located at Valley View Community Park. Valley View Community Park is located approximately 775 metres 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.

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.

**Table 2: Evaluation of the Proposal**

Policy Statements	Policy	Proposal	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"> <li>a) At least 300 meters from public or independent elementary, middle or secondary school.</li> <li>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</li> <li>c) At least 300 meters from a City owned playground facility including the spray park and skateboard parks</li> </ul>	Outside the buffer from schools  Not within the buffer from other cannabis storefront retail uses  Outside the buffer from a City owned playground facilities	Yes
Restricted at temporary events	Cannabis sales are not permitted at special events, public markets or farmers markets	Not applicable	Yes
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

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.

City staff stated this proposal has merit since 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 adequately separated from other storefronts in the City and would be only the second storefront in east Courtenay. All of the others are located in the West Courtenay with the exception of the Government Store. 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 minute walk to schools, the college, playgrounds, a skate park and the Aquatic Centre. This could potentially create a situation where children and youth are more exposed to cannabis products and marketing. This situation is not unusual in Courtenay and Staff have not noted any negative impacts of storefront cannabis retail uses located with a 15 minute walk to the use at 695 Cliffe Avenue and the Courtenay Elementary School

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.

As Staff noted, the applicant mailed out a public information meeting package on 2020-06-23 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. However, a significant number of residents supported the proposal.

No public comments were received at First and Second Reading of "Zoning Amendment Bylaw No. 3010" to rezone the subject property to permit a Cannabis Storefront Retailer, and Council directed 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.

#### SUMMARY AND CONCLUSIONS

The proposed zoning by-law amendment aligns with Regional Growth Strategy 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.

While there were public objections to the proposal from the extensive public consultation the applicant undertook, those objections were by no means unanimous/

### 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.

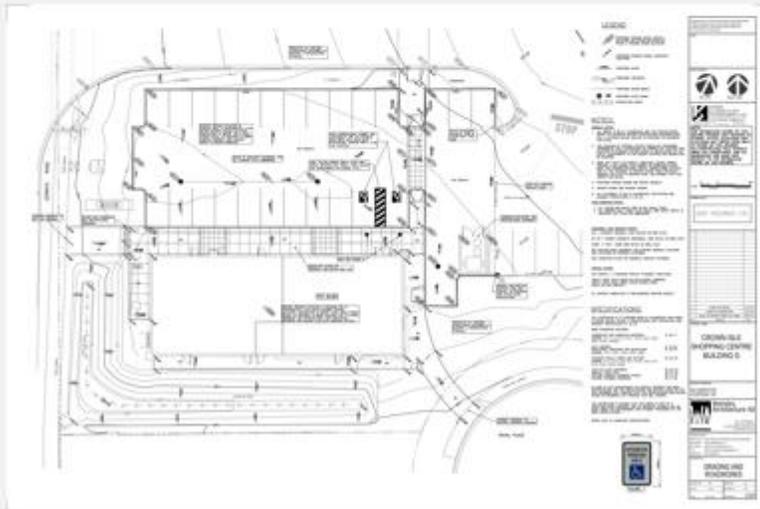
I trust this information will meet your current requirements. Please do not hesitate to contact me should you have any questions or require additional information.

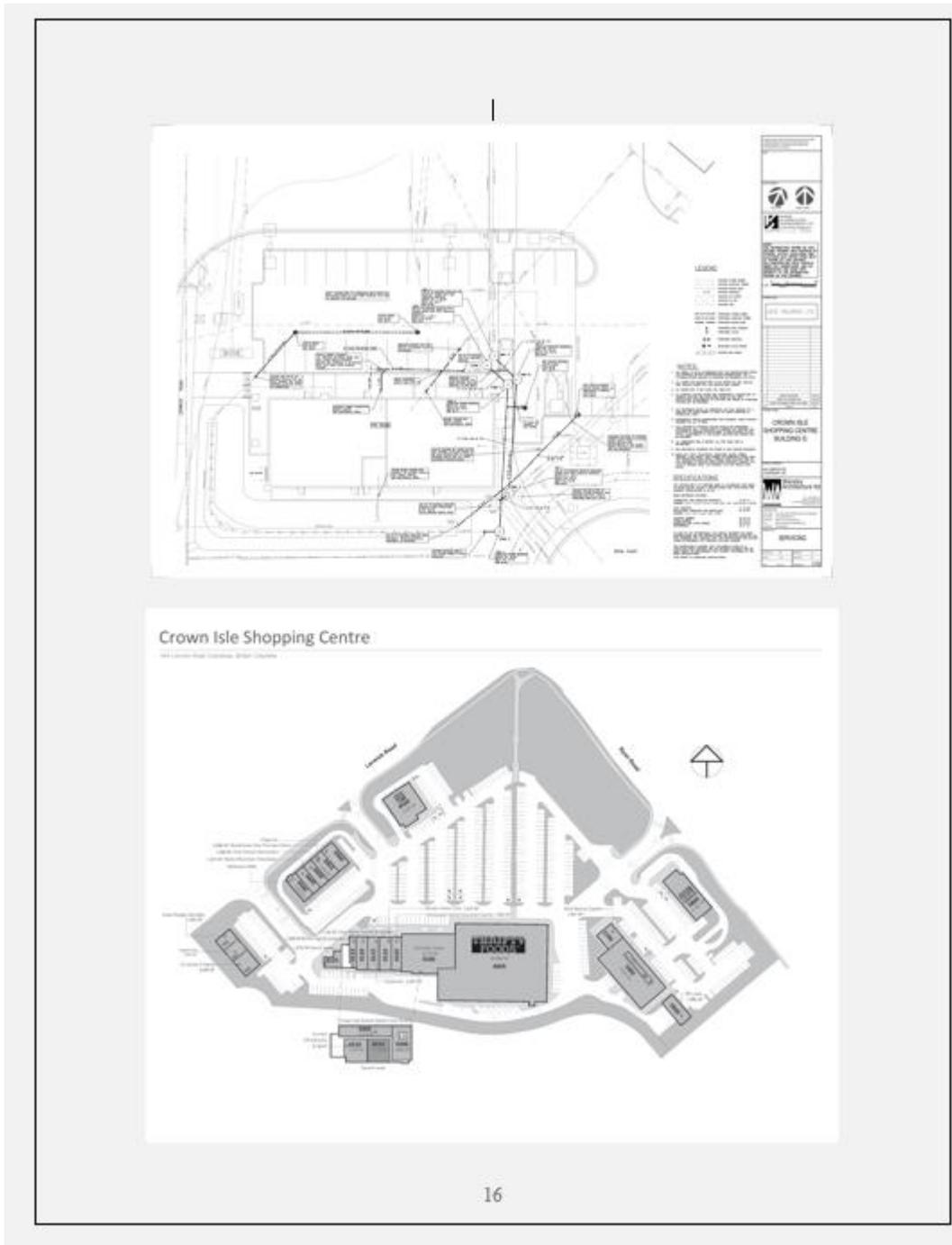
## Steven Rivers

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: [info@southcoastconsulting.ca](mailto:info@southcoastconsulting.ca)

2020-08-11

ANNEX 1  
SITE PLAN







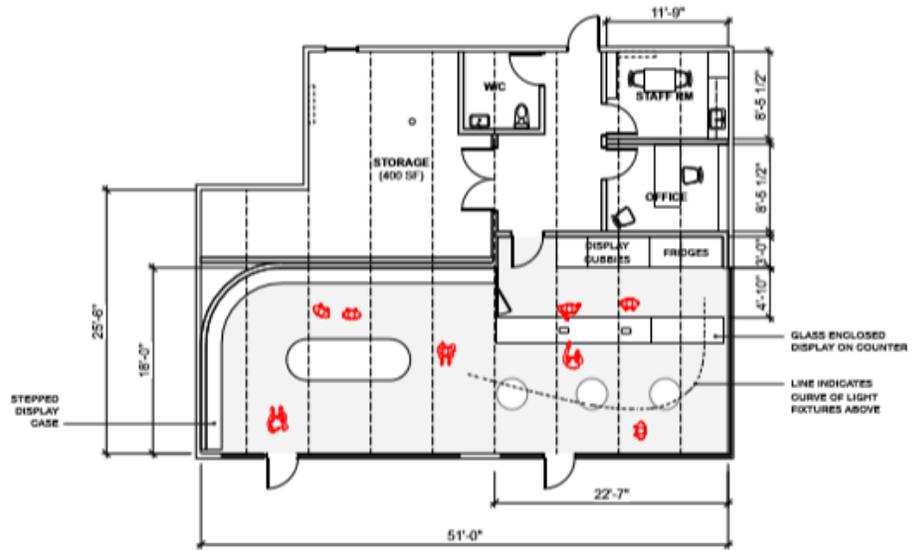
**COURTNEY LOCATION**



EXISTING SPACE



INSPIRATION



## PROPOSED CONCEPT PLAN



PROPOSED CONCEPT







File: 7130-30

December 3, 2020

Sent via email only

Clayton Postings, CAO  
Village of Cumberland  
2673 Dunsmuir Avenue, Box 340  
Cumberland, BC V0R 1S0

Jordan Wall, CAO  
Town of Comox  
1809 Beaufort Avenue  
Comox, BC V9M 1R9

Trevor Kushner, Interim CAO  
City of Courtenay  
830 Cliffe Avenue  
Courtenay, BC V9N 2J7

Russell Dyson, CAO  
Comox Valley Regional District  
770 Harmston Avenue  
Courtenay, BC V9N 0G8

Dear Chief Administrative Officers:

**Re: Emergency Operations Centre Policy Group**

The Director of an Emergency Operations Centre (EOC) receives overall emergency policy and direction from a Policy Group. In an emergency or disaster involving a single local authority, often it is the board or council of that authority that forms the Policy Group. However as the ongoing COVID-19 pandemic affects us regionally, we have endeavoured to provide an EOC that serves all local governments.

A major challenge for our Regional EOC to respond to COVID-19, is that there is no 'one' Policy Group to provide direction, policy and decisions. Currently each Chief Administrative Officer consults with their respective board or council independently, and this can lead to lengthy delays in responses.

In the Regional EOC's COVID-19 After Action Report (dated August 19<sup>th</sup>, 2020), one of the key recommendations was to clarify the decision making process and look at implementing a Policy Group. It was proposed that this leadership group be comprised of the three Mayors, the Comox Valley Regional District (CVRD) Board Chair, the CVRD Electoral Areas Services Committee Chair, the School District No. 71 Chair, and K'ómoks First Nation Chief. This group would be supported by the Chief Administrative Officers for each jurisdiction. At this time, the local governments are being asked to approve the following resolution:

THAT the <Mayor/Chair> of <jurisdiction> be appointed to the Comox Valley's Regional Emergency Operations Centre Policy Group in response to the ongoing COVID-19 pandemic;

AND FURTHER THAT the Policy Group be tasked with providing leadership and strategic direction/decision making on Emergency Operations Centre policy matters and act as the key communications liaison point between senior government and health officials and the local emergency operations centre and local jurisdictions.

Separate outreach to SD71 and the K'ómoks First Nation is ongoing to secure their involvement with the policy group.

This Policy Group would align with the roles and responsibilities identified in section 10 of the Comox Valley Regional Emergency Plan (attached).

Key benefits of implementing this group are:

- faster return on direction and decisions, allowing for more timely and effective actions within the EOC; and
- acting as a single point of communication between the EOC, the local government/jurisdictions boards and councils and senior government officials on information from Island Health's Public Health Officer (thereby being more efficient with all participants' time in particular that of the public health officer)
- being more responsive in addressing the needs of the event and/or community.

The Regional EOC Policy Group would receive regularly scheduled situation reports and other communications materials as needed. As previously determined, the CVRD Board Chair would continue as the Regional EOC spokesperson.

I kindly request a response as to the outcome of the above noted resolution being brought forward to your Mayors and Council in two weeks.

Sincerely,

***H. Siemens***

Howie Siemens  
Emergency Program Coordinator  
Acting Emergency Operations Centre Director

Enclosure

*Comox Valley Regional District*

## Section 10 – Policy Group

Composition could include:

- Mayors, chairperson, or mayor and council, or chair and board, or chief and council along with the chief executive officer, emergency program coordinator and appropriate senior management (defined by level and type of response)
- The policy group team leader will be the senior elected official from either the Regional District or the Municipality

### Responsibilities:

- Provides overall emergency policy and direction to the emergency operations centre director.
- Sets expenditure limits.
- Formally requests outside support/resources (e.g. Provincial and Federal support).
- Authorizes declaration and termination of "state of local emergency."
- Provides direction for emergency public information activities.
- Act as a spokesperson(s) for the jurisdiction as requested.

### Activation Phase:

	Time	Init.
Convene as the EOC policy group at a designated site as recommended by the EOC director.		
Obtain current situation status and a briefing on priority actions taken and outstanding, from the EOC director.		
Follow the generic EOC checklist.		
Date:	Time:	
Signature:	Position:	

### Operational Phase:

	Time	Init.
Examine need for new or temporary policies, as required to support response operations.		
Consult with EOC director to determine appropriate expenditure limits.		
As requested prepare for and participate in any media briefings.		

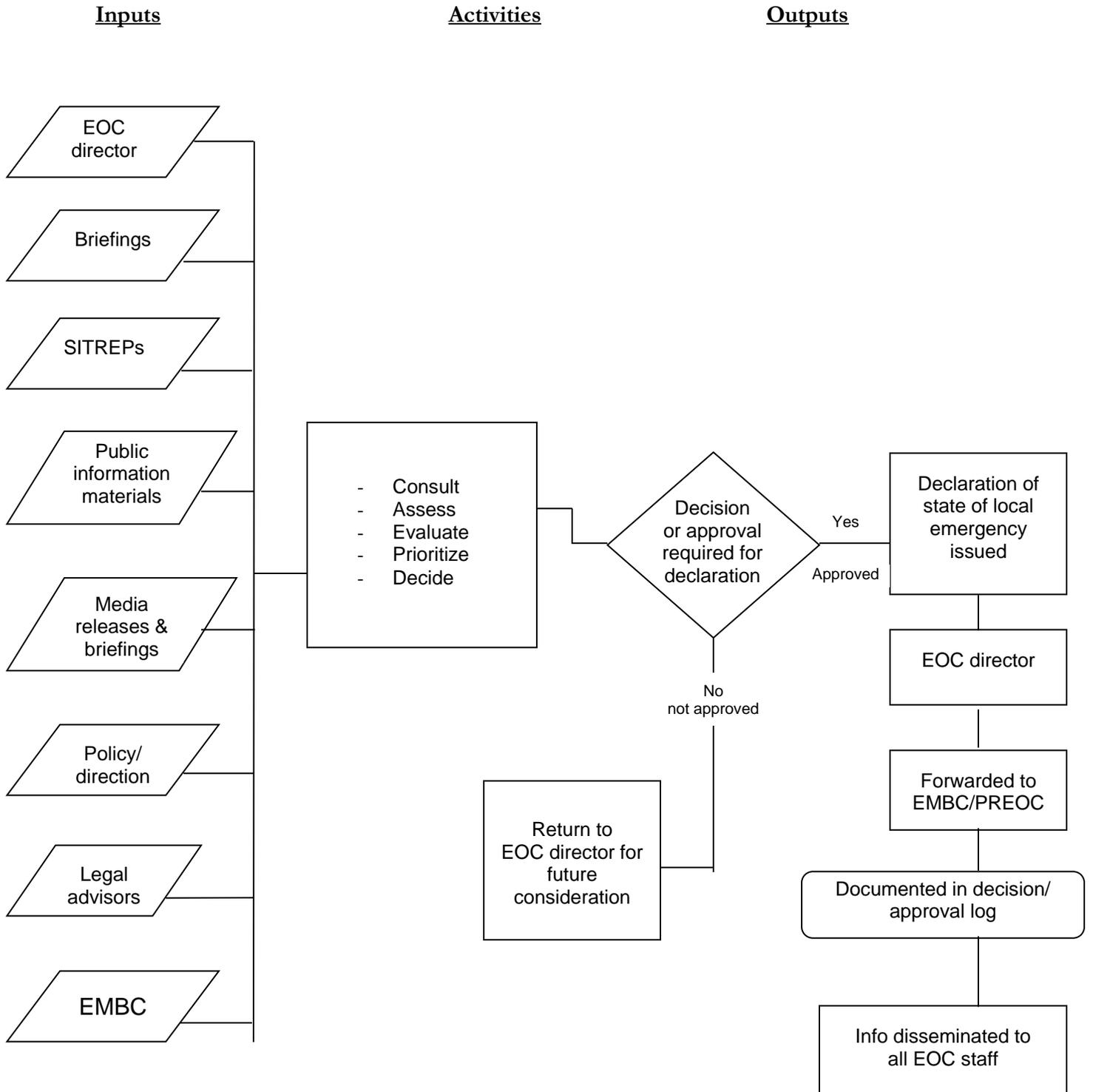
Comox Valley Emergency Plan

	Time	Init.
Ensure adequate public information materials are being issued from the EOC.		
Consult with EOC director and/or legal advisors regarding any potential legal issues and recommended courses of action.		
Consult with EOC director to determine need for extra-ordinary resources and/or outside assistance.		
Consult with EOC director to determine need for declaration and termination of "state of local emergency."		
Keep apprised as to the status of the emergency event by reviewing EOC situation reports.		
Date:	Time:	
Signature:	Position:	

**Demobilization Phase:**

	Time	Init.
Proclaim termination of the emergency response and have EOC proceed with recovery efforts.		
Provide input to the after action report.		
Participate in formal post-operational debriefs.		
Recognize EOC staff members and response personnel for their efforts.		
Follow the generic EOC checklist (page 13).		
Date:	Time:	
Signature:	Position:	

## Policy Group







*Where journeys begin.*

03, December, 2020

See Distribution List

Dear Mayors, Chair, Councils and Board,

Re: Reappointment of Director Richard Clarke to CVAC Board

In accordance with the Comox Valley Airport Commission's (CVAC) by-law 3.2, the Board Secretary is to contact you to advise that Director Richard Clarke is up for reappointment as his term expires on September 19, 2021. A reappointment would extend Mr. Clarke's term to September 19, 2022, at which time he will have served on the Board for nine years, the maximum under CVAC Bylaws.

As part of CVAC's appointment process, Mr. Clarke has informed us of his willingness to continue to serve the Commission for a subsequent term. Mr. Clarke serves as a nominee to the Airport Commission for Local Government and as such CVAC is seeking input from all Local Governments on this reappointment.

Mr. Clarke brings a high standard of leadership and management skills. His experience in managing a national not-for-profit corporation combined with senior public sector experience make him a valuable Board member. Mr. Clarke has served as Vice Chair of the Board since 2014 and currently serves on the Finance and Audit Committees.

May I request that you signal your concurrence to this reappointment no later than February 1, 2021. In the mean time, if you have any questions about this request or our nomination process as a whole, please contact me at [schomm1@telus.net](mailto:schomm1@telus.net)

Yours truly,

Joe Schommer  
CVAC Secretary

Distribution List:

Mayor Leslie Baird and Councilors, Village of Cumberland  
Mayor Russ Arnott and Councilors, Town of Comox  
Mayor Bob Wells and Councilors, City of Courtenay  
Chair Jesse Ketler and Board Members, Comox Valley Regional District





# Attachment A

## Part 55 - Comprehensive Development Twenty Eight Zone (CD-28) (2355 Mansfield Drive)

### 8.55.1 Intent

The CD-28 Zone is intended to accommodate a combination of commercial and multi-residential uses on the property legally described as Lot B, Section 66, Plan 28292. The property shall be developed substantially in accordance with Schedules A and B which form part of this zone.

### 8.55.2 Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

1. *Multi residential*
2. *Liquor Store*
3. *Licensed premises*
4. *Retail*
5. *Restaurant*

### 8.55.3 Lot Coverage

A *lot* shall not be covered by buildings to a greater extent than 50% of the total area of the lot.

### 8.55.4 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 1.6.

### 8.55.5 Minimum Lot Size

A lot shall have an area of not less than 2,792 m<sup>2</sup>.

### 8.55.6 Setbacks

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

- (1) Front Yard (interpreted as the yard adjacent to the north property line): 0m
- (2) Rear Yard (interpreted as the yard adjacent to the south property line): 19.5m
- (3) Side Yard (interpreted as the yard adjacent to the west property line): 0.5m
- (4) Side Yard (interpreted as the yard adjacent to the east property line): 2.7m

### **8.55.7 Height of Buildings**

Maximum building height shall be 18.0m and in accordance with Schedule B and includes rooftop parapets, elevator and roof top mechanical systems.

### **8.55.8 Usable Open Space**

A minimum of 826m<sup>2</sup> of useable open space must be provided as shown in Schedule B. For clarity this includes private amenity space in the form of private balconies or patios.

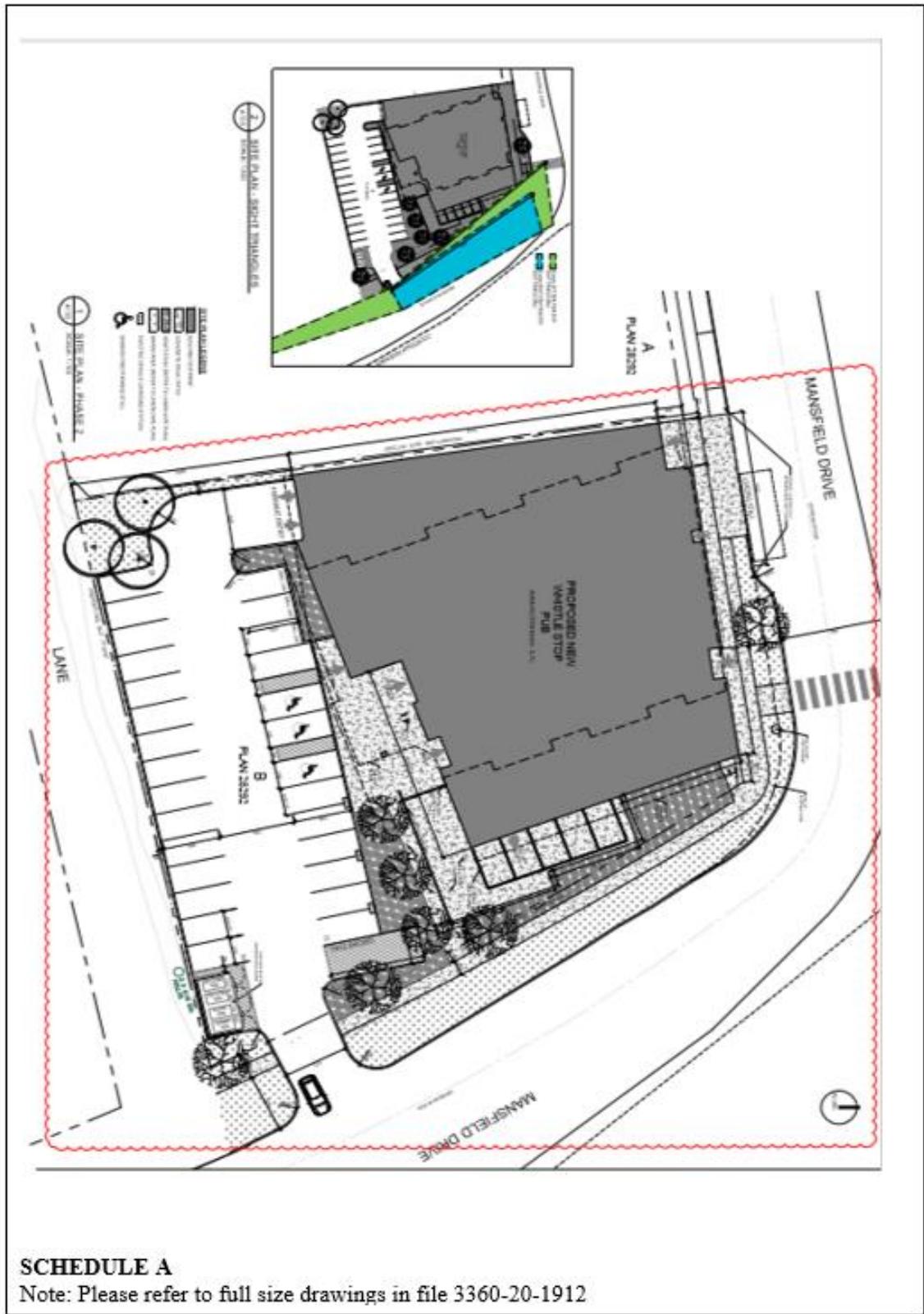
### **8.55.9 Accessory Structures**

Shall not be permitted except for waste and recycling facilities.

### **8.55.10 Off-Street Parking and Loading**

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) For *Multi Residential* uses parking shall be provided at a rate of 1.1 parking spaces per *dwelling unit* inclusive of visitor parking;
- (2) For *Liquor Store* use parking shall be provided at a rate of 1 space per 20m<sup>2</sup> of *floor area*; and
- (3) For *Neighborhood Pub* use parking shall be provided at a rate of 1 space per 6 seats.



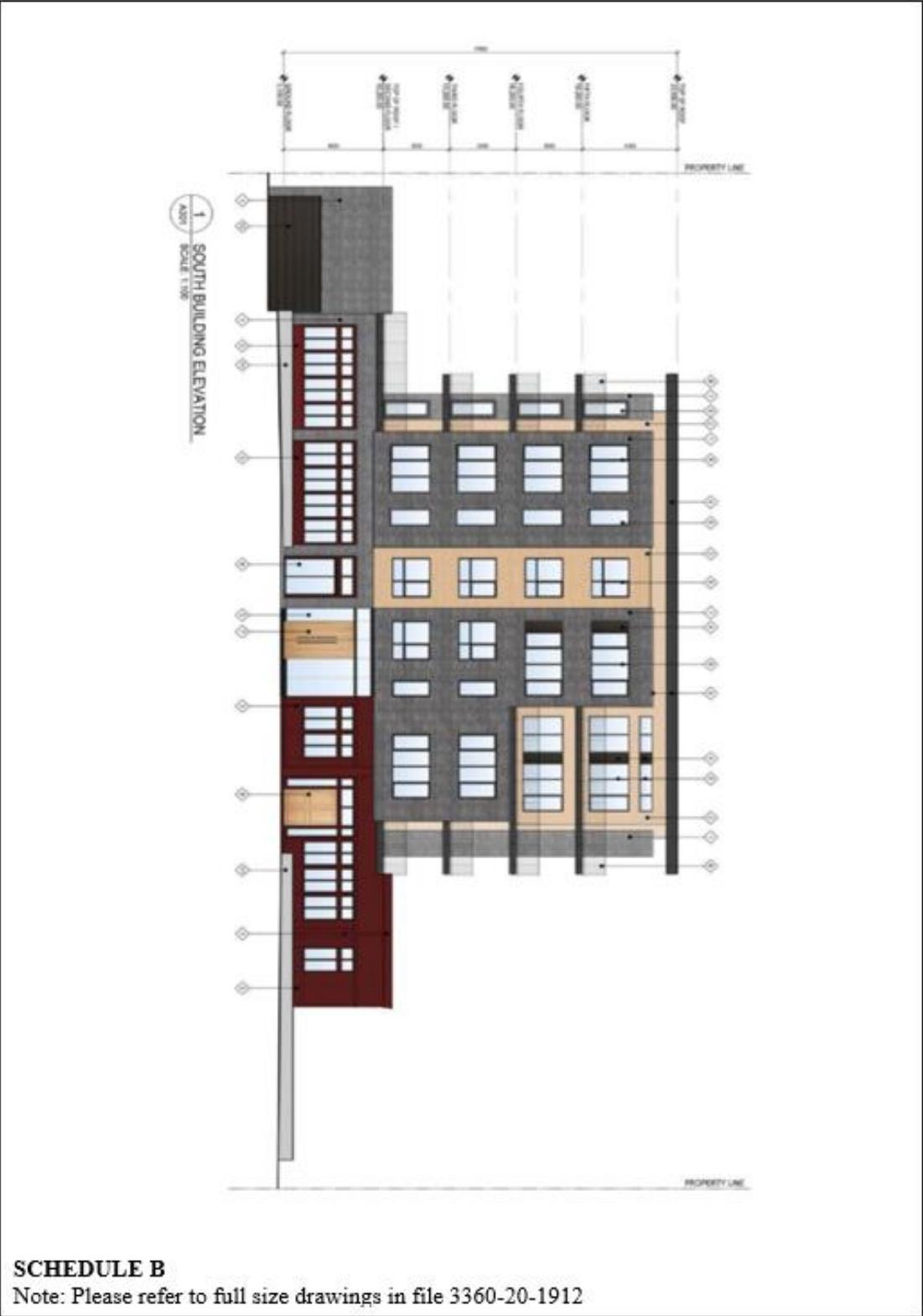
**SCHEDULE A**

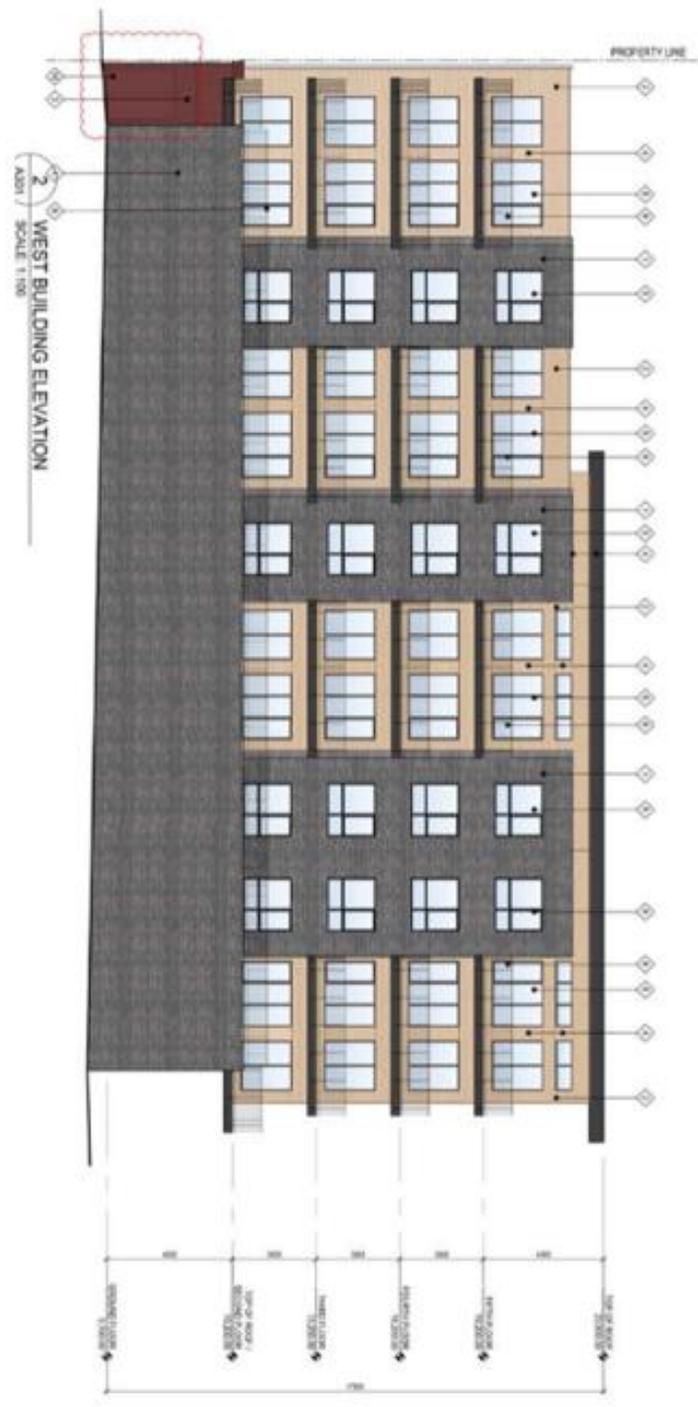
Note: Please refer to full size drawings in file 3360-20-1912



**SCHEDULE B**

Note: Please refer to full size drawings in file 3360-20-1912



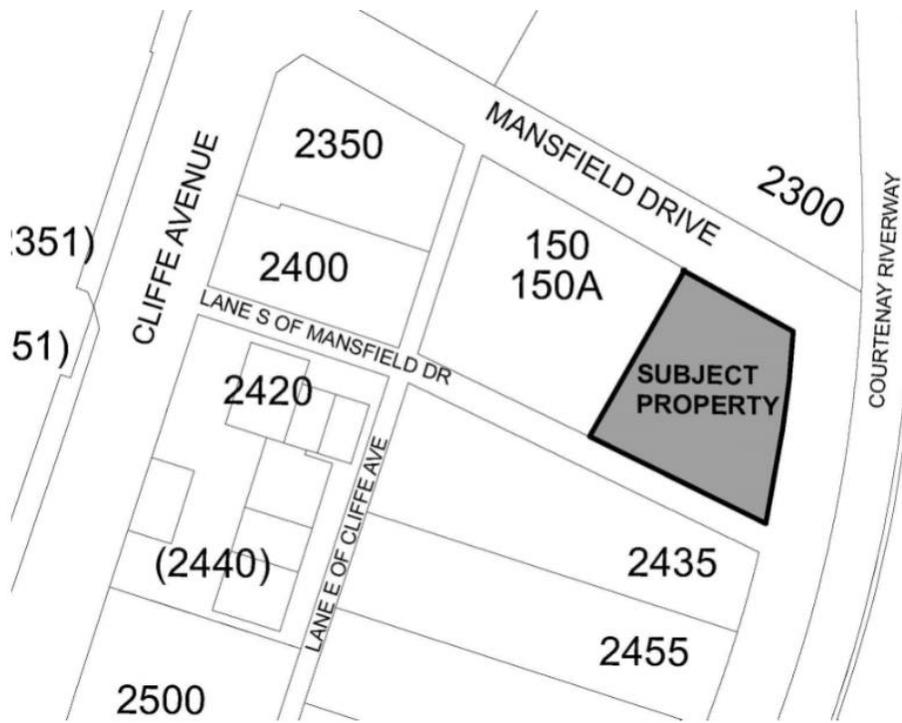


**SCHEDULE B**

Note: Please refer to full size drawings in file 3360-20-1912



**Attachment B**



**Subject Property Map**



**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2989**

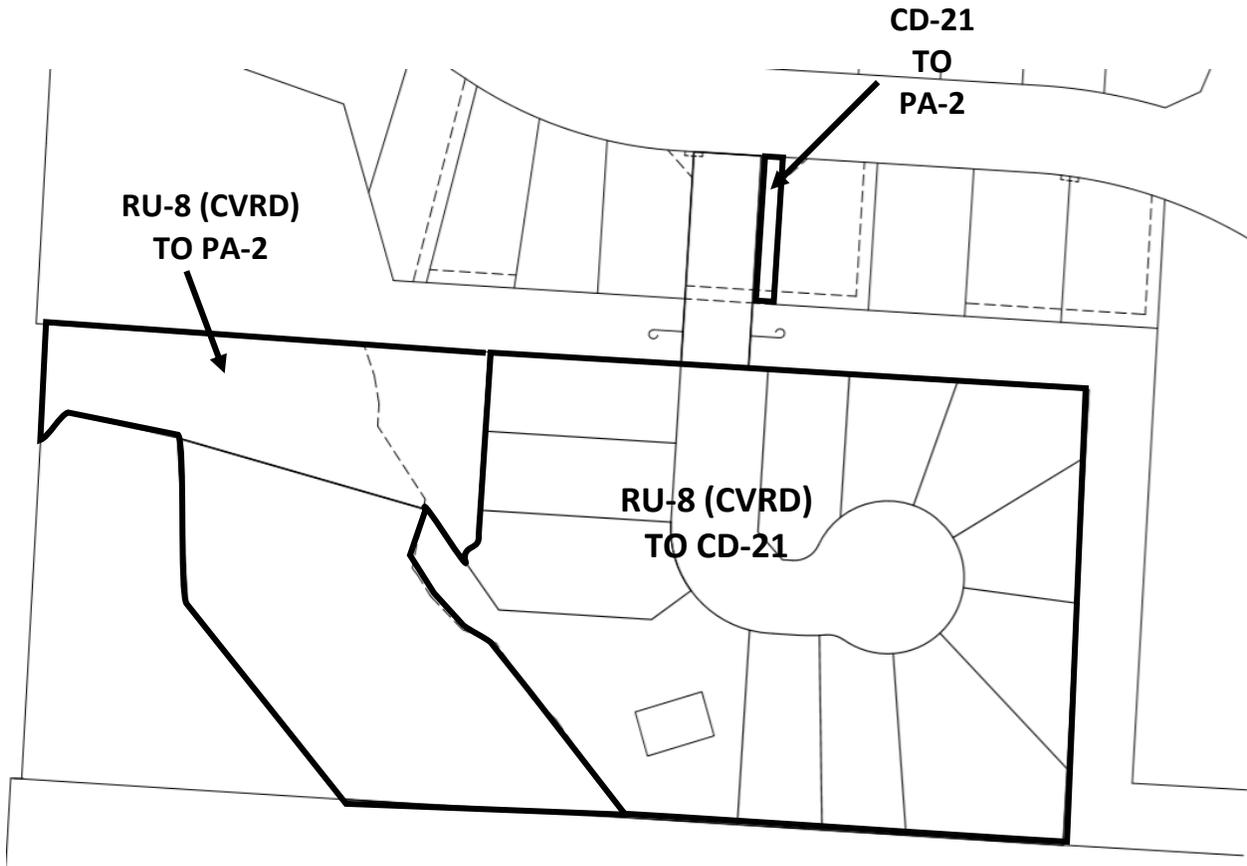
**A bylaw to amend Zoning Bylaw No. 2500, 2007**

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. 2989, 2020**”.
2. That “Zoning Bylaw No. 2500, 2007” be hereby amended as follows:
  - a. by rezoning Lot 8, District Lot 153, Comox District, Plan 1887, Except Part in Plan 43279 (4070 Fraser Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Rural Eight (RU-8) to Comprehensive Development Zone Twenty-One (CD-21) and Public Use and Assembly Two Zone (PA-2);
  - b. by rezoning a portion of Lot 44, Plan EPP87922, District Lot 153, Comox Land District, as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw, from Comprehensive Development Zone Twenty-One Zone (CD-21) to Public Use and Assembly Two Zone (PA-2);
  - c. by amending Section 8.48.4 by adding (a) notwithstanding the above, a minimum lot frontage of 11.0m is permitted on Lot 8, District Lot 153, Comox District, Plan 1887, Except Part in Plan 43279 (4070 Fraser Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw;
  - d. by amending Section 8.48.7 (1) by adding (a) notwithstanding the above, front yard setbacks of 6.0m are permitted on Lot 8, District Lot 153, Comox District, Plan 1887, Except Part in Plan 43279 (4070 Fraser Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw;
  - e. by amending Section 8.48.7(2) by adding (a) notwithstanding the above, rear yard setbacks of 7.5m are permitted on Lot 8, District Lot 153, Comox District, Plan 1887, Except Part in Plan 43279 (4070 Fraser Road) as shown in bold outline on **Attachment A** which is attached hereto and forms part of this bylaw; and
  - f. That Schedule No. 8, Zoning Map be amended accordingly.



ATTACHMENT A





**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 3024**

**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. 3024, 2020**”.

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

(a) Amending Division 6 – General Regulations, Part 3 – Home Occupation, Section 6.3.1 by deleting the Section and replacing it with the following:

“6.3.1 The following *home occupations* are permitted subject to all conditions of this Bylaw:

- i. office (general)
- ii. personal service
- iii. home crafts (hobby and related crafts)
- iv. music, dancing and related lessons providing that the number of pupils on the premises at any one time are five (5) or less
- v. small appliance repairs where appliances serviced have a maximum volume of 23m<sup>3</sup>
- vi. schools or kindergartens for five (5) children or less
- vii. day care pursuant to the *Community Care and Assisted Living Act*
- viii. photography”;

(b) Amending Division 6 – General Regulations, Part 3 – Home Occupation by deleting Section 6.3.2; and,

(c) Amending Division 6 – General Regulations, Part 3 – Home Occupation by replacing Section 6.3.7 with the following:

“6.3.7 No home occupation shall occupy more than 50m<sup>2</sup> or 50% of the dwelling unit whichever is the lesser.”

