

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

**Date:** March 1, 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 February 16th, 2021 Regular Council meeting minutes        | 5            |
| 1.2. Adopt February 22nd, 2021 Committee of the Whole meeting minutes | 19           |
| <b>2. INTRODUCTION OF LATE ITEMS</b>                                  |              |

### 3. DELEGATIONS

#### 3.1. Royal Canadian Legion Branch 17 - Courtenay "Leave the Streets Behind" program

To bring awareness to the "Leave the Streets Behind" program developed by The Royal Canadian Legion to identify and assist homeless Veterans and those at-risk of homelessness; and, bring awareness to the number of homeless veterans in the Comox Valley.

Presentation facilitated by:

- Bill Webb, Service Officer, Courtenay Legion, Branch 17
- Don Taylor, Qualicum Beach Legion, Branch 76
- Scott Harrison, Councillor, Town of Qualicum Beach

|        |   |    |
|--------|---|----|
| 3.1.1. | Leave the Streets Behind Poster               | 27 |
| 3.1.2. | Homeless Flyer - Branch 17 - Courtenay Legion | 29 |
| 3.1.3. | Town of Qualicum Beach - Certified Resolution | 31 |

### 4. STAFF REPORTS/PRESENTATIONS

#### 4.1. Development Services

|        |  |    |
|--------|--|----|
| 4.1.1. | Development Variance Permit No. 2004 - #700 - 444 Lerwick Road                           | 33 |
| 4.1.2. | Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road | 47 |

#### 4.2. Financial Services

|        |   |     |
|--------|---|-----|
| 4.2.1. | Parcel Tax Review Panel - 2021  | 103 |
| 4.2.2. | Security Issuing Resolution - Long Term Debenture Loan Authorization Bylaw 2978, 2020 | 107 |

#### 4.3. Engineering Services

|        |   |     |
|--------|---|-----|
| 4.3.1. | 5th Street Bridge Rehabilitation Project Update | 115 |
|--------|---|-----|

|           |  |     |
|-----------|--|-----|
| <b>5.</b> | <b>EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION</b>   |     |
| 5.1.      | Comox Valley Sewage Commission - Next Steps Approved for Comox Valley Sewer Service Planning RE: Preferred Conveyance Route for the Comox Valley Sewer Service's Liquid Waste Management Plan (LWMP)   | 123 |
| <b>6.</b> | <b>INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION</b>   |     |
| 6.1.      | Courtenay Fire Department - 2020 Annual Report   | 125 |
| <b>7.</b> | <b>REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES</b>  |     |
| 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  |     |
| <b>8.</b> | <b>RESOLUTIONS OF COUNCIL</b>  |     |
| 8.1.      | Councillor Morin Resolution - Speed Limits & Safety Signage on Multi-use Paths   |     |
|           | <i>"WHEREAS the City's multi use paths have become increasingly busy, with pedestrian, bicycle, and e-bike traffic; and,</i>   |     |
|           | <i>WHEREAS significant safety concerns have been expressed by path users, particularly around cycling speeds and pathway sharing;</i>  |     |
|           | <i>THEREFORE BE IT RESOLVED that staff prepare a report that outlines options for implementation of increased safety measures such as speed limits and signage, that researches these measures and their impacts in other communities, and that pilots these measures on the Airpark/Riverway Trail and the steep section of the McDonald Road/Lerwick Road area."</i> |     |

8.2. In Camera Meeting

That a Special In-Camera meeting closed to the public will be held March 1<sup>st</sup>, 2021 at the conclusion of the Regular Council Meeting pursuant to the following sub-section of the *Community Charter*:

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

9. UNFINISHED BUSINESS

10. NOTICE OF MOTION

11. NEW BUSINESS

12. BYLAWS

12.1. For First and Second Reading

12.1.1. Zoning Amendment Bylaw No. 3026, 2021 (2011 Cummings Road) 133

(A bylaw to amend Zoning Bylaw No. 2500, 2007, S. 8.1.28 (6) adding “notwithstanding any provision of this bylaw, a secondary residence is a permitted use - 2011 Cummings Road”)

12.2. For Third Reading

12.2.1. Zoning Amendment Bylaw No. 3010, 2020 - #301 & #303 - 444 Lerwick Road) 135

(A bylaw to amend Zoning Bylaw No. 2500, 2007, S. 8.32.2(4) adding “notwithstanding any provision of this bylaw, a storefront cannabis retailer is a permitted use - #301 & #302 - 444 Lerwick Road”)

12.3. For Final Adoption

12.3.1. Zoning Amendment Bylaw No. 3010, 2020 - #301 & #302 - 444 Lerwick Road

(A bylaw to amend Zoning Bylaw No. 2500, 2007, S. 8.32.2(4) adding “notwithstanding any provision of this bylaw, a storefront cannabis retailer is a permitted use - #301 & #302 - 444 Lerwick Road”) **BYLAW ON PAGE 135**

13. ADJOURNMENT

**Minutes of a Regular Council Meeting**

**Meeting #:** R4/2021  
**Date:** February 16, 2021  
**Time:** 4:00 pm  
**Location:** City Hall, Courtenay, BC, via video/audio conference

**Attending:**

**Mayor:** B. Wells, via video/audio conference  
**Council:** 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  
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  
R. Matthews, Executive Assistant/Deputy Corporate Officer, via video/audio conference  
E. Gavelin, Network Technician, via video/audio conference

**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.**

**1. ADOPTION OF MINUTES**

**1.1 Adopt February 1<sup>st</sup>, 2021 Regular Council meeting minutes (0570-03)**

**Moved By** Morin

**Seconded By** Cole-Hamilton

THAT the February 1<sup>st</sup>, 2021 Regular Council meeting minutes be adopted.

**Carried**

**1.2 Adopt February 4<sup>th</sup>, 2021 Special Council meeting minutes (0570-03)**

**Moved By** Morin

**Seconded By** Cole-Hamilton

THAT the February 4<sup>th</sup>, 2021 Special Council meeting minutes be adopted as amended.

**Carried**

**1.3 Adopt February 11<sup>th</sup>, 2021 Special Council meeting minutes (0570-03)**

**Moved By** Morin

**Seconded By** Cole-Hamilton

THAT the February 11<sup>th</sup>, 2021 Special Council meeting minutes be adopted as amended.

**Carried**

**2. INTRODUCTION OF LATE ITEMS**

**3. DELEGATIONS**

**4. STAFF REPORTS/PRESENTATIONS**

**4.1 CAO and Legislative Services**

**4.1.1 Association of Vancouver Island & Coastal Communities (AVICC) 2021 Proposed Resolution - Enhanced Communications to Address Homelessness Related Issues in BC Communities (0390-20/5020-01)**

**Moved By** Hillian

**Seconded By** Cole-Hamilton

THAT based on the February 16<sup>th</sup>, 2021 staff report "Association of Vancouver Island and Coastal Communities Proposed Resolution - Enhanced Communications to Address Homelessness Related Issues in British Columbia Communities", Council approve OPTION 1 and direct staff to submit the proposed resolution for consideration at the 2021 Association of Vancouver Island and Coastal Communities Conference.

**Carried**

**4.1.2 Licence of Occupation for the Shared Use of a Portion of 100-20<sup>th</sup> Street - Comox Valley Rowing Club AND Comox Valley Canoe Racing Club Lease Agreement (2380-20)**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT based on the February 16<sup>th</sup>, 2021 staff report "Licence of Occupation for the shared use of a portion of 100-20<sup>th</sup> Street - Comox Valley Rowing Club and the Comox Valley Canoe Racing Club", Council approve OPTION 1 and authorize:

- a. a licence of occupation between the Comox Valley Canoe Racing Club and the City of Courtenay for the shared use of the property having a legal description of, portion of PID: 004-154-665, Lot 1, Section 68, Comox District, Plan 15512; and,
- b. a licence of occupation between the Comox Valley Rowing Club and the City of Courtenay for shared use of the property having a legal description of, portion of PID: 004-154-665, Lot 1, Section 68, Comox District, Plan 15512; and,

THAT staff provide public notice to satisfy the statutory advertising requirements for the disposition of City Lands as per Section 24, 26, and 94 of the *Community Charter*; and,

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

**Carried**

**4.2 Development Services**

**4.2.1 Updated Proposal - Development Permit with Variances No. 1908 - 2800 Arden Road (3060-20-1908)**

**Moved By Frisch**

**Seconded By McCollum**

THAT based on the February 16<sup>th</sup>, 2021 staff report entitled "Updated Proposal - Development Permit with Variances No. 1908 - 2800 Arden Road" Council directs the applicant to re-engage the neighbourhood regarding the reduction in the number of units and provide a summary of neighbourhood comments prior to Council's consideration of the proposal.

**Carried with Councillor Theos opposed**

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

**5.1 COVID Relief Funding - Softball BC**

**Moved By McCollum**

**Seconded By Frisch**

THAT the correspondence received January 8<sup>th</sup>, 2021 from Softball BC regarding a request to provide financial support for softball athletes representing British Columbia at the 2022 Canada Summer Games in Niagara, Ontario, be received for information.

**Carried**

**New motion:**

**Moved By Hillian**

**Seconded By Cole-Hamilton**

THAT in response to the correspondence received January 8<sup>th</sup>, 2021 from Softball BC requesting financial support for softball athletes representing British Columbia at the 2022 Canada Summer Games in Ontario;

THAT Council direct staff to write a letter advising Softball BC of the City's Grant-in-Aid program for organizations seeking financial support from the City; and, informing them that applications for 2021 are not being considered as a result of lost revenue due to the COVID-19 pandemic; subsequently their request for financial support be denied due to the cancellation of the 2021 Grant-in-Aid program.

**Carried**

## **5.2 Help Cities Lead - Climate Caucus**

**Moved By** Frisch

**Seconded By** McCollum

THAT Council endorse the "Help Cities Lead" education and awareness campaign proposed by Climate Caucus in their correspondence dated January 20<sup>th</sup>, 2021; and,

THAT Council direct staff to send a letter of support to the Minister of Municipal Affairs; Minister of Environment and Climate Change Strategy; Minister of Finance; Minister of Energy Mines and Low Carbon Innovation; and, Attorney General and Minister Responsible for Housing, in response to Climate Caucus' "Help Cities Lead" education and awareness campaign to accelerate building decarbonization through collaboration between the Province of British Columbia and local governments.

**Carried**

**4:43 p.m. - Councillor Cole-Hamilton recused himself from the video/audio conference meeting citing a possible conflict of interest as he is a Director for the Climate Caucus Board and sits on the Steering Committee of Help Cities Lead and PACE BC.**

**4:46 p.m. - Councillor Cole-Hamilton returned to the video/audio conference meeting to participate in the discussion after Council and City staff determined that his recusal did not meet the criteria noted in the statutory provisions under the City's *Council Conflict of Interest Policy*. Councillor Cole-Hamilton returned in time to vote.**

### 5.3 Property Assessed Clean Energy (PACE) BC

**Moved By** Cole-Hamilton

**Seconded By** McCollum

THAT in response to Property Assessed Clean Energy (PACE) BC's request for municipal support for province-wide, third-party enabling legislation to the BC government, Council direct staff to send a letter of support including the following resolution to the provincial government:

WHEREAS the City of Courtenay has shown itself to be a climate leader by taking many steps including placing a climate lens in our Official Community Plan;

WHEREAS retrofitting buildings across B.C. is crucial to reducing green-house gas (GHG) emissions and meeting our provincial climate targets;

WHEREAS upfront costs of retrofitting homes and businesses for climate resilience are cost prohibitive to many of our property owners, and Property Tax Assisted Clean Energy (PACE) lowers barriers to implementing GHG reductions adding value to buildings and making them more desirable places to live or work;

WHEREAS PACE BC is working with interested municipalities across B.C. to assist in the establishment of a successful province-wide PACE program that meets the needs of residents and that local governments of all sizes can participate in with minimal start-up costs or staff time;

WHEREAS PACE and the resulting ecosystem of retrofitting programs would create well-paying green jobs during a just recovery from the COVID-19 pandemic and a just transition away from fossil fuel infrastructure-related jobs;

THEREFORE, BE IT RESOLVED THAT the City of Courtenay write a letter to the Ministry of Environment, the Minister of Energy, Mines and Low Carbon Innovation, the Minister of Municipal Affairs, Minister of Housing and PACE BC expressing support for B.C. legislation enabling PACE by third-party administration and confirming the City of Courtenay's interest in having a PACE program when it becomes available in B.C.

**Carried**

**5.4 Letter from David Eby, Attorney General and Minister Responsible for Housing, Ministry of Attorney General RE: 2020 Comox Valley Homeless Count Data**

**Moved By** McCollum

**Seconded By** Morin

THAT the letter dated January 26<sup>th</sup>, 2021 from David Eby, Attorney General and Minister Responsible for Housing, Ministry of Attorney, regarding the 2020 Comox Valley homeless count data, be received for information.

**Carried**

**5.5 Erik Eriksson - 5<sup>th</sup> Street Bridge Rehabilitation Project Petition (5400-02)**

**Moved By** Frisch

**Seconded By** McCollum

THAT the petition from Erik Eriksson requesting rehabilitation work for the City of Courtenay's 5<sup>th</sup> Street Bridge Rehabilitation Project be postponed to Summer 2022, be received for information.

**Carried with Councillors Hillian, McCollum and Morin opposed.**

**New motion:**

**Moved By** Morin

**Seconded By** Hillian

THAT in response to the petition submitted by Erik Eriksson requesting the rehabilitation work for the City of Courtenay's 5<sup>th</sup> Street Bridge Rehabilitation Project be postponed to Summer 2022, Council direct staff to coordinate with the Downtown Courtenay Business Improvement Association (DCBIA) Board on a communications plan to inform downtown business owners of the reasons for moving ahead with the 5<sup>th</sup> Street Bridge Rehabilitation Project in 2021.

**Carried**

**5.6 Mothers Against Drunk Driving (MADD) Comox Valley Chapter - MADD Canada's Crashed Car Awareness Campaign**

**Moved By** Frisch

**Seconded By** Hillian

THAT the correspondence received February 9<sup>th</sup>, 2021 from Leslie Wells, President, Mothers Against Drunk Driving (MADD) Comox Valley Chapter regarding MADD Canada's Crashed Car Awareness Campaign, be received for information.

**Carried**

**New motion:**

**Moved By** Hillian

**Seconded By** Frisch

THAT in response to the correspondence received February 9<sup>th</sup>, 2021 from Mothers Against Drunk Driving (MADD) Comox Valley Chapter, Council support MADD Canada's Crashed Car Awareness Campaign by displaying their wrapped crashed car in Spring 2021; and

THAT Council direct staff to work with MADD Comox Valley Chapter to investigate a safe and highly visible location for the display of the wrapped crashed car to raise awareness of the dangers of impaired driving.

**Carried**

**5.7 2021 Comox Valley Water Committee Voting Structure (0360-20)**

**Moved By** Cole-Hamilton

**Seconded By** Morin

THAT the letter dated February 2<sup>nd</sup>, 2021 from the Comox Valley Regional District (CVRD) advising no changes to the 2021 Comox Valley Water Committee voting structure, 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 Hillian**

Councillor Hillian mentioned the significant snowfall received in the Comox Valley recently and commended City staff for their excellent work in keeping the roadways clear.

**7.2 Councillor Morin**

Councillor Morin participated in the following events:

- Comox Lake Watershed Advisory Group meeting
- Comox Valley Coalition to End Homelessness (CVCEH) meeting
- Comox Valley Drug Strategy Committee meeting
- CVRD Active Transportation Network Plan Virtual Open House
- Comox Valley Sewage Commission meeting (Financial Planning)
- Comox Valley Recreation Commission meeting (Financial Planning)
- CVRD Board meeting
- Comox Valley Food Policy Council meeting
- Lunch and Learn session with Staff and Council regarding the Official Community Plan (OCP)
- 7<sup>th</sup> Annual Women's Memorial March (Adapted to follow COVID-19 safety protocols)

**7.3 Mayor Wells**

Mayor Wells acknowledged the recent passing of a local Rotarian and volunteer, Bent Harder, who made significant contributions to the community during his time in the Comox Valley.

**8. RESOLUTIONS OF COUNCIL**

**8.1 Councillor Theos - Resolution - Traffic Calming - Crown Isle Community Pilot Project (5400-20)**

**Moved By** Frisch

**Seconded By** Theos

WHEREAS Local Governments on Vancouver Island, Municipalities throughout British Columbia and Canada have reduced speed limits on local roads to improve livability and increase safety, and,

WHEREAS the Crown Isle Community has expressed a strong desire to reduce the speed limit within its neighbourhood, and,

WHEREAS reducing the speed limit in the Crown Isle Community to 40 km/h will improve neighbourhood livability, increase road safety, support non-vehicular use such as cyclists and pedestrians, reduce neighbourhood noise levels, increase community interaction and reduce infrastructure costs;

THEREFORE BE IT RESOLVED THAT Council direct Staff to report on a strategy to implement a three year reduced speed limit Pilot Project in the Crown Isle Community.

**Carried**

**8.2 Rise and Report - Kus-kus-sum Declaration of Bare Trust and Agency Agreement - Comox Valley Watershed Society, K'omoks First Nation and Corporation of the City of Courtenay (0400-20)**

**Moved By** Hillian

**Seconded By** Cole-Hamilton

That per the February 11<sup>th</sup>, 2021 Closed (In Camera) Meeting - Council Rises and Reports as follows:

THAT based on the February 11<sup>th</sup>, 2021 confidential staff report "Kus-kus-sum Declaration of Bare Trust and Agency Agreement" Council approve OPTION 1 as follows:

THAT given that Council wishes to partner with the K'omoks First Nation to protect, preserve and enhance the natural treasure known as the Kus-kus-sum, and to acknowledge the preservation work of the Project Watershed Society, Council resolves:

1. to enter into the Declaration of Bare Trust and Agency Agreement dated for reference February 16, 2021 between Project Watershed Society, the K'omoks First Nation, and the Corporation of the City of Courtenay;
2. to acknowledge the terms and conditions of the purchase agreement dated for reference February 16, 2021 between Project Watershed Society and Interfor Corp. that is referred to in the trust agreement; and,

THAT pending a Council decision and final agreement among the Parties, that Council rise and report at a future open Council meeting and communicate the accepted agreement through a joint media release.

**Carried**

### **8.3 In Camera Meeting**

**Moved By** McCollum

**Seconded By** Cole-Hamilton

That a Special In-Camera meeting closed to the public will be held February 16<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) (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**

### **9.1 2021 Association of Vancouver Island and Coastal Communities (AVICC) Virtual AGM & Convention - Call for Resolutions**

Discussion regarding the "2021 Association of Vancouver Island and Coastal Communities (AVICC) Virtual AGM & Convention - Call for Resolutions" and a reminder for Council to submit their resolutions to the Corporate Officer prior to the February 26<sup>th</sup>, 2021 deadline.

## **10. NOTICE OF MOTION**

11. NEW BUSINESS

12. BYLAWS

12.1 For Third Reading

12.1.1 Official Community Plan Amendment Bylaw No. 2996, 2020 - 2700 Mission Road

**Moved By** Frisch

**Seconded By** McCollum

THAT "Official Community Plan Amendment Bylaw No. 2996, 2020" pass third reading.

**The main motion was not voted on following a new motion to postpone third reading of Bylaw Nos. 2996 and Bylaw No. 2997.**

**New motion:**

**Moved By** Hillian

**Seconded By** Theos

THAT third reading of "Official Community Plan Amendment Bylaw No. 2996, 2020" AND third reading of "Zoning Amendment Bylaw No. 2997, 2020" be postponed to a future Council meeting; and,

THAT Council direct staff to consult with the Applicant on a smaller scale development, primarily relating to the proposed apartment building.

**Carried**

12.1.2 Zoning Amendment Bylaw No. 2997, 2020 - 2700 Mission Road

See Item 12.1.1 for new motion to postpone third reading of "Zoning Amendment Bylaw No. 2997, 2020".

**13. ADJOURNMENT**

**Moved By** McCollum

**Seconded By** Cole-Hamilton

That the meeting now adjourn at 7:21 p.m.

**Carried**

**CERTIFIED CORRECT**

---

**Corporate Officer**

**Adopted this 1<sup>st</sup> day of March, 2021**

---

**Mayor**



**Minutes of a Committee of the Whole Meeting**

**Meeting #:** CoW2/2021  
**Date:** February 22, 2021  
**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  
C. Davidson, Director of Engineering 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  
K. Shaw, Director of Public Works Services, via video/audio conference  
R. Matthews, Executive Assistant/Deputy Corporate Officer, via video/audio conference  
E. Gavelin, Network Technician, via video/audio conference

**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.**

**1. STAFF REPORTS/PRESENTATIONS**

**1.1 CAO and Legislative Services**

**1.1.1 Licence to Occupy Amendment to Permit the Temporary Operation of an Extreme Weather Shelter - 685 Cliffe Avenue (Connect Warming Centre) (2380-20)**

**Moved By** Cole-Hamilton

**Seconded By** Hillian

THAT based on the February 22<sup>nd</sup>, 2021 staff report “Licence to Occupy Amendment to Permit the Temporary Operation of an Extreme Weather Shelter - 685 Cliffe Avenue (Connect Warming Centre)”, Council approve OPTION 1 and the attached Licence to Occupy - Amendment #3 between the Comox Valley Transition Society and the City of Courtenay for the north side of the property having a legal description of PID: 006-102-930, Lot 3, Section 61 Comox District plan VIP3817; and,

THAT the Mayor and Corporate Officer be authorized to execute all documentation relating to the amended terms of the Licence to Occupy Agreement.

**Carried**

**1.2 Public Works Services**

**1.2.1 17<sup>th</sup> Street Cycling Facilities - Cross Section Options (5400-15)**

**Moved By** McCollum

**Seconded By** Cole-Hamilton

THAT based on the February 22<sup>nd</sup>, 2021 staff report, “17<sup>th</sup> Street Cycling Facilities - Cross Section Options” Council approve OPTION 1 and direct staff to complete the design of 17<sup>th</sup> Street using the new option of Parking Protected Bike Lanes with Curb Extensions cross-section depicted in Option 4 as the short-medium term cycling facility;

THAT that Curb Protected Cycle Tracks with Parking cross-section Option 5 be depicted as the long-term cycling facility; and,

THAT Council direct Staff to amend the Cycling Network Plan to incorporate Parking Protected Bike Lanes with Curb Extensions and Curb Protected Cycle Tracks with Parking on 17<sup>th</sup> Street between Comox Road and Willemar Avenue.

**Carried**

**1.2.2 Investing in Canada Infrastructure Program Grant Application - 17<sup>th</sup> Street Bike Lanes Project (5400-15)**

**Moved By** Cole-Hamilton

**Seconded By** Frisch

THAT based on the February 22<sup>nd</sup>, 2021 staff report, “Investing in Canada Infrastructure Program Grant Application - 17<sup>th</sup> Street Bike Lanes Project” Council approves OPTION 1 and directs staff to submit an application for grant funding for the 17<sup>th</sup> Street Bike Lanes Project through the *Canada Infrastructure Program - COVID-19 Resilience Infrastructure Stream*; and,

THAT Council supports the project and commits to any associated ineligible costs or potential cost overruns.

**Carried**

**2. RESOLUTIONS OF COUNCIL**

**2.1 In Camera Meeting**

**Moved By** Frisch

**Seconded By** Morin

THAT a Special In-Camera meeting closed to the public be held February 22<sup>nd</sup>, 2021 at the conclusion of the Committee of the Whole Meeting pursuant to the following sub-sections 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.

**Carried**

**3. UNFINISHED BUSINESS**

**3.1 2021 Association of Vancouver Island and Coastal Communities (AVICC) Virtual AGM & Convention - Call for Resolutions (0390-20)**

**3.1.1 Mayor Wells - Association of Vancouver Island and Coastal Communities (AVICC) Resolution - Provincial Tax Sharing with BC Municipalities (0390-20)**

**Moved By** Frisch

**Seconded By** Morin

THAT Council forward the following resolution to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at the 2021 AVICC AGM & Convention:

WHEREAS costs, regulations, and responsibilities for municipalities are increasing at an unsustainable rate;

WHEREAS some traditionally provincial or federal funded responsibilities have shifted to local government;

THEREFORE BE IT RESOLVED that the Province work with Municipalities towards sharing:

- Sales Tax
- Liquor Tax
- Property Transfer Tax

AND FURTHER THAT the Province support and simplify the creation of local fuel taxes for Municipalities as an additional revenue stream.

**Carried**

**3.1.2 Councillor Cole-Hamilton - Association of Vancouver Island and Coastal Communities (AVICC) Resolution - Help Cities Lead (0390-20)**

**Moved By** Cole-Hamilton

**Seconded By** McCollum

THAT Council forward the following resolution to the Association of Vancouver Island and Coastal Communities (AVICC) for consideration at the 2021 AVICC AGM & Convention:

WHEREAS building retrofits help drive deep building-sector emissions reductions, respiratory illness reductions, building operating cost

reductions, and job creation, yet local governments are currently constrained with existing legislation; and,

WHEREAS Integral Group modelling has shown that when implemented together, these five actions complement each other;

THEREFORE BE IT RESOLVED that the Union of BC Municipalities (UBCM) prevail upon the Ministry of Environment and Climate Change Strategy, Ministry of Municipal Affairs, Ministry of Finance, Ministry of Energy Mines and Low Carbon Innovation (EMLCI), and Attorney-General and Ministry responsible for Housing to move as quickly as possible and in close consultation with local governments to develop and implement the first three measures:

- Regulating GHG emissions for new buildings;
- Home energy labelling; and
- Property assessed clean energy (PACE) enabling legislation;

And also enable local governments to choose, when ready, to opt into the remaining two measures:

- Regulating GHG emissions for existing buildings;
- Building energy benchmarking and reporting.

**Carried**

**3.1.2.1 Background Document - AVICC Resolution - Help Cities Lead Briefing Note: Reducing Building Sector GHG Emissions (0390-20)**

**Moved By** Cole-Hamilton

**Seconded By** Hillian

THAT the correspondence dated December 2020 provided as background information for the Association of Vancouver Island Coastal Communities (AVICC) Resolution "Help Cities Lead Briefing Note: Reducing Building Sector GHG Emissions", be received \_\_\_\_\_ for \_\_\_\_\_ information.

**Carried**

**3.2 Delegation - Comox Valley Cycling Coalition (CVCC) Re: 6<sup>th</sup> Street Multi-Use Active Transportation Bridge (5335-20)**

**Moved By** Hillian

**Seconded By** Frisch

THAT the proposal made by the Comox Valley Cycling Coalition (CVCC) during their delegation to Council on January 18<sup>th</sup>, 2021 to consider a minimum width of 4.8-metres during the detailed design stage of the 6<sup>th</sup> Street Multi-Use Active Transportation Bridge be reconsidered at a future Council meeting.

**Defeated**

**Opposed: Mayor Wells and Councillors Cole-Hamilton, Frisch, McCollum, and Theos**

**In Favour: Councillors Hillian and Morin**

**New motion:**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council direct staff to write to the Comox Valley Cycling Coalition (CVCC) and Comox Valley Accessibility Committee (CVAC) reaffirming Council's December 9<sup>th</sup>, 2020 decision to proceed with a bridge deck width of 4-metres in the detailed design stage for the 6<sup>th</sup> Street Multi-Use Active Transportation Bridge.

**Carried**

**4. NOTICE OF MOTION**

**4.1 Councillor Morin - Notice of Motion - Speed Limits & Safety Signage on Multi-use Paths**

Councillor Morin presented a notice of motion with a resolution anticipated to come forward at the March 1<sup>st</sup>, 2021 Council meeting.

**5. ADJOURNMENT**

**Moved By** Cole-Hamilton

**Seconded By** Hillian

That the meeting now adjourn at 6:01 p.m.

**Carried**

**CERTIFIED CORRECT**

---

**Corporate Officer**

**Adopted this 1<sup>st</sup> day of March, 2021**

---

**Mayor**





# Operation Leave the Streets Behind

## Homeless Veterans Assistance

→ **MISSION STATEMENT:** To ensure that every Veteran who is homeless or near homeless finds the help they need to leave the streets behind.



→ **ASSISTANCE PROVIDED**

- Medical Needs
- Assistive Devices
- Emergency Transportation
- Emergency Assistance
- Addiction Programs • Rental Payments
- Furnishing Assistance • Moving Expenses
- Utility Payments • Shelter • Food

→ **ELIGIBILITY**

- Canadian Veterans of all ages and their families
- Commonwealth ex-service
- Allied countries ex-service



## Have you served in the Canadian Forces or the Royal Canadian Mounted Police?

This one question can open a new chapter in a person's life and show that the Legion, as partners in our communities, care about those who served our Country—our Veterans.

**Operation: Leave the Streets Behind** is a program developed by The Royal Canadian Legion to identify and assist homeless Veterans and those at-risk of homelessness.

Financial assistance can be provided for items such as first and last month's rent, rental arrears, medical needs such as dental, eyeglasses, transportation to medical services, furnishings, food and clothing.

Eligibility includes any Veteran or family member in need of assistance and living in Canada as well as Veterans of Commonwealth and allied countries living in Canada. (A Veteran is any person who is serving or who has served in the Canadian Forces and the Royal Canadian Mounted Police).

## What our Veterans are saying:

*"I came into the shelter for a shower and came out with a life."*

*"Thank you for giving me a hand up."*

*"It is a great feeling to close the door and feel safe."*

*"Thank you for the assistance you provided, it has given me breathing room so that I may get the rest of my life in order."*

**For more information, contact:**

## The Royal Canadian Legion Service Bureau Network

### We care for all veterans of all ages and their families

The Legion Service Bureau Network serves Veterans, members of the CF, RCMP, and their families by representing their interests with Veterans Affairs Canada and the Veterans Review and Appeal Board for disability benefits under the *Pension Act* or the *Veterans Well-being Act*.

The Legion's professional Command Service Officers are mandated by legislation to provide representation, advocacy and financial assistance **FREE OF CHARGE**, Legion member or not.

[www.legion.ca/support-for-veterans/homeless-veterans](http://www.legion.ca/support-for-veterans/homeless-veterans)



# Opération Leave the Streets Behind

Aide aux Vétérans sans-abri

➔ **ÉNONCÉ DE MISSION** : Faire en sorte que tous les Anciens combattants sans-abri ou presque sans-abri obtiennent l'aide qu'il leur faut pour quitter la rue.



➔ **ASSISTANCE PRÊTÉE**

- Soins médicaux
- Accessoires fonctionnels
- Transport d'urgence
- Secours d'urgence

Programmes de toxicomanie • Dépenses de déménagement  
Paiement de services publics • Achats de meubles  
Paiement du loyer • Nourriture • Refuge

➔ **QUI Y A DROIT**

- Anciens combattants canadiens et leur famille
- Anciens militaires du Commonwealth
- Anciens militaires des pays alliés



## Avez-vous servi dans les Forces canadiennes ou la Gendarmerie royale du Canada?

Cette question pourrait ouvrir un nouveau chapitre dans la vie de quelqu'un et elle révèle qu'en tant que partenaires de nos commu- nautés, la Légion se soucie de ceux qui ont servi notre pays— nos Anciens combattants.

**Opération: Leave the Streets Behind** est un programme mis en place par la Légion royale canadienne visant à trouver et à aider les Anciens combattants sans-abri et ceux qui risquent de le devenir.

Il sert à leur prêter assistance pour des choses comme les premier et dernier mois de loyer, le retard du loyer, les besoins médicaux comme les soins dentaires et les lunettes, le transport aux services thérapeutiques, la nourriture et les vêtements.

L'admissibilité comprend tout Ancien combattant ou membre de sa famille ayant besoin d'aide qui demeure au Canada ainsi que les Anciens combattants des pays du Commonwealth et alliés vivant au Canada. (Un Ancien combattant est une personne qui sert ou qui a servi dans les Forces canadiennes ou la Gendarmerie royale du Canada).

### Ce que disent nos Anciens combattants :

*“Je suis entré au refuge pour une douche et j’y ai trouvé une nouvelle vie.”*

*“Merci de m’avoir donné un coup de main.”*

*“C’est bon de se sentir en sécurité chez soi.”*

*“Merci de votre assistance; j’ai pu respirer un peu afin que je puisse mettre de l’ordre dans ma vie.”*

**Pour de plus amples renseignements :**

## Le Réseau du Bureau d'entraide de La Légion royale canadienne

### Les Anciens Combattants et leurs familles nous tiennent à cœur, quel que soit leur âge

Le Réseau du Bureau d'Entraide de la Légion sert les Anciens combattants, membres des FC, de la GRC et leurs familles en représentant leurs intérêts auprès d'Anciens Combattants Canada et le tribunal des Anciens Combattants, Révision et Appel, pour prestations d'invalidité en vertu de la *Loi sur les Pensions* et la *Loi sur le bien-être des vétérans*.

Les officiers d'entraide professionnels de Direction de la Légion sont mandatés par législation de fournir une représentation, un plaidoyer et une aide financière **à titre gratuit**, qu'un individu soit membre de la Légion ou non.

[www.legion.ca/support-for-veterans/homeless-veterans](http://www.legion.ca/support-for-veterans/homeless-veterans)



A Homeless Veterans Program

# Leave the Streets Behind

Un programme pour Vétérans sans abri



A helping hand to Veterans who are homeless or at risk of homelessness.

Un coup de main aux Vétérans qui sont sans abri ou à risque d'itinérance.

250-334-4322

[courtenaylegion.ca](http://courtenaylegion.ca)



A Homeless Veterans Program

# Leave the Streets Behind

Un programme pour Vétérans sans abri



A helping hand to Veterans who are homeless or at risk of homelessness.

Un coup de main aux Vétérans qui sont sans abri ou à risque d'itinérance.

250-334-4322

[courtenaylegion.ca](http://courtenaylegion.ca)



A Homeless Veterans Program

# Leave the Streets Behind

Un programme pour Vétérans sans abri



A helping hand to Veterans who are homeless or at risk of homelessness.

Un coup de main aux Vétérans qui sont sans abri ou à risque d'itinérance.

250-334-4322

[courtenaylegion.ca](http://courtenaylegion.ca)

Service Officer: Bill Webb  
Phone: 250-702-5966

BC/Yukon Command Service  
Officer: Rick Saunders  
Phone: 250-381-3992  
Fax: 250-381-3943  
Toll Free:1-866-381-3992

Veterans Affairs Canada  
1-866-522-2122

Service Officer: Bill Webb  
Phone: 250-702-5966

BC/Yukon Command Service  
Officer: Rick Saunders  
Phone: 250-381-3992  
Fax: 250-381-3943  
Toll Free:1-866-381-3992

Veterans Affairs Canada  
1-866-522-2122

Service Officer: Bill Webb  
Phone: 250-702-5966

BC/Yukon Command Service  
Officer: Rick Saunders  
Phone: 250-381-3992  
Fax: 250-381-3943  
Toll Free:1-866-381-3992

Veterans Affairs Canada  
1-866-522-2122



**TOWN OF QUALICUM BEACH**  
INCORPORATED 1942

201 - 660 Primrose St.  
P.O. Box 130  
Qualicum Beach, BC  
V9K 1S7

Telephone: (250) 752-6921  
Fax: (250) 752-1243  
E-mail: [gbtown@qualicumbeach.com](mailto:gbtown@qualicumbeach.com)  
Website: [www.qualicumbeach.com](http://www.qualicumbeach.com)

## RESOLUTION

### **Royal Canadian Legion Branch 76's Application to CMHC**

THAT Council writes a letter of support to the Royal Canadian Legion Branch 76's application to CMHC for funding to determine the number of homeless veterans in the Oceanside and Comox Valley regions, AND FURTHER THAT, should the Legion's application be successful the town will provide matching funding for the first \$3000 raised to support this application.

Certified to be a true and correct copy of the resolution passed by the Council of the Town of Qualicum Beach, in an open meeting assembled, at the regular Council meeting held in the Council Chamber, Municipal Offices, 660 Primrose Street, Qualicum Beach, BC on Wednesday, November 18, 2020.

Dated this 26<sup>TH</sup> day of  
November, 2020 at  
Qualicum Beach,  
British Columbia

---

Heather Svensen  
Corporate Administrator





## STAFF REPORT

**To:** Council

**File No.:** 3090-20-2004

**From:** Chief Administrative Officer

**Date:** March 01, 2021

**Subject:** Development Variance Permit No. 2004 - #700-444 - Lerwick Road

### PURPOSE:

The purpose of this report is for Council to consider a Development Variance Permit to vary the Sign Bylaw to permit an increase to the total combined sign area for the east building face of unit 700 on the property legally described as Lot 1, Block 72, Comox District, Plan VIP81206, in order to accommodate additional signage below an existing sign.

### CAO RECOMMENDATIONS:

THAT based on the March 1<sup>st</sup>, 2021 staff report "Development Variance Permit No. 2004 - #700-444 - Lerwick Road", Council approve OPTION 1 and proceed with issuing Development Variance Permit No. 2004.

Respectfully submitted,

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

### BACKGROUND:

The subject property has an approximate floor area of 1,116m<sup>2</sup> (12,023 sq. ft) and is a commercial unit located within the Crown Isle Shopping Centre at the southeast corner of Ryan Road and Lerwick Road (**Figure No. 1**). The retail space will be used by PetSmart. There is existing fascia signage with the PetSmart logo, on all four building faces of the subject property. These comply with the Sign Bylaw and have been approved by the City. The applicant is proposing to add secondary signage below the east elevation. The applicant's rationale for the variances can be found in **Attachment No. 2**.

### DISCUSSION:

#### Sign Bylaw Review:

The subject property is zoned Comprehensive Development One F (CD-1F). Sign Bylaw No. 2760, 2013 stipulates that fascia signs within all general commercial and industrial areas must not exceed 20% of the area of the building face for a business premise to a maximum of 9.0m<sup>2</sup>. The existing sign is 9.0m<sup>2</sup>. The proposed secondary signage is 4.62m<sup>2</sup>. The total signage on this building face will therefore be 13.62m<sup>2</sup>. The proposed variance are summarized below.

| Sign Bylaw, s. 5.3.1. (a)         | Regulation   | Proposed                                 |
|-----------------------------------|--|--|
| Fascia Signs – General Commercial | -Sign area of all fascia sig20% of the building face to a maximum of 9.0m <sup>2</sup> | - 13.62m <sup>2</sup> combined sign area |



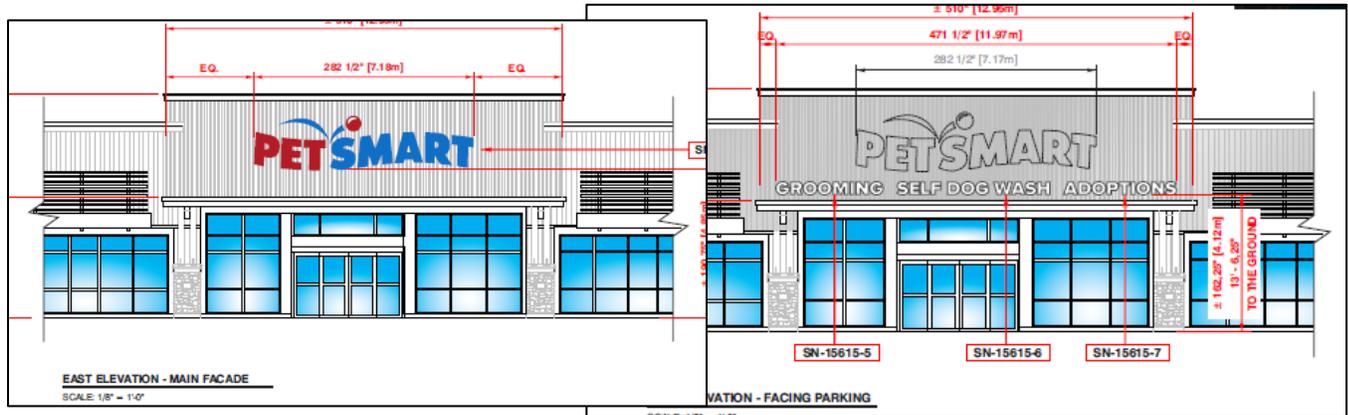
Figure 1. Subject property

**Variance - total area for fascia sign:** As per section 5.3.1 (a) of *Sign Bylaw 2760*, a building face can have a maximum combined sign area of 9.0m<sup>2</sup>. The applicant is requesting a 4.62m<sup>2</sup> increase to the combined sign area (for a total area of 13.62m<sup>2</sup>) to the east elevation of the PetSmart business premise. Staff are proposing the variance reference a maximum sign area of 13.7m<sup>2</sup> to allow flexibility for the final sign dimensions.

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

- To have signage in keeping with the company’s signs at other PetSmart locations.
- To advertise the services available

**Staff assess the requested variance as supportable given the low impact to neighbouring properties and the large size of the building.**



Figures No. 2 & 3 - Approved sign (left) and proposed secondary signage (right)

**FINANCIAL IMPLICATIONS:**

There are no direct financial implications related to the processing of this development variance permit application. The fee for the Development Variance Permit to vary the Sign Bylaw is \$500.

**ADMINISTRATIVE IMPLICATIONS:**

The processing of development applications is included in the current work plan as a statutory component. Staff have spent approximately 20 hours processing this application to date.

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

**ASSET MANAGEMENT IMPLICATIONS:**

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

**STRATEGIC PRIORITIES REFERENCE:**

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

**2019-2022 Strategic Priorities**

- Communicate appropriately with our community in all decisions we make

**OFFICIAL COMMUNITY PLAN REFERENCE:**

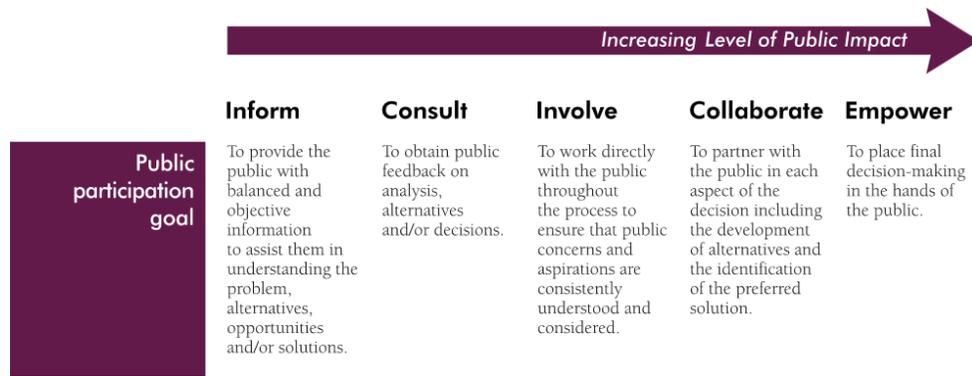
The OCP contains policies that encourage the infill of commercial properties prior to consideration of new commercial areas (4.2.2(1)). The City also supports a strong, diversified commercial base within municipal boundaries that provide employment and service opportunities (4.2.2(5)).

**REGIONAL GROWTH STRATEGY REFERENCE:**

4.4 (14) - Promote and support the overall economic viability of the municipal areas so that they can continue to provide primary base for residential, commercial and institutional activities.

**CITIZEN/PUBLIC ENGAGEMENT:**

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



The applicant distributed an alternative public information package to property owners and occupiers within 30m of the property, as per the new Alternative Development Information Meeting process. The applicant received no comments as a result of the mail out. To date, the City has received one comment from the public in support of the proposal.

The applicant’s public information meeting summary and the public comment is included in **Attachment No. 3**.

**OPTIONS:**

**OPTION 1:** (Recommended): Approve Development Variance Permit No. 2004.

**OPTION 2:** Defer issuance of Development Variance Permit No. 2004 pending receipt of further information.

**OPTION 3:** Not approve Development Variances Permit No. 2004.

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: Draft Development Variance Permit No. 2004*
2. *Attachment No. 2: Rationale for variance request*
3. *Attachment No. 3: Public Information Meeting documentation*

**Attachment No. 1:**  
Development  
Variance Permit

**THE CORPORATION OF THE CITY OF COURTENAY**

**Permit No.** 3090-20-2004

**DEVELOPMENT VARIANCE PERMIT**

March 1, 2021

**To issue a Development Variance Permit**

**To:**

**Name:** Crombie Property Holdings Limited, Inc. No. A0096707  
**Address:** 610 East River Road, Suite 200  
New Glasgow, NS, B2H 3S2

**Property to which permit refers:**

**Legal:** LOT 1, BLOCK 72, COMOX DISTRICT, PLAN VIP81206  
**Civic:** 700-444 Lerwick Road

**Conditions of Permit:**

Permit issued to the property legally described as Lot 1, Block 72, Comox District, Plan VIP81206 to permit the following variances for the addition of secondary signage on the east elevation of the building:

- *Sign Bylaw No. 2760, 2013*
  - *Section 5.3.1 (a)* – maximum combined area of all fascia signs from 9.0m<sup>2</sup> to 13.7m<sup>2</sup>

Development Variance Permit No. 2004 is subject to the following conditions:

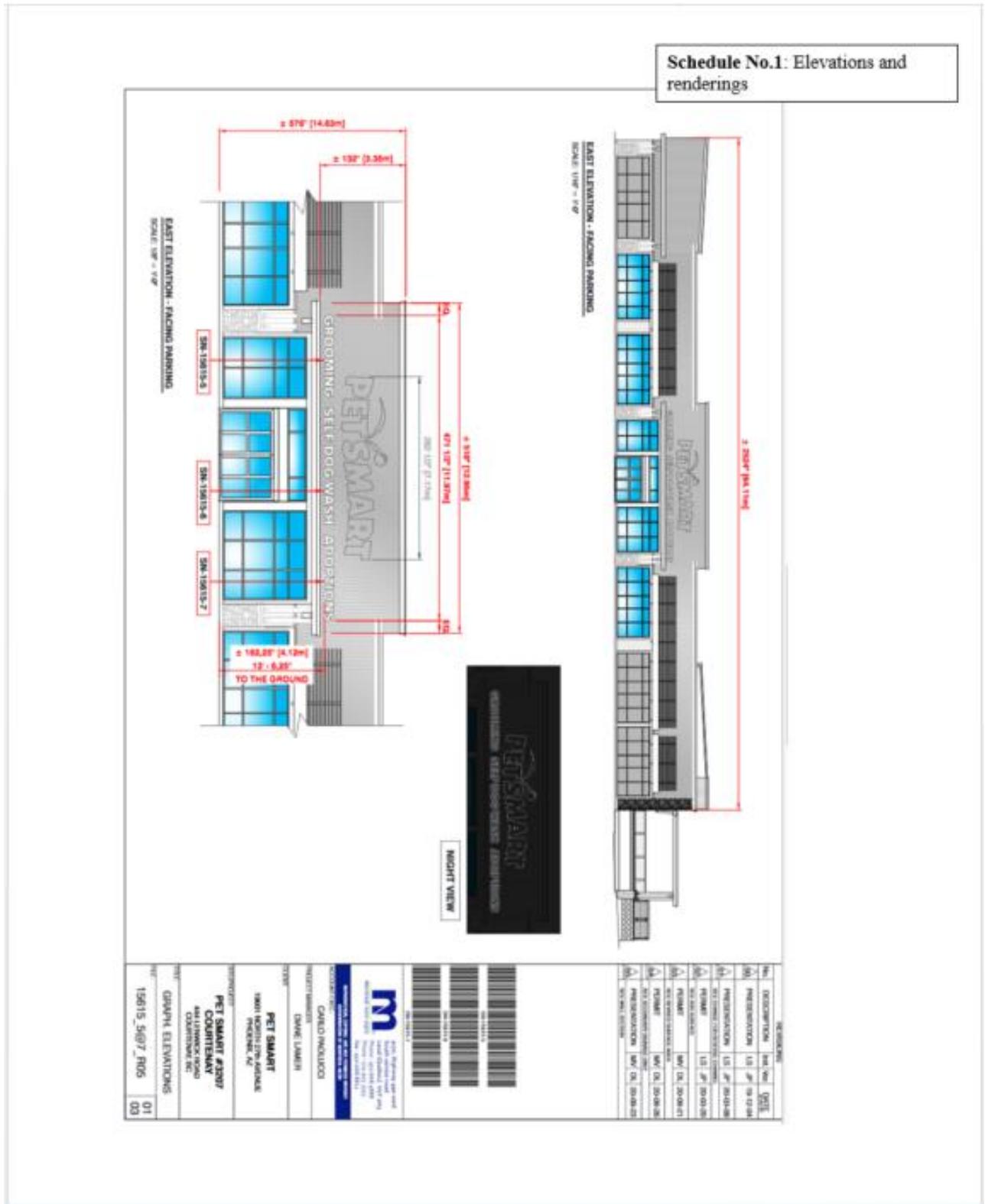
1. Development must substantially conform to plans for the sign dimensions by Montreal Neon Signs dated September 23, 2020, contained in *Schedule No.1*;
2. The development shall meet all other applicable requirements, standards and guidelines; and
3. No alterations or amendments shall be made without the City's permission. A formal amendment application is required if the plans change or additional variances are identified after the permit is issued.

**Time Schedule of Development and Lapse of Permit**

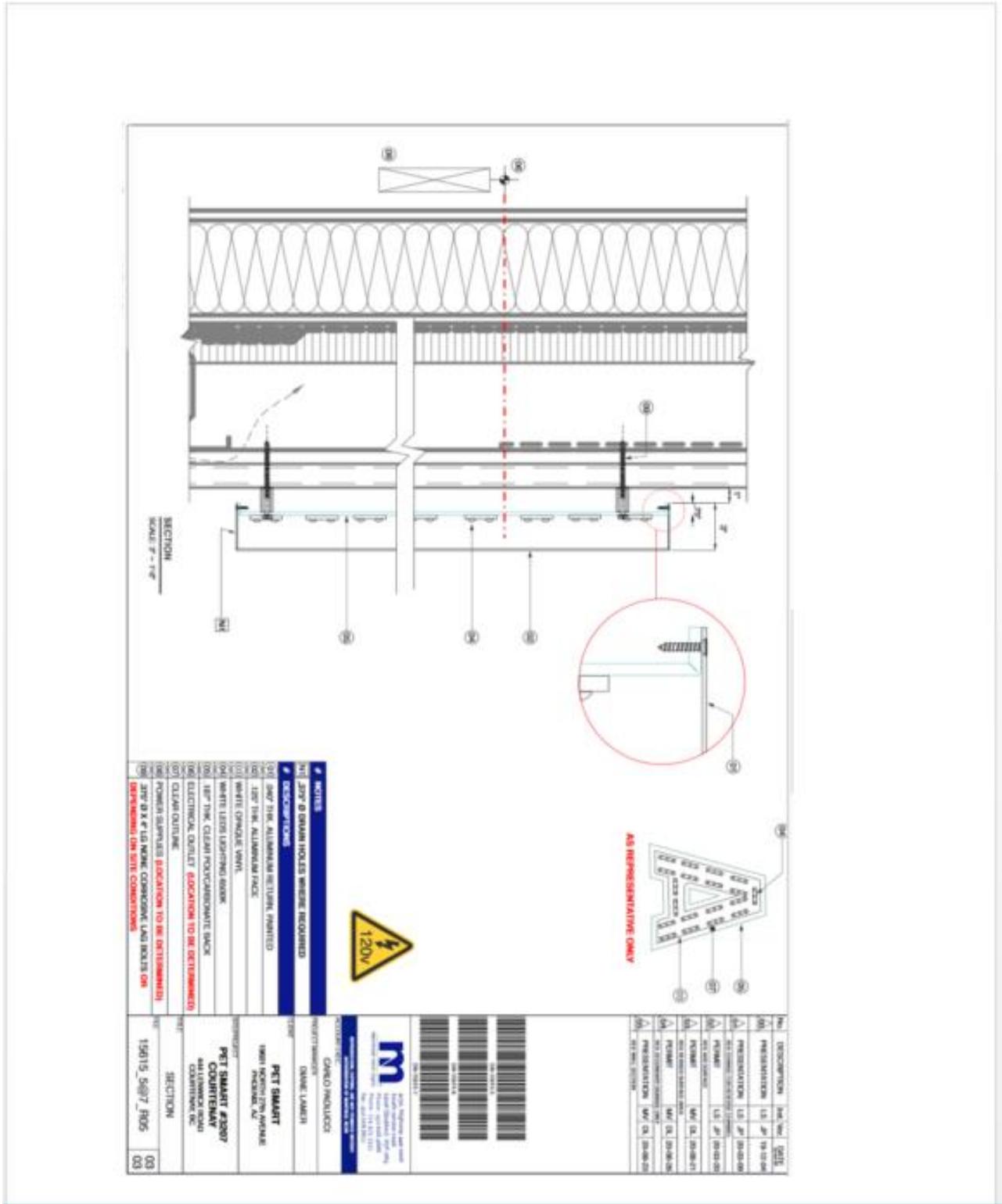
That if the permit holder has not substantially commenced the construction authorized by this permit within (12) months after the date it was issued, the permit lapses.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Corporate Officer







**Attachment No. 2:**  
Rationale for Variance  
Request



montreal neon

4130 Desserte Sud, Aut. 440 Ouest  
Laval, Qc Canada H7T 0H3  
T 450 668 4888 T 514 955 3333  
F 450 668 8822  
1 866 672 4888  
info@montrealneon.com  
www.montrealneon.com

November 5<sup>th</sup>, 2020

CITY OF COURTENAY  
830 Cliffe Avenue  
Courtenay, BC V9N 2J7

Reference: PN 15615 – PERMIT APPLICATION VARIANCE FOR SECONDARY SIGNAGE  
LETTER OF RATIONALE

To whom it may concern,

We are requesting a variance for the secondary signage "Grooming, Self Dog Wash and Adoptions" and would appreciate that you would consider this request. Petsmart wishes to create a sense of community between present and future pet owners with the services that are offered on premise.

We do have an approval for the "PETSMART" letters/logo and the bylaw is presently states 9.0 m2.

With the addition of the secondary signage the surface area would increase to 13.26 m2 therefore an increase of 4.26m2.

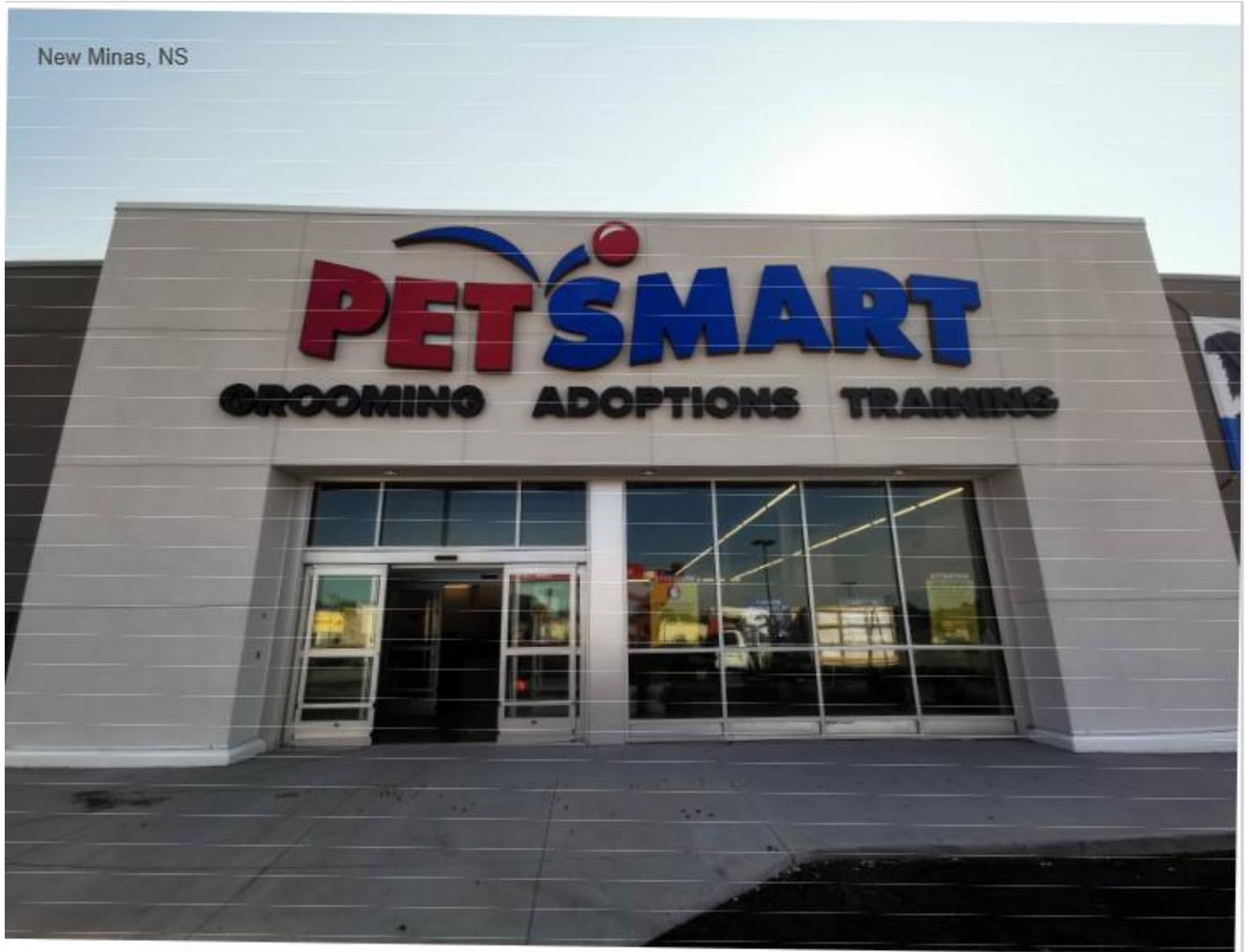
We would like to add this secondary signage to the East Elevation façade of the building. Since these are services offered by Petsmart within their business premises it is important that the community is made aware of said services being offered.

This secondary signage is also an integral part of the Petsmart branding across North America and it has been well received by other municipal authorities in locations where Petsmart has established a presence.

We again appreciate your consideration

Regards

Diane Lamer  
Senior Project Manager







montreal  
4  
Laval, Qc Canada H7T 0H3  
T 450 668 4888 T 514 955 3333  
F 450 668 8822  
1 866 672 4888  
info@montrealneon.com  
www.montrealneon.com

**Attachment No. 3:**  
Public Information  
Meeting

January 8<sup>th</sup>, 2021

City of Courtenay – Planning Department  
830 Cliffe Avenue  
Courtenay, BC  
V9H 2J7

Attn: Cassandra Marsh

**DVP00025 - 203-444 Lerwick Road**

The attached public information notice was mailed to all residents and business within 100 m of the above noted subject property on December 9<sup>th</sup>, 2020. Our Public Information Mailout (PIM) Summary is as follows:

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

Your truly,

MONTREAL NEON SIGNS

A handwritten signature in blue ink, appearing to read 'Diane Lamer'.

Diane Lamer  
Senior project Manager



Wed 12/23/2020 11:00 AM

[Redacted]

PN 15615- Montreal Neon Signs for PETSMART

To PlanningAlias

I received a letter asking for comments regarding a secondary signage for Petsmart Store at 444 Lerwick Road, Courtenay, BC V9N 9G4. I have absolutely no concern with this going forward. I completely approve of the request.

Thank you for asking for my opinion!

Regards,

[Redacted]

110-2828 Bristol Way  
Courtenay, BC  
V9N 0C5

[Redacted]





THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council

**File No.:** 3360-20-2015

**From:** Chief Administrative Officer

**Date:** March 01, 2021

**Subject:** Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road

### PURPOSE:

The purpose of this report is for Council to consider an application for a text amendment at the property legally described as Lot 14, District Lot 158, Comox District, Plan 21400 to permit a secondary residence on the subject property.

### CAO RECOMMENDATIONS:

THAT based on the March 1<sup>st</sup>, 2021 staff report “Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3026, 2021; and,

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3026.

Respectfully submitted,

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

### BACKGROUND:

The subject property is an approximately 1,687m<sup>2</sup> (0.4 acres) residential lot located at 2011 Cummings Road in East Courtenay (**Figure 1**). The property is currently zoned Residential One C (R-1C) and there is an existing two-storey single family dwelling and a two-storey garage on the parcel. The Zoning Bylaw requires three parking spaces for properties with secondary residences (two for the single family dwelling, one for the secondary residence). There is an existing driveway that accommodates vehicles for the existing home. The applicant is proposing a secondary driveway with a carport to serve the secondary residence. The City’s Subdivision and Development Servicing Bylaw limits properties to a single driveway. Should the zoning amendment be approved the applicant will require a variance to the number of driveways. Plans and elevations are shown in **Attachment No. 1**.

The secondary residence is proposed on the west side of the property. The proposed secondary residence is 88.9m<sup>2</sup> (957ft<sup>2</sup>) in size and includes one bedroom, one office, two bathrooms, a laundry room, kitchen, and open living and dining room (**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 Comox Quality Foods shopping complex, Valley View Elementary, and Mark R. Isfeld Secondary School. These destinations are accessible by cycling, walking, or transit (with two bus routes that travel along Lerwick Road). It is also within a few blocks of Lerwick Nature Park, and the multi-use greenway that connects Sheraton Road to Hawk Drive.

#### 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.

If rezoning is granted by Council, a Form and Character Development Permit will be required for the secondary residence, in addition to the driveway variance noted above. The Development Permit Checklist for secondary residences can be found in **Attachment No. 5**.

**Zoning Review**

This application meets zoning requirements, including building height, lot coverage, building setbacks and parking for both R-1C zone (which the property will remain zoned) and the requirements for secondary residences as stipulated in the Zoning Bylaw (for which the site specific text amendment would be applied). The requirements and proposal is summarized in the tables below.

| Regulation         | Requirement                       | Proposal                 |
|--------------------|-----------------------------------|--------------------------|
| Front yard setback | 7.5m                              | 8.2m                     |
| Rear yard          | 9.0m                              | ~18.0m                   |
| Side yard          | 4.5 total minimum<br>1.5m minimum | 2.38m west<br>~3.0m east |
| Lot Coverage       | 25%                               | ~15%                     |
| Height             | 5.5m (at mid-point)               | 4.19m (at mid-point)     |

| Secondary Residence Regulation   |  |
|--|--|
| Total not more than 90.0 m <sup>2</sup>  | Approximately 88.9m <sup>2</sup> (includes 1 bedroom, 1 office, 2 bathroom, living room, kitchen, dining, laundry) |
| Accessory to single residential dwelling   | Yes  |
| Located on a property of residential occupancy containing only one other dwelling unit                                       | Yes  |
| Located on a property which is a single real estate entity   | Yes  |
| Located on a property over 1,250m <sup>2</sup> in lot area   | 1,687m <sup>2</sup>  |
| Three Parking Spaces<br><i>(2 spaces for the principal dwelling unit and 1 additional space for the secondary residence)</i> | 4 parking spaces   |

**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, Development Permit and 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 30 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.

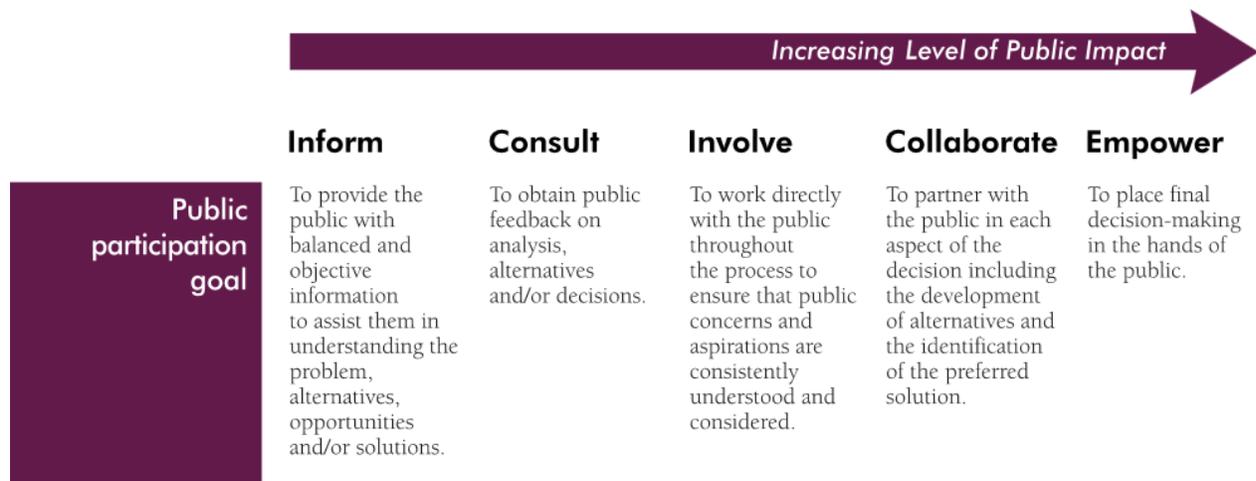
**REGIONAL GROWTH STRATEGY REFERENCE:**

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:



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**. The City additionally received 18 pieces of correspondence, and a petition. Of the 18 comments, 15 households were represented. The applicant also received 4 verbal comments.

Of the responses received by the City, ten were in support and seven opposed. In addition to a petition which had 16 signatures. Eight signatures belonged to residents that also submitted separate comments to the City.

All feedback can be found in **Attachment No. 3**. Of those that stated opposition to the proposal, they had the following concerns:

- Potential traffic increase
- Size of the proposed secondary residence relative to the existing home
- That the proposal may go against City policies and regulations
- A precedent could be set for further development changes in the neighbourhood such as other secondary residences or subdivision in the neighbourhood
- Potential that other uses could be carried out, such as vacation rental
- Impacts to the ‘ambience’ and ‘character’ of the neighbourhood
- Impacts to biodiversity and trees
- Desire to maintain the neighbourhood as single family only
- The potential for property value impacts
- The neighbourhood will become too ‘busy’
- That the applicant intends to subdivide the lot – i.e., because of the request for a second driveway
- That the proposal does not comply with lot coverage requirement

It is important to note that changes to the permitted lot size (which will remain too small to subdivide), lot coverage, and other lot requirements are proposed, but the text amendment requested addresses the change to density (from one dwelling unit to two). The secondary residence complies with the zoning regulations for secondary residences as stipulated in the Zoning Bylaw.

#### **OPTIONS:**

##### **OPTION 1: (Recommended)**

That based on the March 1<sup>st</sup>, 2021 staff report “Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3026, 2021; and,

That Council direct staff to schedule and advertise a statutory public hearing with respect to Zoning Amendment Bylaw No. 3026.

**OPTION 2:** Defer consideration of Bylaw No. 3026 with a request for more information.

**OPTION 3:** Defeat Bylaw No. 3026.

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: Form and Character Evaluation Checklist for Secondary Residences*
6. *Attachment No. 6: Sustainability Evaluation Checklist*

**Attachment No. 1: Plans and Parking**



Existing driveway view of 2011 Cummings Road

The Reason for requesting the Zoning Amendment:  
We would like to build a Secondary Residence. When it is complete, we will move into it and our son, daughter-in-law and baby will move into the large house.

By stating the property:

- A. We can help them move from an apartment to a house and land they can afford so their family will have room to grow.
- B. We help them financially and with child care.
- C. They can help us as we age.
- D. We can be part of the city's affordable housing policy.

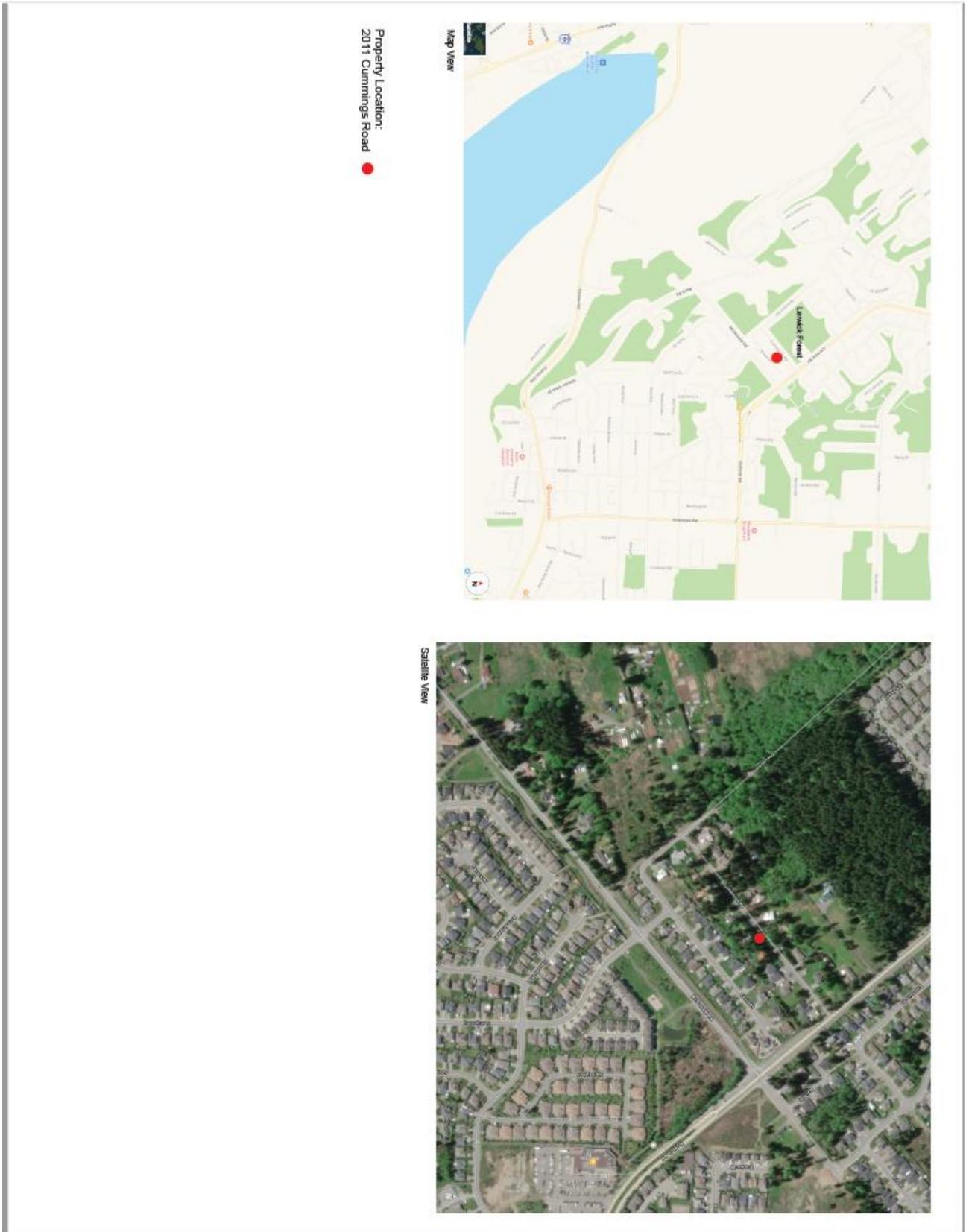
Fitting in with the Neighbourhood.

The following photographs show Cummings Road has a rural feel to it and the buildings have an eclectic architectural style. Even though the house will be small, we want it to blend in with its surroundings. What isn't concealed by the existing trees and bushes will be hidden behind new shrubs.



View from the street of the 2011 Cummings Road property.

Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road”

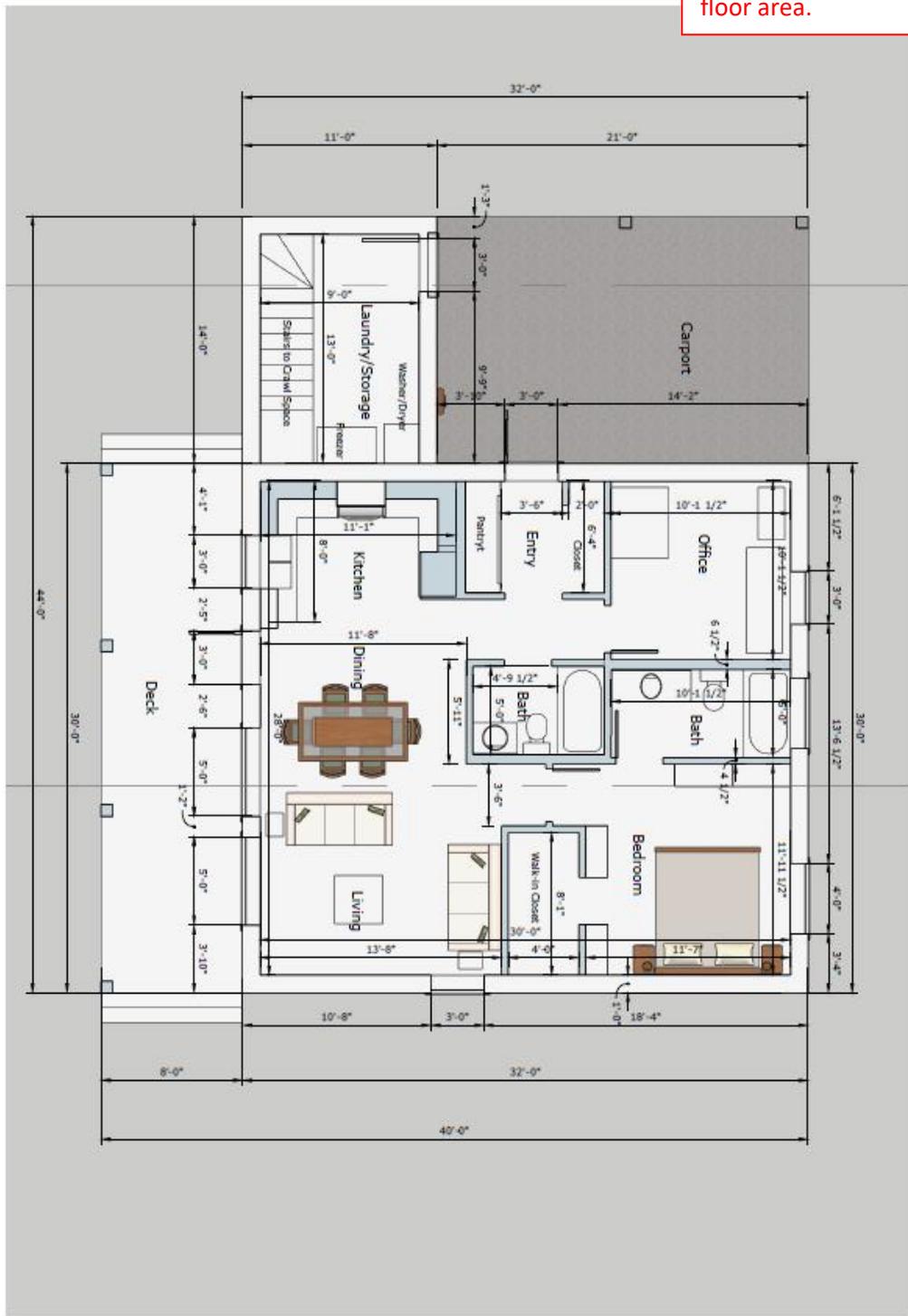








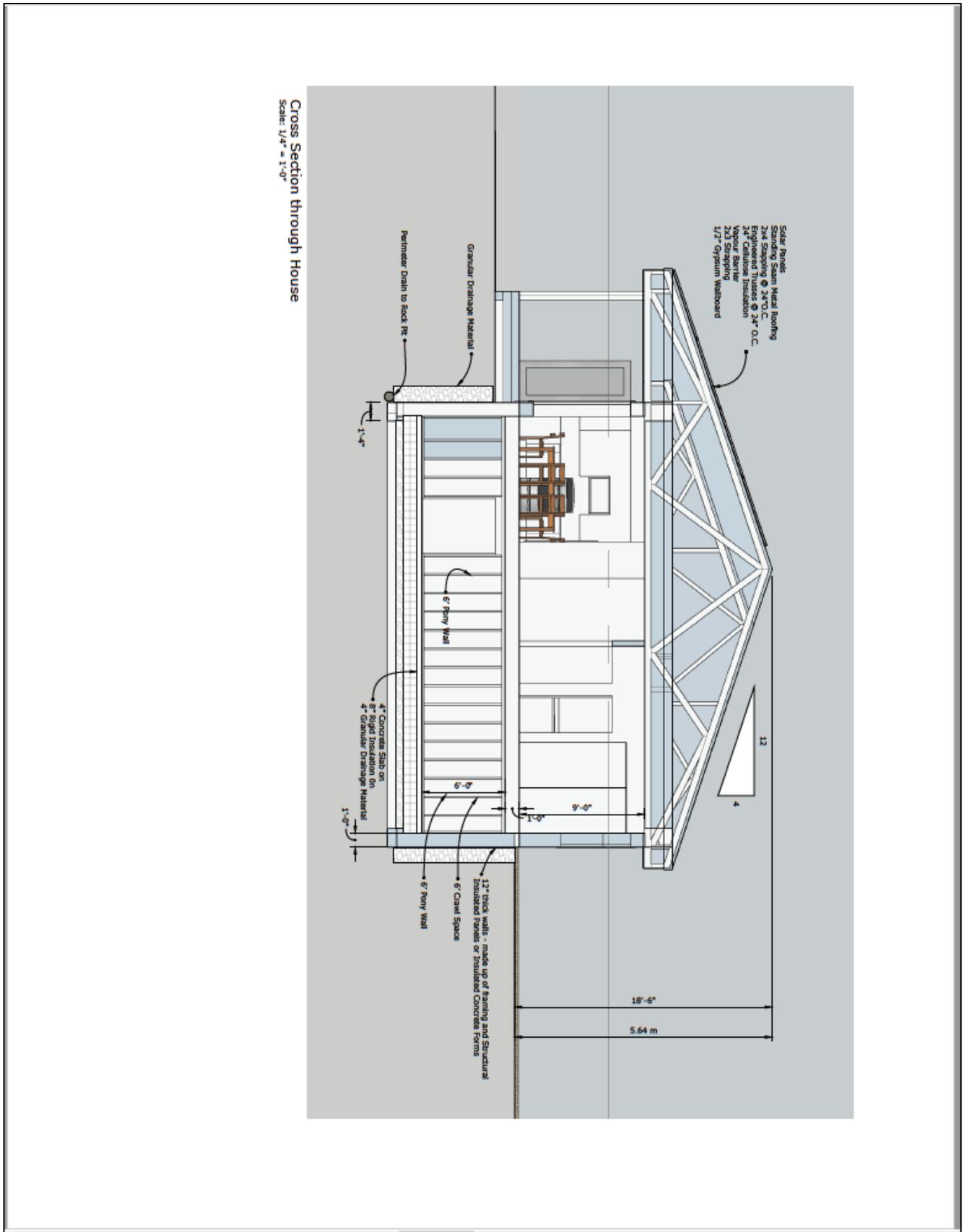
Proposed secondary residence - 88.9m<sup>2</sup> floor area.



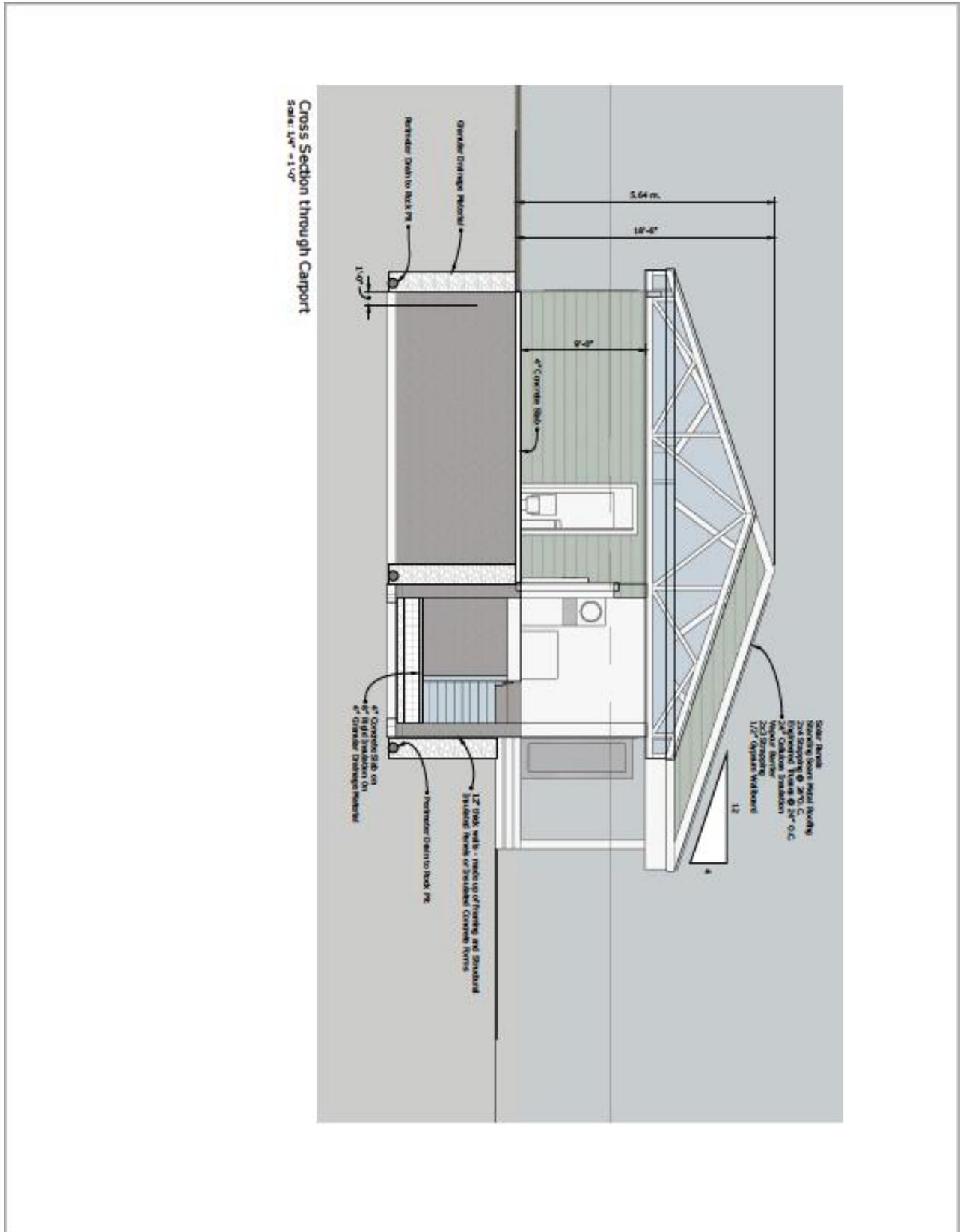
**Floor Plan**  
 Scale: 1/4" = 1'-0"

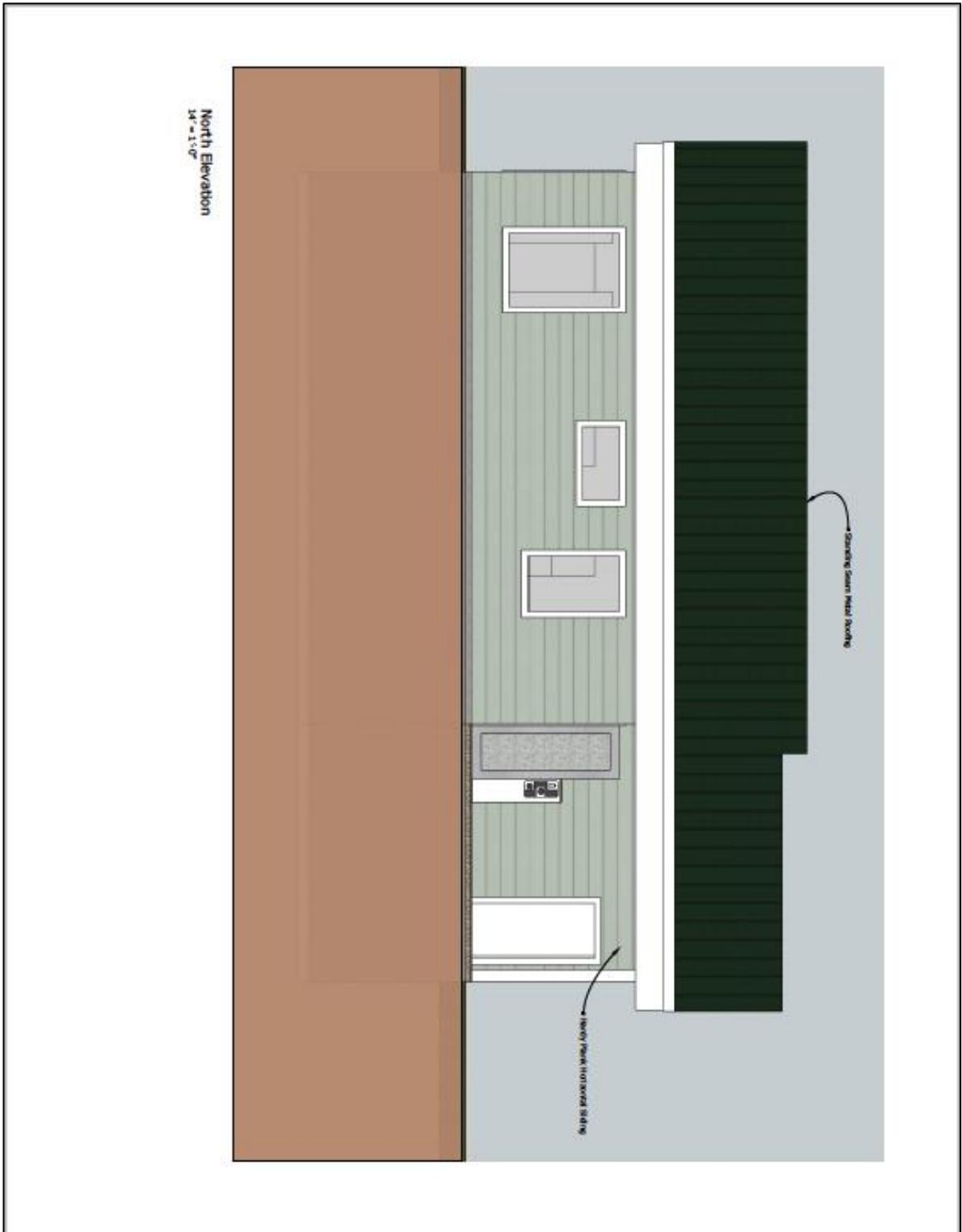
**Energy Efficient Construction**  
 We plan to build the Secondary Residence to Passive House standards and include solar panels to reach our goal of Net Zero energy consumption.  
 The carport will have an electric car charging station.

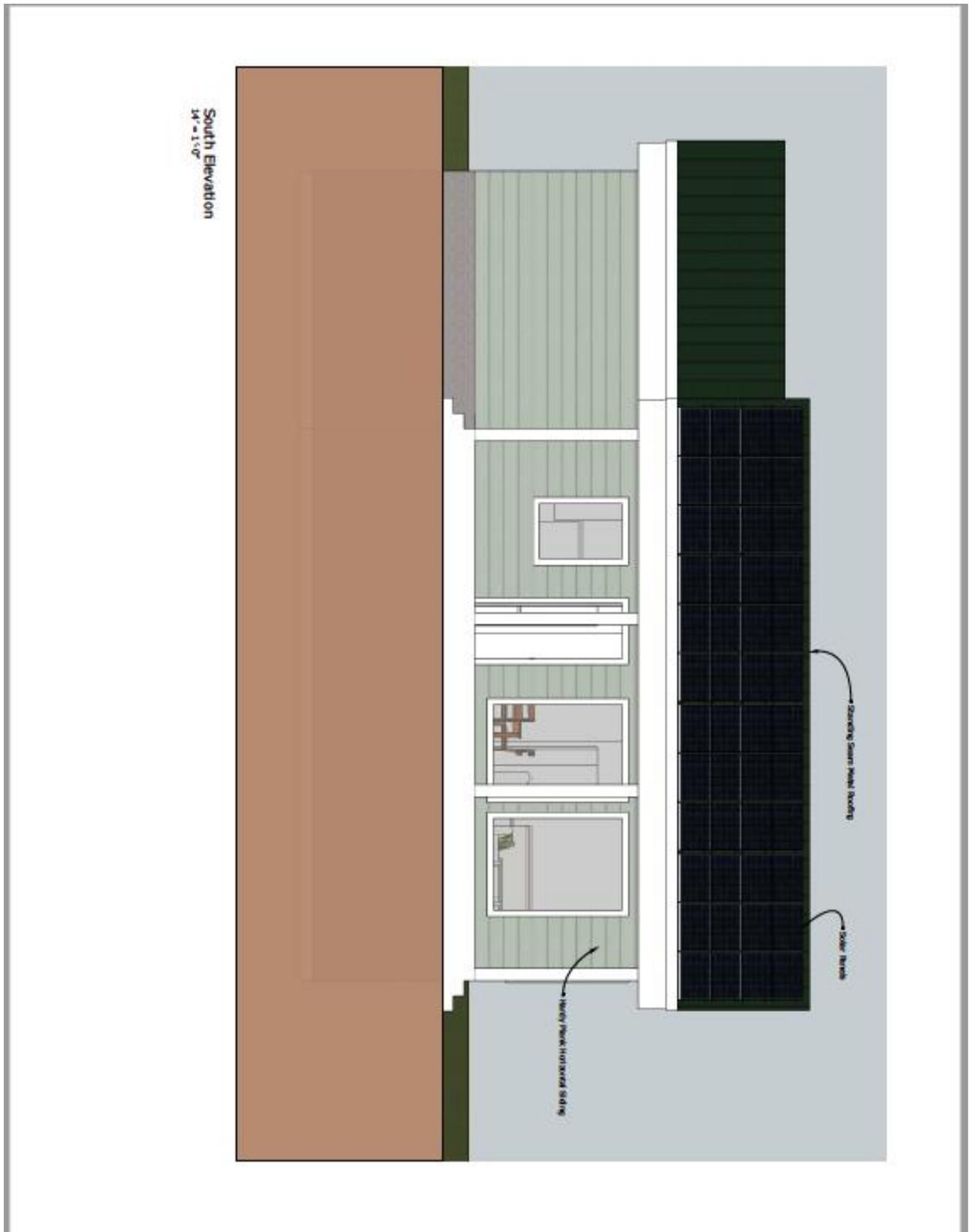
**Floor Space Calculation**  
 The Maximum Allowable Floor Space, measured from finished interior wall surface is 990 square feet.  
 28'x30' = 840  
 +13'x7' = 91  
 = 931 square feet.

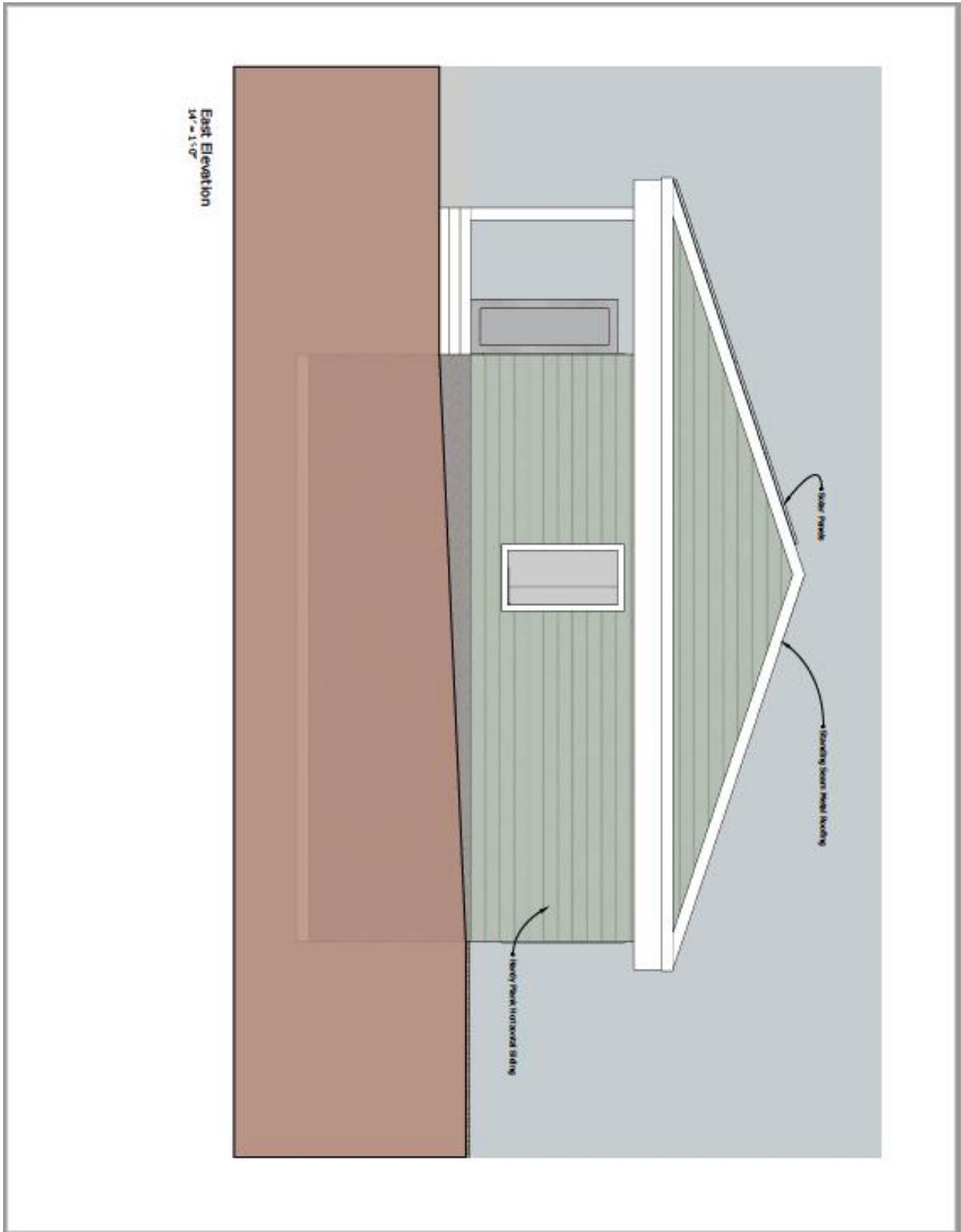


Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road”

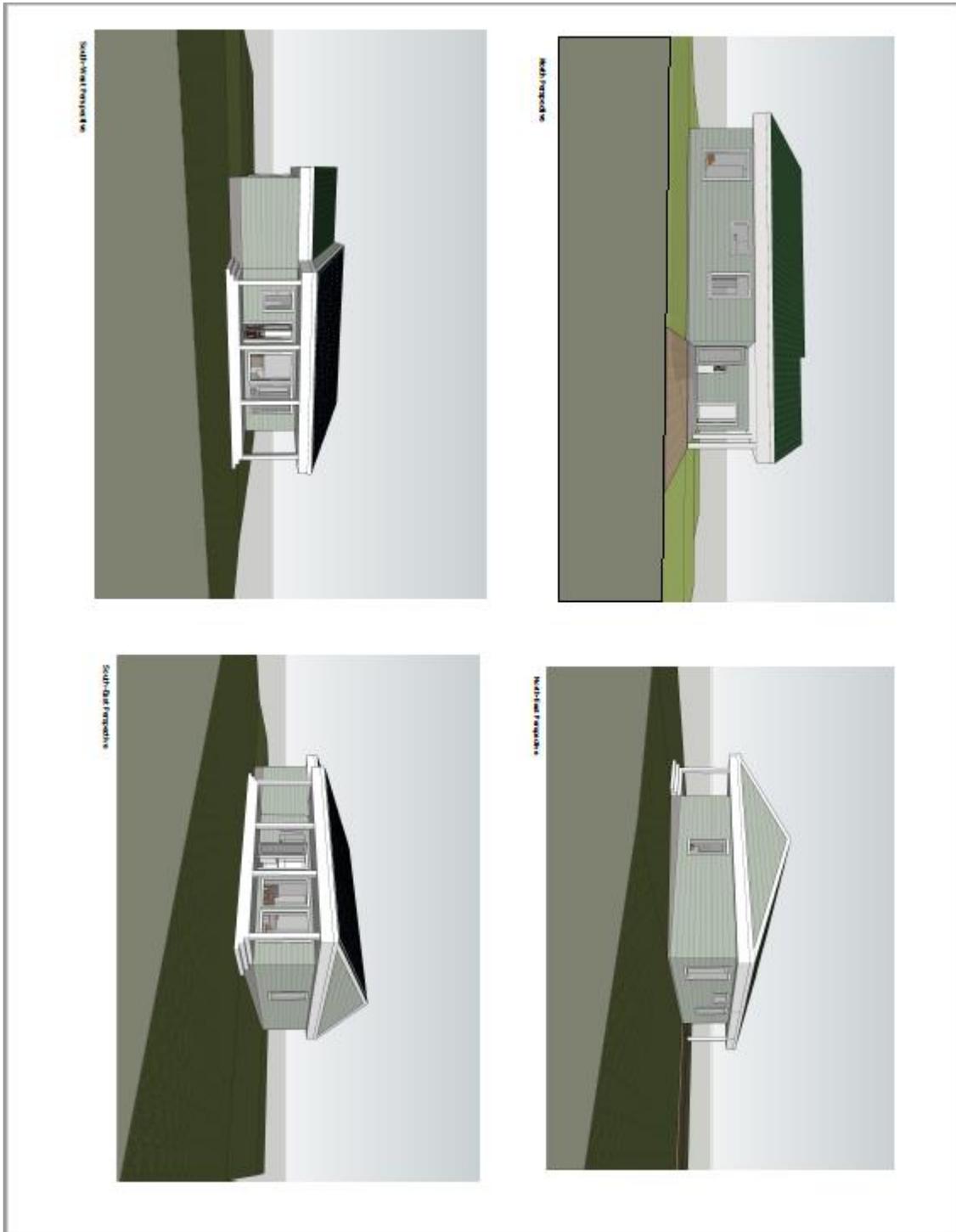


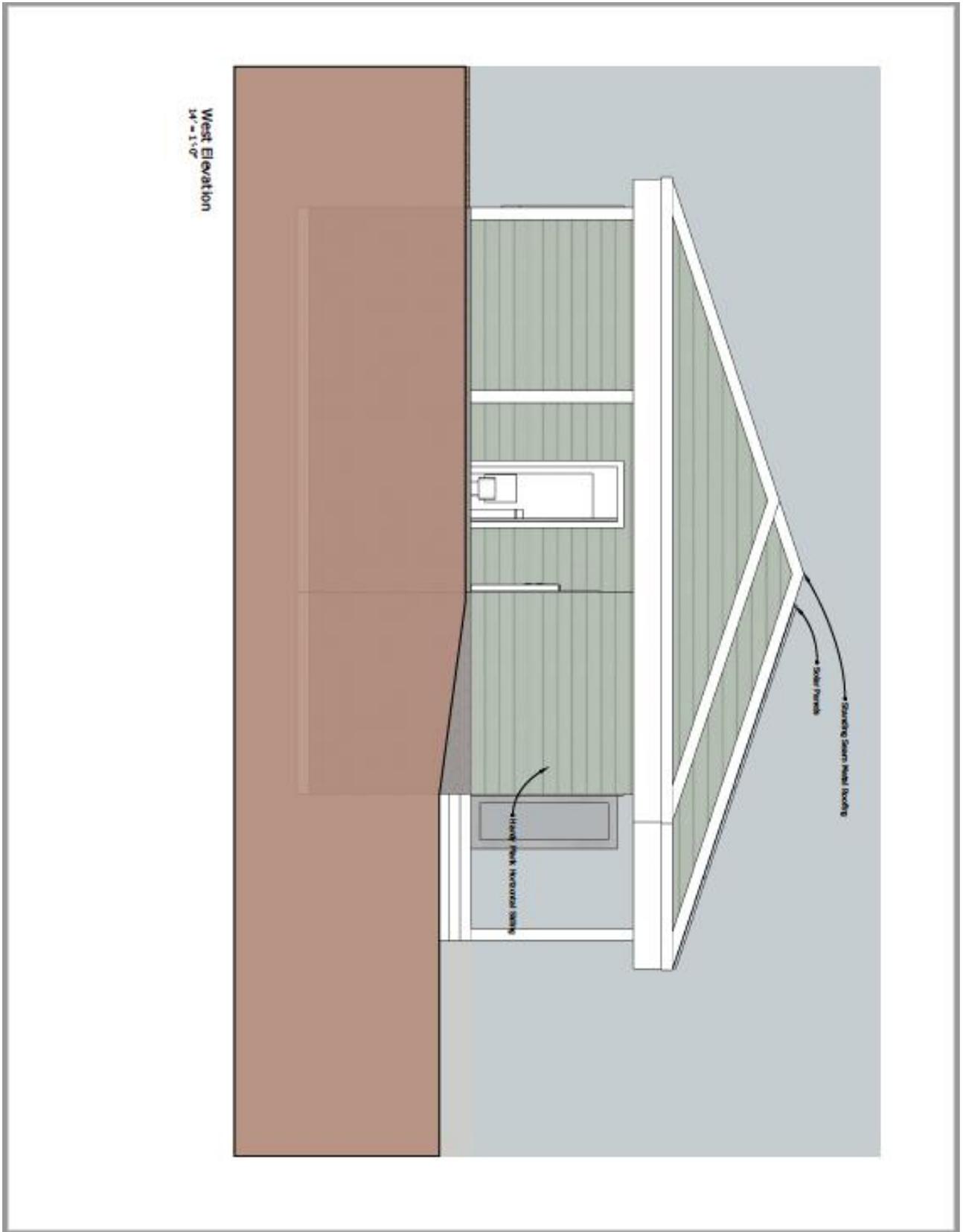






Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road”





Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road”

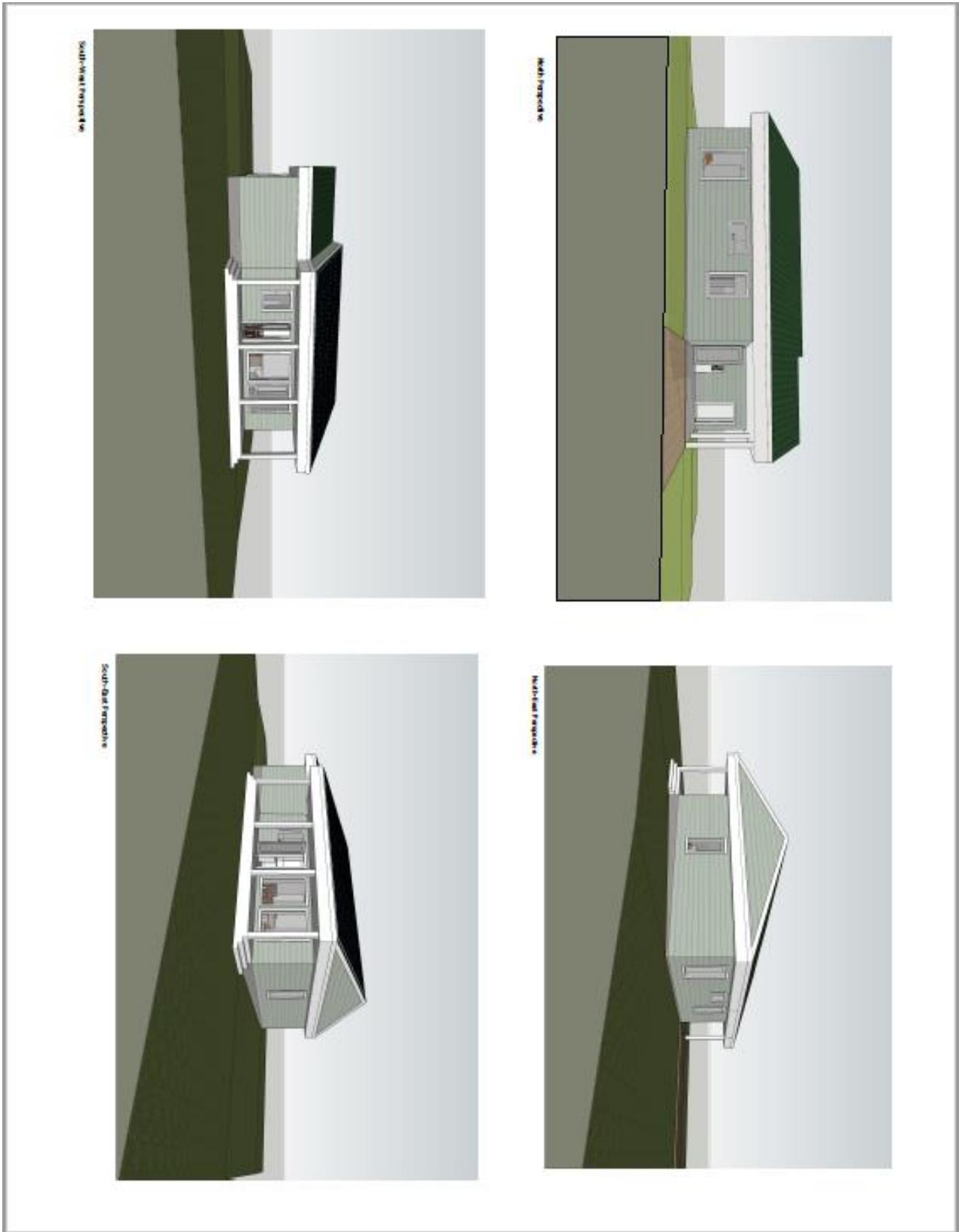
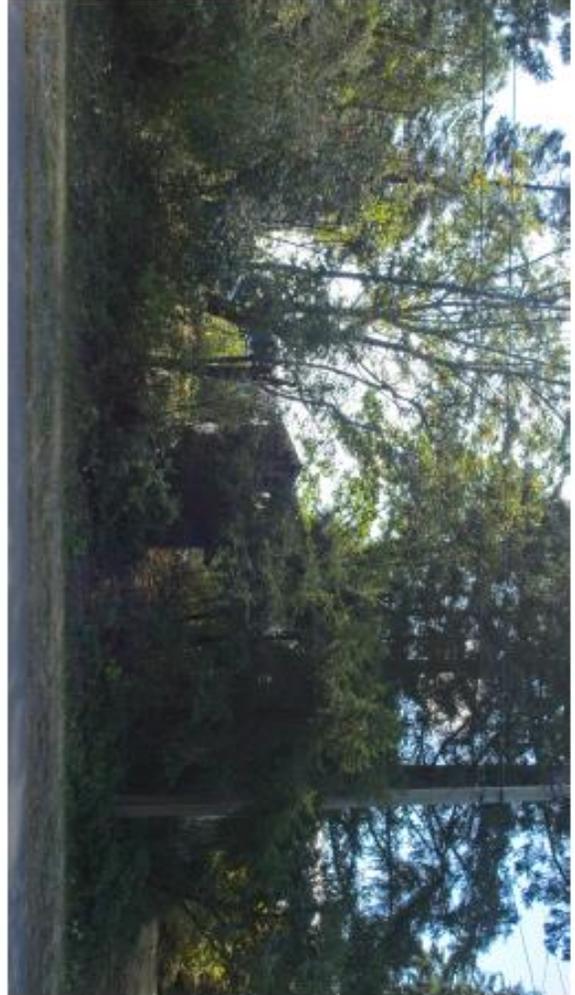




Illustration showing the view from the street of the proposed house.



View from the street of the proposed location.

**Attachment No. 2: Public Information Meeting Mail-out and Summary**

## 2011 Cummings Road Zoning Amendment Request Neighbourhood Responses

The Zoning Amendment letter was sent out October 29, 2020.

By house response there were 13 against and 13 for.

The responses came by: 3 Letters (2 also on petition and email), 17 emails, 6 on petition and 4 verbally.

Against proposal reasons:

- Sub-division/more development
- Second Driveway
- Could effect treed ambience
- Noise of construction
- Larger than existing house footprint (90 sq. m vs 72 sq. m)
- More traffic/density

For proposal reasons:

- Already too much urban sprawl
- Aging in place is valuable (seniors able to be supported by children)
- Need to increase density
- Will increase value in homes on street
- People resist change
- Like the low impact design

To address the concerns:

Sub-division: We like the size of the property and would rather share it than sub-divide it and have a regular city sized lot. We plan on sharing the electricity, water and sewage with the main house.

Second Driveway: We would have preferred to use the existing driveway but there is no room on either side of the barn to drive. There is a well on one side and beautiful, large arbutus on the other. In our 70's, we want to be able to drive to the secondary residence to drop off groceries.

Trees: When we moved to the property, we cut down a Fir tree to allow more light into the yard and 2 Maple trees that were unstable. We do not wish to cut down any trees, and will be planting more trees in the front and west sides of the property to add to the natural privacy screen. Our plan allows space for a large garden and fruit trees on the south side of the property for more visual screen while allowing light to shine on the

Secondary Residence solar panels. We will help with expertise and lessons in growing and bottling fruits and vegetables for our son, daughter-in-law and baby.

Construction Noise: Although building construction can be noisy, this is a small, simple building designed to go up quickly.

Size: The existing house, while having an 18 square metre smaller footprint than the Secondary Residence is 2 storeys, as is the barn. For a residence for seniors, 2 storeys wasn't practical. The footprint for the existing buildings and proposed residence is 196 square metres from a lot size of 1694 square metres.

Traffic: Our son and daughter-in-law have two vehicles, but we rarely drive (it is close to many amenities), so there will no be a noticeable increase in car traffic. There will be a slight increase in bicycle and pedestrian traffic.

October, 29, 2020

Dear Neighbours,

We would like to add a Secondary Residence at 2011 Cummings Road. When it is complete, we will move into it and our son, daughter-in-law and baby will move into the large house.

As part of a Zoning Amendment request, below are Site and Building Plans showing what we would like to do and at the bottom links to the City of Courtenay for more information and comments.

If you have any questions or comments please contact us.

Sincerely,

*Wink Richardson and Bruce Johnstone*

Email: [brucejohnstone8@gmail.com](mailto:brucejohnstone8@gmail.com)

[winkrichardson@gmail.com](mailto:winkrichardson@gmail.com)

Phone: 250-334-0303

Address: 2011 Cummings Road  
Courtenay, BC  
V9N 0A8



Site Plan showing existing building locations, the new Secondary Residence location and the new driveway.

**Attachment No. 3: Public Comments**

Begin forwarded message:

**From:** [REDACTED]  
**Subject: House Building plans**  
**Date:** October 30, 2020 at 12:02:42 PM PDT  
**To** [REDACTED]

Hi Wink & Bruce,  
Thank you for including us in your plans regarding the location and building of your new proposed home.

[REDACTED] & I have no objections to your plans, and wish you and your family well.

Stay safe and keep well.

Sincerely,

[REDACTED]



Fri 11/13/2020 10:32 AM

[Redacted Name]

Zoning Amendment 2011 Cummings Road

To PlanningAlias

Dear Sir or Madame :

Regarding the secondary residence planned for 2011 Cummings Road, we are in full support of this change to zoning.

We feel that this amendment will permit ageing in place for seniors with family close by. This is a goal that should be supported by all local governments. This would also ease some of the pressure on Senior Residences and Long-Term Care facilities which have long wait lists and which many cannot afford.

The proposed dwelling is unobtrusive, small and well designed. We see no potential devaluation of housing values in the area were this project to be permitted.

Yours truly,

[Redacted Signature]

1945 Cummings Road

Courtenay, BC V9N 0A3

[Redacted Contact Information]



Wed 11/11/2020 12:49 PM

[Redacted]

Re 2011 Cummings Rd.

To PlanningAlias

Cc [Redacted]

My wife and I have studied the proposed development on 2011 and we both feel unequivocally that it will be a very positive addition to the neighborhood. We can't see any reason whatsoever to not allow this development to go forward.

Sincerely, [Redacted] ( 2029 Evans Place)

Sent from my iPad



Thu 11/12/2020 9:44 PM

[Redacted]

proposed zoning amendment for 2011 Cummings Rd: FOLDER # RZ000054

To PlanningAlias

I am submitting my objection to the proposed zoning amendment and construction of the "secondary carriage house residence " at 2011 Cummings Road,, for the following reasons:

1. This amendment contravenes the existing R-1C zoning for this area which is in the OCP.,specifying one single family dwelling per lot.
- 2 The "secondary residence in the proposal has, according to the site plan,a larger footprint on the property than the existing house ( 90 sq. metres compared to approximately 72 sq. metres)
3. Allowing for such a zoning variance could impact the future development in our neighbourhood,opening up the possibility for sub-division of other properties,Air -B and B's and short term rentals.
4. This proposal could effectively change the quiet treed ambience that residents who presently reside in the immediate area have come to appreciate.

Respectfully submitted by

[Redacted]  
2650 Sheraton Road  
Courtenay BC  
[Redacted]



Sat 11/14/2020 12:25 PM

[Redacted]

2011 Cummings Road Zoning Amendment

To PlanningAlias

I wish to register my opposition to this proposed amendment (folder #RZ000054).

My concern is that the size of the of the proposed coach house does not fit with the neighboring properties and that in combination with the proposed subdivision off Sheraton, it will add more traffic/density to the area. This is undesirable in an area that only has one exit to the rest of the local streets (McDonald Road/Sheraton).

[Redacted]  
2769 Sheraton Road  
Courtenay



Mon 11/16/2020 7:29 AM

[Redacted]

Cummings Road Zoning Proposal

To PlanningAlias: [Redacted]

Att: City of Courtenay Planning Department

I think all too often that humans in general are resistant to change just because its change or its in their back yard.

I am also of the opinion the City of Courtenay and the CVRD has over the past 50 years encouraged urban/rural sprawl. This has led to low density housing and land waste. This trend is changing but to slow form my liking.

I also am inclined to not support the constant drive to keep it “natural” as many of the properties on Cummings road are far from park like forest settings.

I have no objection to the proposed zoning change on Cummings Road, as the property is over 18,000 square feet (1680 Sq. Meters)

[Redacted]  
2135 Cummings Road  
Courtenay  
V9N 7C8

[Redacted]

RECEIVED

NOV 16 2020

October, 29, 2020

Dear Neighbours,

We would like to add a Secondary Residence at 2011 Cummings Road. When it is complete, we will move into it and our son, daughter-in-law and baby will move into the large house.

As part of a Zoning Amendment request, below are Site and Building Plans showing what we would like to do and at the bottom links to the City of Courtenay for more information and comments.

If you have any questions or comments please contact us.

Sincerely,

Wink Richardson and Bruce Johnstone

Email:



Phone:

Address:

2011 Cummings Road  
Courtenay, BC  
V9N 0A8

↓  
*Looks like an accident plan. I have no problems with the planning or zoning. [Redacted]*



Site Plan showing existing building locations, the new Secondary Residence location and the new driveway.



Sat 11/7/2020 8:15 PM

[REDACTED]  
Regarding Addition of Secondary Residence Application at 2011 Cummings Roac

To PlanningAlias

Dear Sir/Madam,

I am writing this letter in support of the application for the secondary residence proposed for 2011 Cummings Road. My Husband, [REDACTED] and I currently reside at 2105 Cummings Road and we are proponents of increasing density in the Comox Valley generally. In particular, I am a proponent of providing increased density in the above application because it allows aging parents to live in their homes for as long as possible, given the goal of this re-zoning is for a multi generational family housing application. I work at the Views and I am very much in support of having aging parents stay in their homes for as long as possible and having the support of extended family members. I believe the Comox Valley is in dire need of seniors housing including independent living, and this need will only increase in the future.

If one of the main arguments for not approving this application is because it will change the look and feel of the neighbourhood, as some of our neighbors have stated in their objections to the application, I would argue that the proposed application will increase the value of our homes on the street. Moreover, change and progress are necessary if we are to grow as a community and welcome new residents. If we do not approve rezoning applications, then where will we house people as our population is sure to increase, not only for senior citizens but for many other new residents we welcome to the Comox Valley. I am whole heartedly in support of approving this rezoning application.

Thank you very much,

[REDACTED]



Sat 11/7/2020 4:21 PM

[REDACTED]  
Regarding Addition of Secondary Residence Application at 2011 Cummings Roac

To PlanningAlias

To whom it may concern:

We would like to show our support for this application and highly regard this application as a good step in the right direction for sorely needed population densification. My wife [REDACTED] and I ([REDACTED]) currently reside at 2105 Cummings and live 2 houses down from said applicant property. We feel that with the generously sized lots on Cummings Road and the small change to said lot, it is reasonable to add the secondary residence. Further, very little change, in our opinions, will result due to said changes (i.e. the addition of a small secondary residence). We feel that it is important to add densification to the Comox Valley in creative and inventive ways that will change very little with regards to neighbourhood feel and aesthetics (we would reference the very large building being built nearby on Murrelet Drive and Aspen Road as an idea that is a poor way to address densification, again, from our point of view). Still further, we feel it important to add densification (such as the secondary residence) when it involves keeping an elderly (or older) generation close to their family instead of having the older couple having to possibly live in a care home/facility (wherein COVID has shown us that it may not necessarily be an ideal or good situation) or in a small housing unit, possibly much further away and isolated from their family, who may wish to keep them close for family reasons.

To conclude, we whole-heartedly back this application and support it,

Regards,

[REDACTED]  
2105 Cummings Road  
Courtenay, BC

PS - we would like to add that the new addition would appear to be well designed and of a modern design which would possibly enhance the value of the lot and the area as the area tends to be older with older homes on the large and generous lots.

1910 Cummings Rd., Courtenay, BC V9N 0A3

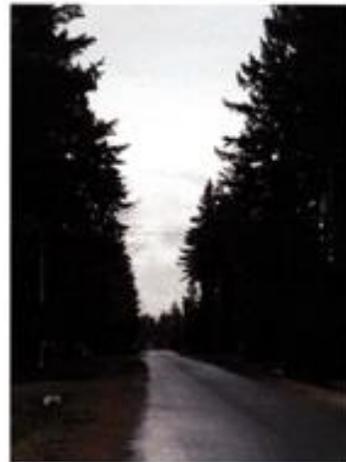
December 9, 2020

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

Dear Councilors,

**Re: Proposed Zoning Amendment – Folder #RZ000054  
2011 Cummings Road - Bylaw No. 3026, and 2020.**

We are in **opposition** to the proposal to rezone the R-1C subject property (highlighted in grey on the map below). Our reasoning is in point form, and follows a short description of the neighbourhood.



The Cummings Road – Sheraton Road corridor (“the neighbourhood”) is a rare little pocket of remaining “countryside” within the City of Courtenay. It is an oasis of nature surrounded by subdivisions. Sidewalks and street lights are purposely absent in the community, which positively contributes to its rural feel. The individual properties in the area gradually increase in size from smaller to larger, and offer an ecological buffer zone, as the neighbourhood progresses from Evans Place (highest density) toward the Lerwick Forest. Storm water is managed through swales, which immediately direct precipitation into the ground and supply water to the mature trees and natural flora in the area. With maximum 25% lot coverage along Cummings Road, it is a unique “green zone” within the city, due to its low density. The photo above depicts the *rural nature* of the Cummings Road community looking North-East toward Lerwick Road.

Please note the following:

1. This proposal is in direct conflict with the character of the neighbourhood and is the reason why the zoning bylaw requires amendment. It also conflicts with the Official Community Plan (OCP), of which Section 4.4.3 Policies determine: “**The Urban Residential description is for the single and duplex residential development with a broad range of fully serviced subdivisions.**” Cummings Road is not fully serviced as it does not have sidewalks or streetlights. Section 4.4.2, point 7 states: “**Preserve the integrity and character of existing residential areas with any redevelopment proposal.**” And, Section a) guides Council, that: “**limited infill will be considered only in keeping with the character and scale of an existing neighbourhood.**”

P. 2/2

2. Cummings Road is adjacent to, and part of, an increasingly important network of “green space” that is a popular circuit for cyclists, walkers, and joggers. This includes the frail elderly, some of whom live in an existing care-facility on Cummings Road (mapped in yellow). The care home residents venture out independently using walkers, scooters, or canes for stability. **Increasing traffic** related to greater density will be hazardous for people of all ages who enjoy outdoor exercise in the Cummings-Sheraton corridor.
3. Any increase in densification and in-fill development will **negatively impact the unique biodiversity** in the neighbourhood. **Pacific Tree Frogs, salamanders, in-ground dwelling bumble bees, owls, garter snakes, and native tree squirrels** are just some of the **indicator species** we see among the native plants on our own lot. Increasing densification will erode the fragile local ecology, bit by bit. **Indicator species disappear with increasing development**.
4. Encroaching incremental adjustments to number of homes per property, coverage, setbacks, height restrictions, and the inevitable, eventual, subdividing will all have snowballing negative effects on the ecology and culture of the neighbourhood, and adversely impact Courtenay as a place that **values and preserves green corridors as part of its present and future OCP**.
5. For private homeowners, such as us, our residence is the largest single investment of our lives. The charm of this low-density neighbourhood is what attracted us here and, in 2017, we custom-built our dream home. **Our build was in full compliance with existing zoning, out of respect for those already living in the area**.
6. As home owners on Cummings Road, we pay **premium property tax** rates, in part, to live in an area with single-family zoning and larger lots.
7. Unfortunately, the **new** land purchasers who applied for this re-zoning have already cleared some trees and vegetation from their property in anticipation of building a second home. **Densification and associated tree removal negatively contribute to already noticeably unbridled winds** associated with dense development in the surrounding area, as well as climate change.
8. If Council supports either a spot-zoning that only allows for a “secondary residence” to be built on the one subject lot, or a blanket-zoning change, allowing all R-1C properties in the area to have a “secondary residence”, it will be **precedent setting**, and will negatively affect the character of the neighbourhood over time. **Either way, an amendment goes against the current and future OCP.**

**Solution:**

Identify areas within the City of Courtenay where in-fill development and densification have been approved, or will be supported, by both current zoning bylaws and the OCP. Enable potential property purchasers to make informed decisions that allow them to buy into areas already zoned to suit their current and future needs.

**Request:**

Please consider the points listed above, and **oppose** the Cummings Road development proposal.

Respectfully submitted by

The text shows two sets of redacted signatures. Each set consists of a large black rectangular box covering the name and a smaller black rectangular box below it, likely covering the title or address. The first signature is on the left, and the second is on the right.



Wed 11/11/2020 4:20 PM

[Redacted subject line]

Secondary residence 2011 Cummings Rd

To PlanningAlias

Hi

I have reviewed the proposal and talked with the proponents.

Their property backs on to mine at 2002 Evans Place.

I commend them for what they are doing and fitting in a small single story home on a very large lot.

My wife and I were surprised to hear there may be a petition against this. We have not seen it nor would we sign it, as we have no issues with what they are planning.

We are very happy as they have removed an unsightly and unruly blackberry patch directly behind our fence!

As I stated, we have no issues with this, and it wont imp[act us as its not a tall building and not right up at our fence line.

One thing I may suggest is to get a couple of larger sized cedar or cypress trees planted in the South corner where the blackberries were, I think it will add to both their properties and ours.

They will help reduce the winter winds for them and improve our visuals and help keep the blackberries from returning.

Thanks

[Redacted signature]

Courtenay, BC

[Redacted address]



Thu 11/12/2020 2:39 PM

[Redacted]

Zoning approval request 2011 Cummings Rd Carriage House

To PlanningAlias

Cc [Redacted]

We removed extra line breaks from this message.

Dear Representative,

This email is to inform you that we have no objection to this request. Our property at 2028 Evans Place backs on (Partially) to 2011 Cummings.

This is for a good cause of children looking after their older parents who will live in the Carriage House. At the present there is nothing in that area. Just a waste of land.

We ask that the lot not be subdivided as it is on their request.

We wish them good luck with their proposal.

Cheers

[Redacted]

2028 Evans pl  
Courtenay V9N-0A2

[Redacted]

To Planning Services Dept. RECEIVED  
NOV 17 2026

Once again we are faced with people who wish to bend the zoning rules to their benefit.

The zoning for our residential area (not commercial or rental or multi-family) is to the benefit of many families who have abided by the rules since the purchase of our properties. Will work & Bruce compensate us for any loss of value to our properties if zoning? I think not!

Our traffic level is quite enough now and all traffic passes by our home. Our quiet

neighborhood will soon  
become too active.  
You wouldn't believe  
the speed some vehicles  
travel at with angles  
in the road several times.  
We ~~are~~ are against  
any additional houses  
per lot and added  
traffic + noise. Once  
one house receives an  
amendment there will  
be no stopping construction  
as many properties are  
large reflecting Reg district  
days. We are now all  
city and pay much  
higher properties for  
that privilege.

1987 EVANS PL  
Countryside  
V9N 0A2



Fri 11/13/2020 11:49 AM

[Redacted name]

Secondary Residence at 2011 Cumming Rd.

To PlanningAlias

I am 100% for the development at 2011 Cummings Rd. We have been here 30 years we live at 2120 Cummings Rd. The way the market is going I don't think it should be a problem. Apparently there are a few houses on Evans that have rental and B&B I was told but don't know for sure. Change is good. 😊

Sent from my iPhone



Mon 11/16/2020 5:55 PM

[Redacted]  
Zoning Application RZ000054; 2011 Cummings Rd

To PlanningAlias

Cc [Redacted]

Planning Department  
City of Courtenay

To Whom It May Concern

I have owned my property at 2620 Sheraton Rd since the late 1970s and have lived here since 2003.

I wish to make clear that I have no objection to the implementation, on existing properties, of small granny suites or studio carriage houses above garages to assist with caring for ageing family members.

The current application by the owners of 2011 Cummings Rd does not qualify under the above criteria. The proposed "secondary residence" has a larger footprint than the existing "primary residence" and includes plans for a second driveway and a carport.

My reasoning for this objection includes, but is not limited to, the following:

1. In 2006 the developer of Evans Pl applied for high density zoning. The City of Courtenay rejected the application, ruling that single family homes should occupy lots of graduated size extending from McDonald Rd north to Lerwick Wood. This was to ensure continuity of the rural ambience of the existing neighbourhood. Granting of this request would contravene that decision.
2. Cummings Road is a long-established neighbourhood consisting of 18 lots that are each approximately one-half acre (.46 acre) in size. Existing R-1C zoning allows for one single family residence per lot. Currently all lots conform to this zoning (except for 1926 Cummings Road that contains a long-term care home).
3. The proposed house design, placement on the lot and second driveway presume future subdivision.
4. Approval of this application sets a precedent for future spot zoning and opens the way for similar requests from others. The next step is subdivision applications resulting in increased density and traffic, eroding the ambience of our idyllic, increasingly disappearing, type of neighbourhood.
5. Further development of the property necessitates negative impact on flora and fauna already experiencing increase pressures all over the Comox Valley. The current residents have already cleared several trees on the west side of the property.

I may be contacted at any time at

[Redacted]  
Thank you.

Sincerely

[Redacted]  
2620 Sheraton Rd  
Courtenay BC V9N 0A3

City of Courtenay, Planning Department  
830 Cliffe Avenue  
Courtenay, BC V9N 2J7  
Fax: 250-334-4241  
Email: [planning@courtenay.ca](mailto:planning@courtenay.ca)

November 15, 2020

**Regarding 2011 Cummings Road, Courtenay, Proposed Zoning Amendment Folder # RZ000054.**

We are respectfully writing to voice our concerns over the proposed Zoning Amendment to the City of Courtenay to allow for a text amendment to the R-1C Zone. The current zoning allows for one single family dwelling per lot. The owners of 2011 Cummings Road are seeking an amendment to allow for a “secondary residence” on the property.

Upon examining the site plan for the proposed secondary residence (attached), we have the following concerns:

1. The plan indicates the intention to build a “secondary residence” that evidently has a larger footprint than the existing residence, with a separate driveway. It seems feasible that this could set the stage to permit subdivision of this property into two residences in the future
2. Allowing such a variance in the existing R-1C zoning could set a precedence for other such applications on our road, basically changing the nature and character of this neighbourhood
3. If the intention of the property owners is to create a multi-generational residence, we do not understand why it would be necessary to plan a second driveway
4. The placement of the dwelling and driveway will seem to necessitate removal of many trees, which has apparently already started. This could set a precedence for other lots to be similarly subdivided, affecting the local environment that has already seen significant reduction of trees via land clearing on other developed lots
5. Of note is that the secondary dwelling plan includes two full bathrooms and what appears to be separate entrances, which could possibly be set up as a commercial rental in the future (ie: Air B & B).
6. With the existing house, existing two-story garage/workshop, decks and shed, adding this additional dwelling may result in more than 25 per cent of the lot being covered with buildings, which could contravene zoning bylaws.

We have been residents of Cummings Road since 1992. We have witnessed great changes to this area, first by being taken out of the Regional District into the municipality. When we were taken into the City of Courtenay it was with the understanding that we would continue to be designated as R-1C Zoning.

When the nearby Evans Place subdivision was proposed, it was also our understanding that the area would remain zoned for single family occupancy. This proposal could potentially set the stage for changes to that zoning.

We appreciate that housing availability is an issue faced by the municipality, but we do not believe that allowing this spot rezoning adds substantively to benefit citizens of Courtenay, rather, it could negatively affect the existing neighbourhood and the community.

Cummings Road is a quiet, treed road. It currently has a semi-rural character that transitions well into the Lerwick Forest and Sheraton greenways nearby, with many people walking on this road as part of their outdoor experience. Greenspace is important for a healthy community.

With respect, thank you for considering our concerns.

Kind regards,

[Redacted Signature]

[Redacted Address Line]

2116 Cummings Rd.

Phone: [Redacted]  
Email: [Redacted]

\*The site plan attached appears to indicate that the existing building has a footprint of approximately 72 square metres, with the new proposed structure at 90 square metres. Please see a copy of the site plan as circulated by the property owners attached.

**To: City of Courtenay, Planning Department**  
830 Cliffe Avenue  
Courtenay, BC V9N 2J7  
Fax: 250-334-4241  
Email: [planning@courtenay.ca](mailto:planning@courtenay.ca)

**RECEIVED**  
**NOV 16 2020**

November 7, 2020

**Re: Proposed Zoning Amendment Regarding 2011 Cummings Road, Courtenay, Folder # RZ000054**

We are respectfully submitting the attached petition to indicate our objection to the proposed zoning amendment and construction of the new “secondary residence” at 2011 Cummings Road. Please find attached a petition signed by residents of Evans Place, Cummings Road, and Sheraton Road.

We believe that granting the proposed Zoning Amendment could set a negative precedence not only for Cummings Road but for the adjoining areas of Evans Place and Sheraton Road. We respectfully oppose this zoning amendment for the following reasons:

1. This amendment contravenes the existing R-1C Zoning that is in the OCP which specifies one single family dwelling per lot
2. The “secondary residence” in the proposal has, according to the site plan, a larger footprint on the property than the existing house (90 sq. metres compared to approximately 72 sq. metres)
3. Allowing for a zoning variance could impact future development in our neighbourhood, opening up the possibility for subdivision of other properties
4. This proposal could effectively change the quiet, treed ambience that residents have come to appreciate

Please see the signed petition attached.

Respectfully submitted on behalf of citizens of Cummings Rd, Sheraton Rd. and Evans Place

Contacts:

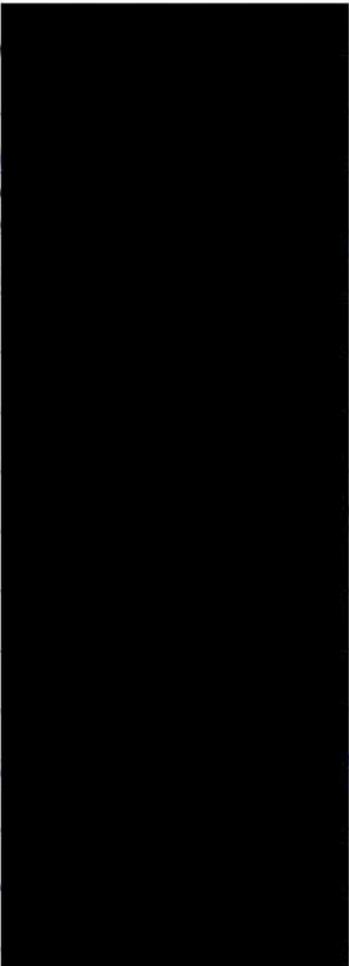
[REDACTED]  
1925 Cummings Rd.  
Courtenay, BC V9N 0A3

[REDACTED]  
2116 Cummings Rd.  
Courtenay, BC V9N 0A3 [REDACTED]

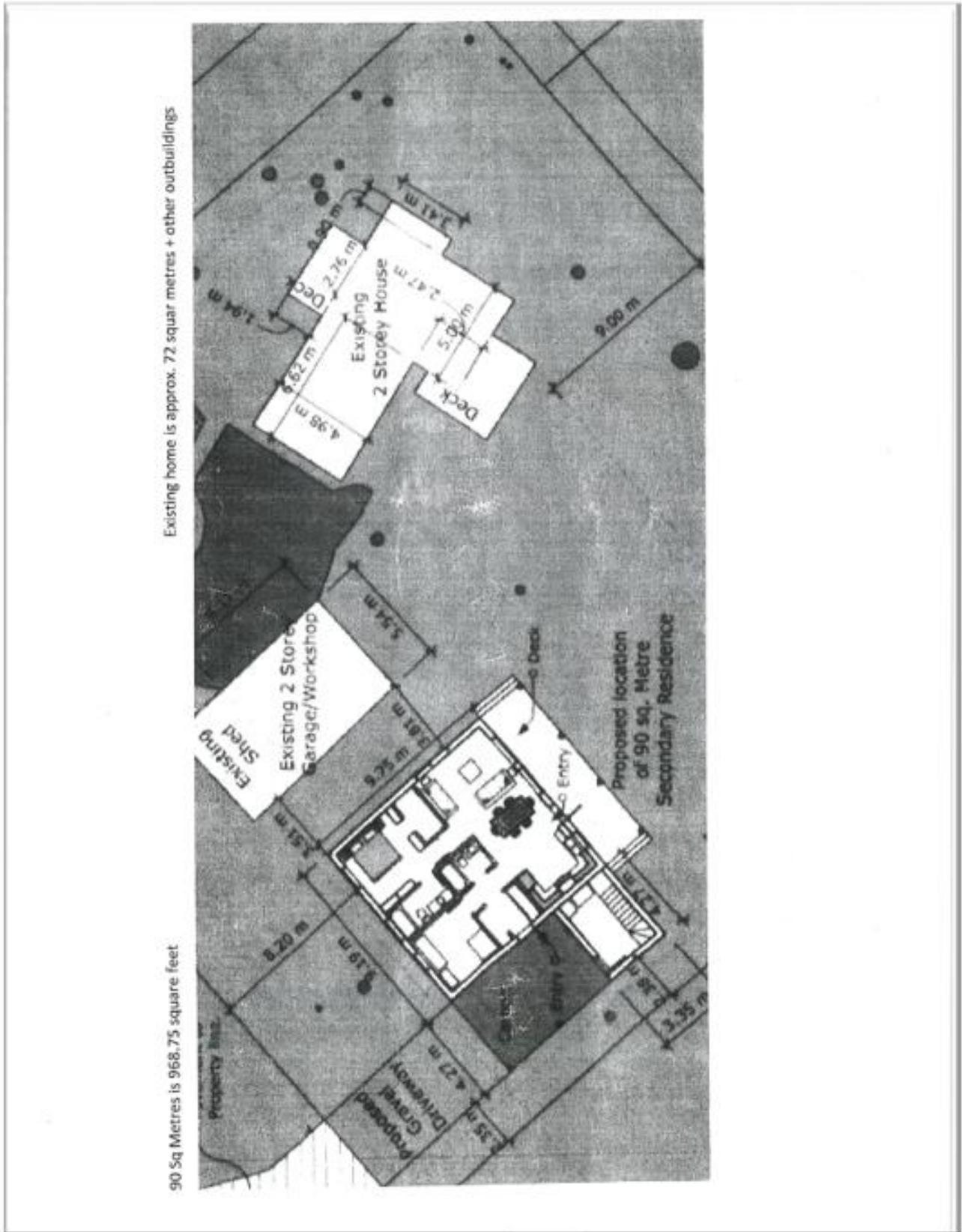
Cummings Road Petition November 7, 2020 re: Folder # RZ000054

1

We the undersigned oppose the proposed zoning amendment for the property at  
2011 Cummings Rd, Courtenay, BC (Folder # RZ000054)

| #  | Name (Print)   | Address            | Signature  | <i>Witness</i> |
|----|--|--------------------|--|----------------|
| 1  |  | 1950 CUMMINGS      |  | <i>Witness</i> |
| 2  |  | 1987 EVANS PL      |  |                |
| 3  |  | 1987 EVANS PL      |  |                |
| 4  |  | 1925 Cummings Rd   |  |                |
| 5  |  | 2620 Sheraton      |  |                |
| 6  |  | 2071 EVANS PL      |  |                |
| 7  |  | 2775 Sheraton      |  |                |
| 8  |  | 1915 Cummings Road |  |                |
| 9  |  | 1915 Cummings Road |  |                |
| 10 |  | 2113 EVANS PLACE   |  |                |
| 11 |  | 2769 SHERATON RD   |  |                |
| 12 |  | 1910 CUMMINGS RD.  |  |                |
| 13 |  | 2650 Sheraton Rd.  |  |                |
| 14 |  | 2177 EVANS PL      |  |                |
| 15 |  | 2116 Cummings Rd.  |  |                |
| 16 |  | 2116 Cummings Rd.  |  |                |
| 17 |  |                    |  |                |
| 18 |  |                    |  |                |
| 19 |  |                    |  |                |
| 20 |  |                    |  |                |

Zoning Amendment Bylaw No. 3026 to Allow for a Secondary Residence at 2011 Cummings Road”



RECEIVED  
NOV 17 2020

Nov. 17, 2020

City of Courtenay  
Planning Department

Proposed zoning amendment at 2011 Cummings Rd.

As a resident of Cummings Rd. for close to forty years I have seen a lot of changes to this neighbourhood.

We worked with the city to get the graduated lot sizes when Evans Place was being built. At that time it was determined that Carriage houses and secondary residences were not to be allowed. The residences of Cummings Rd were also not going to be allowed to subdivide because of the placement of a lot of the houses on the lots.

I for one was glad to see the last lot built on a couple of years ago. I thought that after twenty some years of listening to the constant noise of construction we were going to get a break from all the noise.

I was under the assumption that this area is suppose to be a tree protection area but the trees are disappearing at an alarming rate.

This neighbourhood is one where neighbours know each other and before Covid-19 we would get together for a neighbourhood B.B.Q. in the summer and neighbours help neighbours. I found that the denser the housing the less people get to know their neighbours.

Another negative is the increase in traffic. After Cummings Rd. was blocked off at Lerwick, Cummings Rd became a race track. Cars race up and down at all hours of the day and night.

I feel that allowing this change to OCP  
would set a negative precedence for this  
area of Cummings Rd, Liberton, and Evans Place.  
Therefore I am adamantly opposed to this  
change.

[Redacted Signature]

1925 Cummings Rd.

### Attachment No. 4: Applicant’s Rationale

#### The Reason for requesting the Zoning Amendment.

We would like to build a Secondary Residence. When it is complete, we will move into it and our son, daughter in-law and baby will move into the large house.

By sharing the property:

- A. We can help them move from an apartment to a house and land they can afford so their family will have room to grow.
- B. We help them financially and with child care.
- C. They can help us as we age.
- D. We can be part of the city’s affordable housing policy.

#### Fitting in with the Neighbourhood.

The following photographs show Cummings Road has a rural feel to it and the buildings have an eclectic architectural style. Even though the house will be small, we want it to blend in with it’s surroundings. What isn’t concealed by the existing trees and bushes will be hidden behind new shrubs.



**Attachment No. 5: Form and Character Evaluation Checklist for Secondary Residences**



**CITY OF COURTENAY**  
**Planning Services**  
 830 Cliffe Avenue  
 Courtenay, BC, V9N 2J7  
 Tel: 250-334-4441 Fax: 250-334-4241  
 Email: [planning@courtenay.ca](mailto:planning@courtenay.ca)

**COMPLIANCE  
 CHECKLIST**

**DUPLEX, CARRIAGE HOUSE & SECONDARY  
 RESIDENTIAL DEVELOPMENT PERMIT AREA**

The following checklist provides a quick reference for compliance with the guidelines contained within Section 8.9 Duplex, Carriage House and Secondary Residential Development Permit Area of the City of Courtenay Official Community Plan No. 2387, 2005. Applicants are required to complete this checklist and indicate in the comment box how their proposal complies with each development permit guideline. Where an element of the design does not comply with a guideline, a justification stating the divergence and the reason shall be made. A separate sheet may be used to provide comments. **Incomplete forms will result in application delays.**

|   |                                     |                          |   |
|---|-------------------------------------|--------------------------|---|
| <b>Project Address:</b>   |                                     | <b>Date:</b>             |   |
| <b>Applicant:</b>   |                                     | <b>Signature:</b>        |   |
| <b>A. FORM AND CHARACTER</b>  | <b>Yes</b>                          | <b>No</b>                | <b>Comment</b>  |
| 1. The Orientation, scale, form, height and materials proposed for a duplex, carriage house or secondary residential unit shall reflect the positive characteristics of the surrounding neighbourhood.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | This small green house set amongst existing trees will blend with the mixture of local building styles.   |
| 2. Roofs should have articulated lines and designed to reduce the appearance of bulk of the residence on upper floors. Roof slopes with greater than 6:12 pitch are preferred, however, proposals for lower pitch rooflines with significant articulation and design interest may be considered.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | A 4:12 roof pitch keeps the building height low and less visible from the road.   |
| 3. The principal entrances to a duplex should be at the front of the building and should be defined by porches, dormers, port cochere, canopies or be recessed.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The principal entrance will be designated by a walkway with a different surface from the carport.   |
| 4. On corner lots, all street facing elevations should have an equal level of quality and design detailing. It is encouraged that an entrance to one unit is from the primary street and the entrance to the second unit on the flanking street.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The street facing elevation will be screened by existing trees and added shrubs.  |
| 5. Design components that can make up the required architecture components include: multiple gables, dormers, bay windows, decorative shingles, wood trim, porches and verandas.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Small design.   |
| 6. Exterior finishes should be durable and have a common theme. Materials including wood, fibre cement siding, brick or stone masonry and limited amounts of stucco are appropriate. Although use of vinyl is strongly discouraged, where residences in an existing neighbourhood are predominantly vinyl-clad, vinyl may be used. Metal siding is not permitted.                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The exterior finishes will be a green metal roof, green fibre cement siding and white wood trim.  |
| 7. Buildings should reflect and enhance the character of the neighbourhood by: <ul style="list-style-type: none"> <li>• Respecting the rhythm and scale of the existing streetscape</li> <li>• Visually breaking the larger massing into smaller individual components</li> <li>• Articulating the front facades to create a sense of scale, neighbourliness and architectural interest.</li> </ul> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The buildings in the neighbourhood have a wide variety of styles and sizes. The design and placement of ours is designed to blend in with the natural greenery of the area. |
| 8. Stepped or alternating massing should be considered in order to avoid a box-like appearance.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Small design.   |

|   |                                     |                          |   |
|---|-------------------------------------|--------------------------|---|
| 9. Building design including the placement of windows, balconies and doors shall ensure visual privacy between residences.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | There are no windows facing our closest neighbour.  |
| 10. Duplex, carriage house and secondary residential development should fit into the immediate surroundings of its location and not appear visually out of character with adjacent homes or surrounding neighbourhood. To minimize the impact of a duplex, avoid wide, flat faces that dominate the street by articulating and staggering front facades to create depth and architectural interest. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The buildings in the neighbourhood have a wide variety of styles and sizes. The design and placement of ours is designed to blend in with the natural greenery of the area. |
| 11. To Promote variety in design, duplex developments with front to back configurations or up and down layouts should be considered as an alternative to side by side duplex development.   | <input type="checkbox"/>            | <input type="checkbox"/> | N. A.   |
| 12. Duplexes shall reflect the façade characteristics of single family homes.   | <input type="checkbox"/>            | <input type="checkbox"/> | N. A.   |
| 13. Mirror image duplexes are discouraged. Varying the layout and staggering duplex units is encouraged to create architectural diversity.  | <input type="checkbox"/>            | <input type="checkbox"/> | N. A.   |
| <b>B. SITING, LANDSCAPING AND SCREENING</b>   | <b>Yes</b>                          | <b>No</b>                | <b>Explanation of Non-Conformity</b>  |
| 1. Duplexes and carriage homes should be situated to ensure the privacy of residences on adjoining properties and to retain existing significant trees where feasible.  | <input type="checkbox"/>            | <input type="checkbox"/> |   |
| 2. Carriage houses shall be situated to the rear of the property where appropriate and in keeping with the existing neighbourhood design.   |                                     |                          |   |
| <b>C. PARKING AND GARAGES</b>   | <b>Yes</b>                          | <b>No</b>                | <b>Explanation of Non-Conformity</b>  |
| 1. Where feasible, all properties which abut a lane should access the property from the lane and all parking should be in the rear yard.  | <input type="checkbox"/>            | <input type="checkbox"/> |   |
| 2. For corner sites with no lane access, garages/carriage houses are encouraged to be in the rear yard with access via a driveway from the flanking street subject to approval from the City Engineer.  | <input type="checkbox"/>            | <input type="checkbox"/> |   |
| 3. Garage entrances are encouraged to be faced away from the street where possible.   | <input type="checkbox"/>            | <input type="checkbox"/> |   |
| 4. To reduce the amount of impervious surfaces on a lot, driveways and parking areas are encouraged to be surfaced with permeable paving material such as grassed cellular paving, porous pavers, or a comparable alternative satisfactory to the City. The width of driveways should be minimized and shared between units wherever possible.  | <input type="checkbox"/>            | <input type="checkbox"/> |   |
| 5. Garages incorporated into the building structure should not project beyond the front elevation. Garage doors shall incorporate windows.  | <input type="checkbox"/>            | <input type="checkbox"/> |   |
| 6. Detached parking garages and associated carriage houses are encouraged to be located near the rear property line, subject to zoning bylaw siting requirements.   | <input type="checkbox"/>            | <input type="checkbox"/> |   |
| 7. Parking and driveways shall not occupy more than 50% of the area of the front yard or, where the site has a flanking side street, not more than 50% of the area flanking side yard.  | <input type="checkbox"/>            | <input type="checkbox"/> |   |

| <b>D. NATURAL ENVIRONMENT &amp; HAZARDOUS CONDITIONS</b>  | <b>Yes</b>               | <b>No</b>                | <b>Explanation of Non-Conformity</b> |
|---|--------------------------|--------------------------|--------------------------------------|
| 1. Buildings and structures must be located on the portions of the site that are not environmentally sensitive.   | <input type="checkbox"/> | <input type="checkbox"/> |                                      |
| 2. The City may require that works be constructed to protect vegetation where there is a desire to preserve significant or landmark trees or where concern may be created by the development of the land.                     | <input type="checkbox"/> | <input type="checkbox"/> |                                      |
| 3. In areas where slopes are in excess of 30%, the City may require that tree preservation areas be established to control erosion and/or protect banks.  |                          |                          |                                      |
| 4. In order to ensure adequate protection from erosion and soil instability, the City may regulate all land clearing, land grading, irrigation works, landscaping and may require hazard lands to remain free of development. |                          |                          |                                      |

**Attachment No. 6: 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](mailto: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:*

- a. *provides substantial benefits to the City;*
- b. *will not negatively impact on the City’s infrastructure, neighborhood or environment;*
- c. *new development that supports destination uses such as the downtown, Riverway Corridor or a Comprehensive Planned Community;*
- d. *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.

|  |                                       |
|--|---------------------------------------|
| <b>Project Address:</b> 2011 Cummings Rd. Courtenay, BC, V9N 0A3 | <b>Date:</b> Oct. 9, 2020             |
| <b>Applicant:</b> Wilma Richardson, Bruce Johnstone              | <b>Signature:</b> <i>W Richardson</i> |

**APPLICATION REQUIREMENTS To be filled out by applicant**

| <b>Land Use. The application:</b>   | <b>Description of how the criteria are met</b>   |
|---|--|
| a) Provides a mix of housing types and sizes;                                       | Adding a Secondary Residence to a .43 acre lot with an existing house and garage.                          |
| b) Balances the scale and massing of buildings in relation to adjoining properties; | A small building will be placed in a natural setting in a neighbourhood with a variety of building styles. |
| c) Complements neighboring uses and site topography;                                | The neighbourhood has a mix of architectural styles and building ages.                                     |
| d) Provides or supports mixed used developments or neighborhoods;                   | By adding housing for a retired couple, a young family can afford to live in the neighbourhood.            |
| e) Promotes walking to daily activities and recreational opportunities;             | The property was selected for it’s rural feel and close connection to trails, shopping and transit.        |
| f) Supports a range of incomes;   | By sharing the property with a young family.   |
| g) Is a positive impact on views and scenery;                                       | We seek to conceal the new construction in the existing natural vegetation.                                |
| h) Preserves and provides greenspace, trails and landscaping;                       | We will add shrubs to enhance the natural vegetation.  |

| <b>Building Design. <i>The application:</i></b>   | <b>Description of how the criteria are met</b>   |
|---|--|
| a) Exhibits high standard of design, landscaping and environmental sensitivity;   | Even though we are adjacent to a suburban development we want to keep the rural atmosphere.    |
| b) Maintains a high standard of quality and appearance;   | The goal is to meet Passive House building standards.  |
| 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; | The building will be small.  |
| d) Avoids creating a strip development appearance;  | The area has a rural atmosphere which we want to maintain.                                     |
| e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);  | It will built to meet Passive House standards.   |
| f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;  | Our preferred components will be Structural Insulated Panels and a minimum use of concrete.    |
| g) Builds and improves pedestrian amenities;  | N. A.  |
| h) Provides underground parking;  | N. A.  |
| i) Applies CPTED (Crime Prevention Through Environmental Design) principles;  |  |
| <b>Transportation. <i>The application:</i></b>  | <b>Description of how the criteria are met</b>   |
| a) Integrates into public transit and closeness to major destinations;  | Walking distance to transit, recreation and shopping.  |
| 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;                         | Close to the City of Courtenay Greenways system.   |
| d) Provides or contributes towards trail system, sidewalks, transit facilities, recreation area or environmentally sensitive area;  |  |
| <b>Infrastructure. <i>The application:</i></b>  | <b>Description of how the criteria are met</b>   |
| a) Includes stormwater techniques that are designed to reduce run-off, improve groundwater exchange and increase on-site retention;   | Gravel driveway, ground sloped away from house and gutters drain on grade away from the house. |
| b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;   | Solar panels.  |

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





## STAFF REPORT

**To:** Council

**File No.:** 1950-02

**From:** Interim Chief Administrative Officer

**Date:** March 01, 2021

**Subject:** Parcel Tax Review Panel - 2021

---

### PURPOSE:

The purpose of this report is to establish the time and place for the sitting of the 2021 Parcel Tax Review Panel.

### POLICY ANALYSIS:

Section 208 of the *Community Charter* outlines the annual requirements for updating the parcel tax roll. Each year a municipality must publish notice in a newspaper that the parcel tax roll is available for inspection and provide direction and a deadline for written complaints. If any complaints related to the addition or refusal to adjust a particular parcel tax are received, a Parcel Tax Review Panel must be established to consider the complaints. Council must appoint at least three people as members of the review panel, establish the time and place, and provide advance notice of the time and place.

### EXECUTIVE SUMMARY:

The establishment of the Parcel Tax Review Panel and the time and place of sitting is an annual action of Council. The time and place of the 2021 Parcel Tax Review Panel is proposed to be April 19, 2021, at 3:00 pm through virtual participation. Council members appointed to the Parcel Tax Review Panel include Councillors Morin, Cole-Hamilton, McCollum and the alternate Councillor Theos.

### CAO RECOMMENDATIONS:

THAT based on the March 1<sup>st</sup>, 2021 staff report "Parcel Tax Review Panel - 2021", Council approve OPTION 1 as follows:

THAT the date and time for the parcel tax review panel be established as 3:00 p.m., Monday, April 19, 2021; and,

WHEREAS to protect the health and safety of the public, Council and staff during the COVID-19 pandemic, and in consideration of the Provincial Class Order (mass gatherings) and BC Centre for Disease Control (BCCDC) physical distancing guidelines;

THEREFORE BE IT RESOLVED that Council authorize staff to proceed with virtual participation of the parcel tax review panel as authorized under Ministerial Order M192/2020 with the following conditions:

- a) That statutory public notice requirements are satisfied in accordance with S. 94 and S. 208 of the *Community Charter*
- b) That electronic participation be conducted by phone and virtual participation via webinar
- c) That the virtual parcel tax review is broadcasted for public viewing via live web streaming on the City of Courtenay website [www.courtenay.ca](http://www.courtenay.ca); and,

THAT electronic participation for the parcel tax review proceed in the course of the COVID-19 pandemic; and, may be subject to change as follows:

- a) As directed under the authority of the provincial or federal governments through the Emergency Program Act, the Covid-19 Related Measures Act, or Emergencies Act Canada;
- b) Until such time as the health orders restricting mass gathering and physical distancing have been lifted;
- c) Until such time as the provincial state of emergency for the COVID-19 pandemic has been rescinded and local governments may resume regular operations; or
- d) By resolution of Council.

Respectfully submitted,



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

**BACKGROUND:**

In accordance with Sections 208 of the *Community Charter*, a parcel tax roll review panel must be convened to consider and respond to any complaints regarding a new or refusal to amend an existing parcel tax. The Parcel Tax Review Panel must consider any complaints prior to the annual property tax levy.

**DISCUSSION:**

Each year parcel taxes are calculated and assessed on all new or newly subdivided properties added to the water and sewer distribution system within the City of Courtenay. The property owners are provided notice of the amount to be added to their annual property tax notice, and that they have an opportunity to make an appeal at the annual Parcel Tax Review Panel if written notice is received at City Hall at least 48 hours prior to April 19, 2021 at 3:00 pm. If no complaints are received, the parcel tax roll, as amended, is deemed to have been authenticated and the Parcel Tax Review Panel will be cancelled.

**FINANCIAL IMPLICATIONS:**

Parcel taxes for water and sewer are assessed in accordance with the water and sewer frontage tax bylaws, and for 2021 are anticipated to generate \$1,205,800 for the water fund, and \$2,071,600 for the sewer fund. These revenues assist in the funding required to carry out capital and operational works for the provision of these two utility services, and have been included in the respective 2021-2025 Financial Plans.

**ADMINISTRATIVE IMPLICATIONS:**

On Council approval of the time and place for the Parcel Tax Review Panel, staff will notify affected property owners by letter of both their assessment for 2021, as well as their opportunity to appeal the assessment with the review panel.

**ASSET MANAGEMENT IMPLICATIONS:**

Not Applicable

**STRATEGIC PRIORITIES REFERENCE:**

While not specifically referenced in the City’s strategic plan or strategic priorities, this activity is a statutory requirement, and utilizes staff resources in carrying out the actions required.

**OFFICIAL COMMUNITY PLAN REFERENCE:**

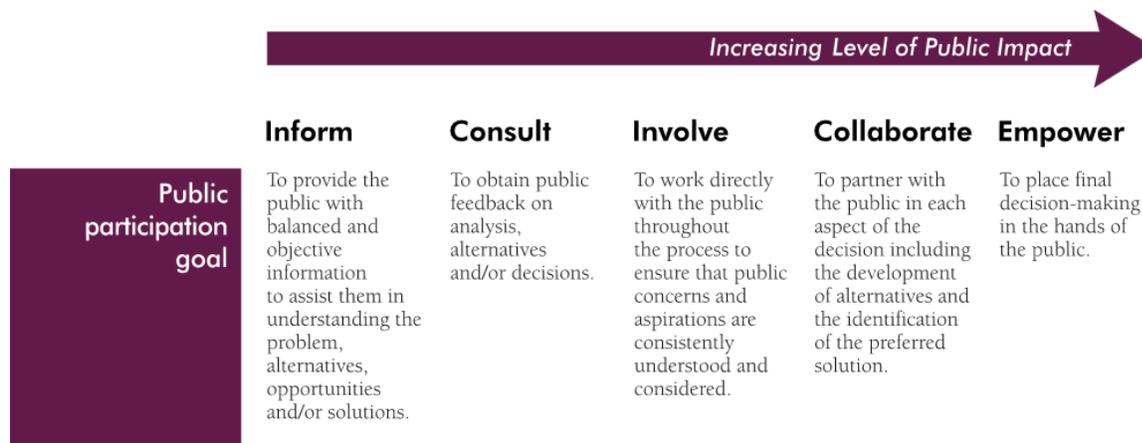
There is no applicable reference in the Official Community Plan.

**REGIONAL GROWTH STRATEGY REFERENCE:**

There is no applicable reference in the Regional Growth Strategy.

**CITIZEN/PUBLIC ENGAGEMENT:**

Affected property owners are notified in writing of both the amount of the parcel tax assessed, and their opportunity to appeal the assessment. The City will inform the public based on the IAP2 Spectrum of Public Participation:



[http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum\\_vertical.pdf](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)

**OPTIONS:**

OPTION 1: THAT based on the March 1<sup>st</sup>, 2021 staff report “Parcel Tax Review Panel - 2021”, Council approve OPTION 1 as follows:

THAT the date and time for the parcel tax review panel be established as 3:00 p.m., Monday, April 19, 2021; and,

WHEREAS to protect the health and safety of the public, Council and staff during the COVID-19 pandemic, and in consideration of the Provincial Class Order (mass gatherings) and BC Centre for Disease Control (BCCDC) physical distancing guidelines;

THEREFORE BE IT RESOLVED that Council authorize staff to proceed with virtual participation of the parcel tax review panel as authorized under Ministerial Order M192/2020 with the following conditions:

- a) That statutory public notice requirements are satisfied in accordance with S. 94 and S. 208 of the *Community Charter*
- b) That electronic participation be conducted by phone and virtual participation via webinar
- c) That the virtual parcel tax review is broadcasted for public viewing via live web streaming on the City of Courtenay website [www.courtenay.ca](http://www.courtenay.ca); and,

THAT electronic participation for the parcel tax review proceed in the course of the COVID-19 pandemic; and, may be subject to change as follows:

- d) As directed under the authority of the provincial or federal governments through the Emergency Program Act, the Covid-19 Related Measures Act, or Emergencies Act Canada;
- e) Until such time as the health orders restricting mass gathering and physical distancing have been lifted;
- f) Until such time as the provincial state of emergency for the COVID-19 pandemic has been rescinded and local governments may resume regular operations; or
- g) By resolution of Council. [RECOMMENDED]

OPTION 2: THAT Council set another time and place for the sitting of the Parcel Tax Review Panel.

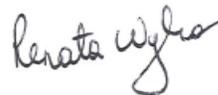
While Option 2 is offered, Council should be aware that sufficient time for mailing the notice letters to property owners, meeting the statutory advertising requirements, and meeting of the panel to review and authenticating the 2021 parcel tax roll must all be considered in setting the date.

Prepared by:



Robin Tait, BBA  
Finance Clerk

Reviewed by:



Renata Wyka, CPA, CGA  
Manager of Finance

Concurrence:



Jennifer Nelson, CPA, CGA  
Director of Financial Services

Concurrence:



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



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

**To:** Council

**File No.:** 1760-02

**From:** Interim Chief Administrative Officer

**Date:** March 01, 2021

**Subject:** Security Issuing Resolution - Long Term Debenture Loan Authorization Bylaw 2978, 2020

### PURPOSE:

The purpose of this report is to authorize the City of Courtenay to access the Municipal Finance Authority (MFA) Fall 2021 Debenture Issue for the 5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw 2978, 2020.

### POLICY ANALYSIS:

Section 182 of the *Community Charter* requires that a municipality must not borrow long term funds under a loan authorization bylaw unless the financing is undertaken by the applicable regional district through the Municipal Finance Authority of British Columbia. Section 122 of the *Community Charter* requires Council to pass a municipal security issuing resolution in order to be included with the regional security issuing bylaw to borrow funds with the applicable Debenture Issue through MFA.

### EXECUTIVE SUMMARY:

The 5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw 2978, 2020 was adopted by Council on December 9, 2020 upon successful completion of the Alternative Approval Process. The bylaw has now received the Certificate of Approval from the Inspector of Municipalities and the final step for inclusion in the Comox Valley Regional District security issuing bylaw and the Fall 2021 MFA long term debenture is for Council to pass a borrowing resolution.

### CAO RECOMMENDATIONS:

THAT based on the March 1<sup>st</sup>, 2021 staff report "Security Issuing Resolution - Long Term Debenture Loan Authorization Bylaw 2978, 2020", Council approve OPTION 1 and approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2021 Fall borrowing session, \$3,400,000 as authorized through the 5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020; and,

THAT the Comox Valley Regional District be requested to consent to the borrowing over a 20 year term and include the borrowing in a Security Issuing Bylaw.

Respectfully submitted,

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

**BACKGROUND:**

At its regular meeting held April 20<sup>th</sup>, 2020 Council passed the following resolution:

*“Moved by Hillian and seconded by McCollum that based on the April 20<sup>th</sup>, 2020 staff report “5<sup>th</sup> Street Bridge Loan Authorization Bylaw 2978”, Council approve OPTION 1 and endorse the 5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978; that Bylaw No. 2978 proceed to First, Second and Third reading; and,*

*That Council direct staff to proceed with the Alternative Approval Process (AAP) to gain approval of the electors.”*

Bylaw No. 2978 received 3 readings at the same meeting.

Bylaw No. 2978, along with supporting documentation was forwarded to the Inspector of Municipalities on April 21<sup>th</sup>, 2020. The Inspector of Municipalities provided statutory approval of Bylaw No. 2978 on May 6<sup>th</sup>, 2020.

An Alternative Approval Process (AAP) was held pursuant to section 86 of the *Community Charter* beginning in October, 2020 with a deadline of November 16, 2020 at 4:30pm. 52 out of the limit of 2,017 Elector Response Forms were received during the AAP process.

At its special meeting held December 9, 2020 Council passed the following resolution:

*“Moved by Hillian and seconded by Theos that based on the December 7<sup>th</sup>, 2020 staff report “5<sup>th</sup> Street Bridge Rehabilitation - Alternative Approval Process (AAP) Results” Council approve OPTION 1 and proceed with final reading and adoption of “5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020”. Carried*

On January 12, 2021 after the statutory one month quashing period, Bylaw No. 2978, along with supporting documentation was forwarded to the Inspector of Municipalities to apply for a Certificate of Approval. The Certificate of Approval was received from the Inspector of Municipalities on February 3, 2021.

**DISCUSSION:**

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

In order to secure the required \$3,400,000 financing to rehabilitate the 5<sup>th</sup> Street Bridge Council must pass the following resolution:

*“That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2021 Fall Borrowing Session, \$3,400,000 as authorized through the “5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020” and that the Comox Valley Regional District be requested to consent to our borrowing over a 20 year term and include the borrowing in a Security Issuing Bylaw.”*

### **FINANCIAL IMPLICATIONS:**

There are no financial implications related to passing the municipal security issuing resolution itself.

Annual debt servicing costs related to the borrowing are estimated at \$233,293 and will be included in the general fund taxation debt levy and included in the 2021-2025 Financial Plan.

### **ADMINISTRATIVE IMPLICATIONS:**

After Council passes the municipal security issuing resolution, it will be certified and sent to the Comox Valley Regional District along with certified copies of bylaw No. 2978 and the certificate of approval for inclusion in the Regional District Security Issuing Bylaw.

### **ASSET MANAGEMENT IMPLICATIONS:**

There are no asset management implications related to the security issuing resolution. As outlined in the April 20, 2020 staff report, the 5<sup>th</sup> Street Bridge is one of the City's most important assets, providing a critical connection between the east and west parts of the community. This rehabilitation project is considered maintenance that is periodically necessary to return the asset to its intended level of service. While the project cost surpasses the financial threshold from operating to capital, this is indeed maintenance of an existing asset providing an existing level of service.

### **STRATEGIC PRIORITIES REFERENCE:**

#### **Strategic Priorities Chart: Operational Strategies (CAO/Staff)**

Financial Services - 2. Draft Borrowing Bylaws: Prepare

Engineering Services - 1. 5<sup>th</sup> St. Bridge/6<sup>th</sup> St. Bridge: Open House

Legislative Services - 3. Borrowing Bylaw: Approval Process

#### **We focus on organizational and governance excellence**

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

#### **We proactively plan and invest in our natural and built environment**

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

#### **We actively pursue vibrant economic development**

- ▲ Work with the business and development sectors to mutually improve efficiencies

- **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:**

Regarding the *Official Community Plan* for Courtenay, the following goals of Section 5.0 Transportation are relevant:

### 5.2 Goals

1. Integrate land use changes with transportation planning to coordinate changes and increases to traffic patterns.
2. Development of a transportation system that provides choices for different modes of travel including vehicle, transit, pedestrian, cycling and people with mobility impairments.
3. Protect the integrity of the road classification system to facilitate the purpose and function of the specific road types.
4. Support an integrated transportation system that works towards reducing travel distances and congestion.
5. Support a transportation system that recognizes the importance of the character and overall appearance of the City.
6. Provide an effective transportation system that facilitates the movement of vehicles throughout the community and the Comox Valley to major regional services such as the Little River Ferry System and the Comox Valley Airport.

## **REGIONAL GROWTH STRATEGY REFERENCE:**

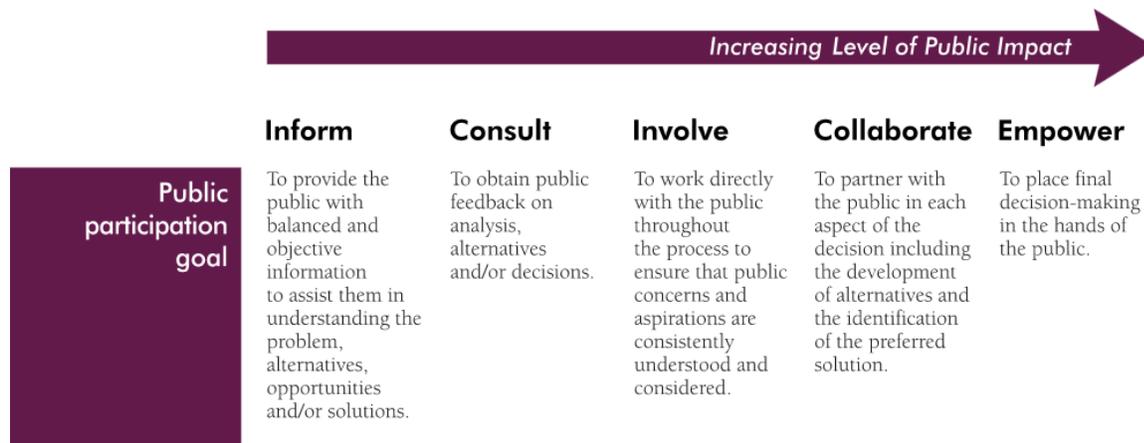
The 5th Street Bridge Rehabilitation Project is aligned with the transportation network goal from the Regional Growth Strategy:

### Goal 4 - Transportation:

Develop an accessible, efficient and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centres and links the Comox Valley to neighbouring communities and regions.

## **CITIZEN/PUBLIC ENGAGEMENT:**

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



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

**OPTIONS:**

**OPTION 1:** That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of the 2021 Fall Borrowing Session, \$3,400,000 as authorized through the "5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020"; and

That the Comox Valley Regional District be requested to consent to our borrowing over a 20 year term and include the borrowing in a Security Issuing Bylaw. [Recommended]

**OPTION 2:** That Council defer approving borrowing related to bylaw No. 2978

**OPTION 3:** That Council not approve borrowing related to bylaw No. 2978

It should be noted that delaying approval to borrow these funds will impact securing long term debt in 2021.

Prepared by:

Jennifer Nelson, CPA, CGA  
Director of Financial Services

Concurrence by:

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

Attachments:

#1 - 5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020

#2 - Certificate of Approval

**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 2978**

**A bylaw to authorize the borrowing of the estimated cost of rehabilitation of the 5<sup>th</sup> Street Bridge.**

WHEREAS it is deemed desirable and expedient to rehabilitate the 5<sup>th</sup> Street Bridge.

AND WHEREAS the estimated cost of rehabilitating the 5<sup>th</sup> Street Bridge including expenses incidental thereto is the sum of \$6,300,000 of which the sum of \$3,400,000 is the amount of debt intended to be borrowed by this bylaw;

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

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the rehabilitation to the 5<sup>th</sup> Street Bridge generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
  - a) To borrow upon the credit of the Municipality a sum not exceeding \$3,400,000.
  - b) To acquire all such real property, easements, rights-of-way, licenses, rights or authorities as may be requisite or desirable for or in connection with the rehabilitation to the 5<sup>th</sup> Street Bridge.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty years.
3. This bylaw may be cited as **“5<sup>th</sup> Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020”**.

Read a first time this 20<sup>th</sup> day of April, 2020.

Read a second time this 20<sup>th</sup> day of April, 2020.

Read a third time this 20<sup>th</sup> day of April, 2020.

Received the approval of the Inspector of Municipalities this 5<sup>th</sup> day of May, 2020.

Published in two editions of the Comox Valley Record on the 7<sup>th</sup> day of October, 2020 and the 14<sup>th</sup> day of October, 2020

Received the approval of the electors of City of Courtenay on the 16<sup>th</sup> day of November, 2020.

Reconsidered and finally passed and adopted this 9<sup>th</sup> day of December, 2020.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Corporate Officer



## *Certificate of Approval*

Under the authority of the *Local Government Act*, I certify that Bylaw No. 2987, cited as the "5th Street Bridge Rehabilitation Loan Authorization Bylaw No. 2978, 2020" of the City of Courtenay has been lawfully and validly made and enacted, and that its validity is not open to question on any ground in any court of British Columbia.

*Dated this*                      25th                      *day*  
*Of*                              January                      , 2021



*Deputy Inspector of Municipalities of British Columbia*



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

---

**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** 5<sup>th</sup> Street Bridge Rehabilitation Project Update

---

**File No.:** 5335-20 / 5400-02  
**Date:** March 1, 2021

### PURPOSE:

The purpose of this staff report is to update Council on the current status of the project, the contractor selection status and the next steps of the project, as well as to provide an update on the result of the bridge colour survey and seek a supporting motion to confirm colour.

### EXECUTIVE SUMMARY:

In December of 2020, a survey to determine the bridge color was released and received over 2100 responses with the "Classic Green" colour being the preferred bridge colour for the community.

Additionally, a formal public Request for Proposals (RFP) was released on November 18, 2020 to invite proposals from prospective contractors to undertake the planned upgrades to the bridge. The City received two compliant proposals. Each of the proposals were submitted by a Prime Contractor with a supporting team of specialist subcontractors. Park Derochie was evaluated as providing the best value for the city, and was selected as the successful proponent for this project. The contract has been awarded to Park Derochie, and work is on track to start in April of 2021, and should take approximately six months. Budget for the works is tight, with only an approximately 4% project contingency, but the project team feels this can be managed.

### CAO RECOMMENDATIONS:

THAT based on the March 1<sup>st</sup>, 2021 staff report "5<sup>th</sup> Street Bridge Rehabilitation Project Update" Council approve OPTION 1 and based on the results of the 5<sup>th</sup> Street Bridge colour selection survey;

THAT Council direct staff to proceed with coating the bridge "Classic Green" colour, as consistent to the existing original colour as possible while using modern coating material.

Respectfully submitted,

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

**BACKGROUND:**

The 5<sup>th</sup> Street Bridge plays an important role in the Comox Valley transportation network serving approximately 20,000 vehicles, 650 pedestrians and 500 cyclists each day. Completed in 1960, the 72-metre steel truss bridge has two vehicle lanes, and 1.5 metre sidewalks on both sides of the bridge.

The following Council resolutions regarding the 5<sup>th</sup> Street Bridge Project have provided direction to staff.

June 24<sup>th</sup>, 2019

That based on the June 24<sup>th</sup>, 2019 staff report “5<sup>th</sup> Street Bridge Rehabilitation Project” Council approve OPTION 2 that Council direct staff to proceed with the associated next steps to rehabilitate the 5<sup>th</sup> Street Bridge, including the upgrade of adding cantilevered multi-use pathways plus development of detailed traffic management and public engagement plans, and report back to Council no later than September 16, 2019; and

That staff simultaneously prepare a supporting draft Borrowing Bylaw for Council consideration.

Following a period of extensive community and stakeholder engagement and the refinement of project options, Council passed the following subsequent motion.

February 3<sup>rd</sup>, 2020

That Council direct staff not to include cantilevers in the final design of the 5<sup>th</sup> Street Bridge Rehabilitation Project; and,

That based on the January 27<sup>th</sup>, 2020 staff report “5<sup>th</sup> Street Bridge Rehabilitation” that Council direct staff to obtain elector approval for a loan authorization bylaw for the 5<sup>th</sup> Street Bridge Rehabilitation Project through the Alternate Approval Process.

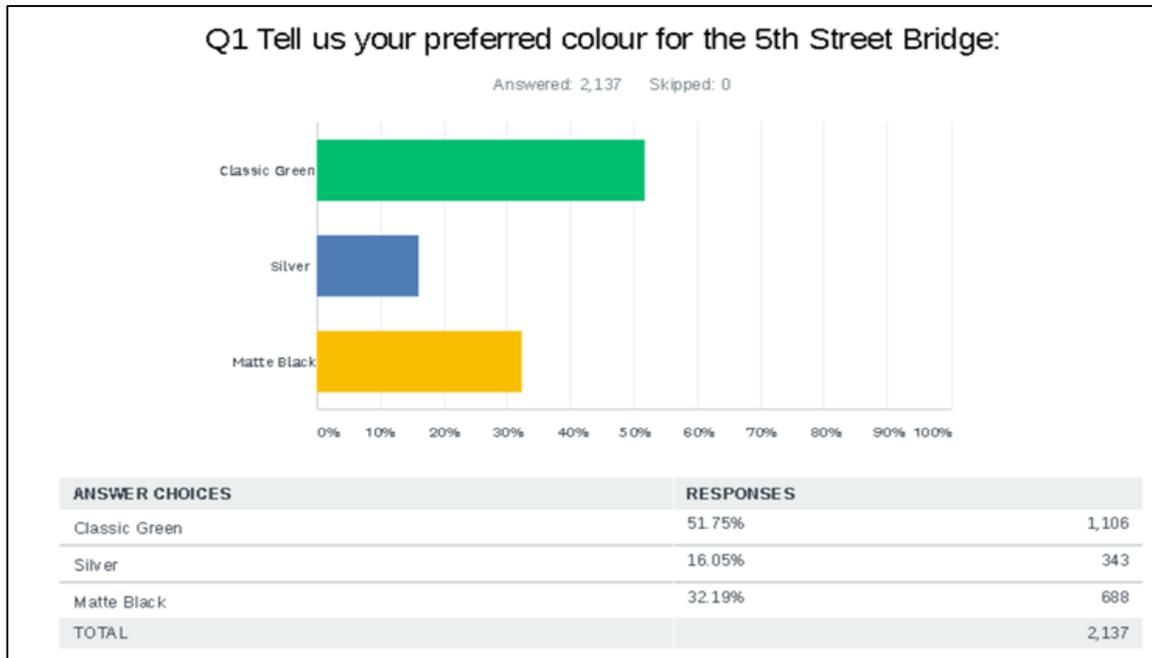
**UPDATE AND NEXT STEPS:**

Results of the Bridge Colour Survey

At the November 30, 2020 Committee of the Whole meeting, a briefing note was presented to Council detailing the proposed next steps to determine the colour of the bridge. With the old coating removed, an opportunity existed to choose a new coating colour for the bridge.

Listed below are the steps the project team took to engage the community to determine if there is a preference for a bridge colour:

1. Engaged directly with the Downtown Courtenay Business Improvement Association, and Comox Valley Chamber of Commerce, proposing Classic Green, Silver and Matte Black as the three colour options, and confirming their colour preference.
2. Released a simple online survey to the public, to gauge the community’s preference for the three options listed above. The survey was available online from December 15, 2020 to January 13, 2021.



The survey received over 2100 responses. Based on the results shown above, “**Classic Green**” is the preferred bridge colour for the community.

Construction Procurement

Following completion of the detailed design for the bridge, a formal public Request for Proposals (RFP) was released on November 18, and remained open until December 22, 2020. The purpose of the RFP was to invite proposals from prospective contractors to undertake the planned upgrades to the bridge.

The City received two compliant proposals. Each of the proposals were submitted by a Prime Contractor with a supporting team of specialist subcontractors. The proposals detailed the contractors’ qualifications and previous experience with bridge rehabilitation projects. The proposals also detailed the contractors’ understanding of the work as well as provided an opportunity to list any social or environmental initiatives.

The table below shows the pricing from each of the two proposals submitted.

|   | <b>Knappett Projects Inc.</b> | <b>Park Derochie Inc.</b> |
|---|-------------------------------|---------------------------|
| RFP Submission Form Total Cost (GST excluded) | \$5,887,000.00                | \$6,027,822.00            |

A formal evaluation was conducted in early 2021 with assistance from the City’s Purchasing group. The Request for Proposals process and evaluation followed the City of Courtenay’s Purchasing Policy and followed industry best practices.

Park Derochie was evaluated as providing the best value for the city, and was selected as the successful proponent for this project. Park Derochie offers superior previous experience in Bridge Rehabilitation projects similar to the 5<sup>th</sup> Street Bridge. Their understanding of the project and value-added benefits, were also considered to be superior. Park Derochie has been in successful operation since 1956, and they specialize in blast cleaning and coatings. This team of contractors and specialist subcontractors has all worked together, both on Vancouver Island and elsewhere in Western Canada.

### Construction Scope

In order to achieve best value for the City, and to best manage project budget, some non-essential items were either altered or removed from the scope of the project. Some of the items are listed below:

1. Hot Dip Galvanizing Posts and Railings. Rather than hot dip galvanize the railings as previously intended, the railings will be coated with the same 3-coat system used for the bridge coating.
2. Data Logger reduction. Based on the proposals received from contractors and with our consultants review and approval, the number of data loggers required for the cathodic protection system can be reduced without a reduction in level of service.
3. The installation of Ribbon Anodes on the sidewalk have been removed from the scope of work. A cost benefit analysis shows that, based on pricing received, as-needed sidewalk repairs will have lower life-cycle costs.

### Traffic Management Plan

Earlier in the project, a Traffic Management Strategy (TMS) was prepared to identify and evaluate various traffic management scenarios and develop a recommended strategy. The goal of the strategy is to provide a safe environment for all road users during the construction phase while minimizing impacts to the public, businesses, and priority vehicles (transit, emergency services, etc.).

The majority of the TMS will be implemented as previously presented, including the identified detour routes for most traffic, and the priority lanes for Transit, School Buses, and Emergency Services. However the proposal submitted by the contractor included some deviations from the Traffic Management Strategy. These deviations proposed were due to the Contractor's expertise in bridge rehab work, safety and environmental considerations, as well as budget limitations. Notable exceptions to the previously presented TMS include:

1. Cyclists and pedestrians will not have a separated lane on the bridge deck during construction. Instead, a scaffolding structure will be constructed providing a single 1.5m wide walkway for dismounted cyclists and pedestrians. Cyclists will also be allowed to ride with traffic, if they so choose. This is necessary as a cost savings measure, but will also result in positive impacts on schedule.
2. The road underneath the east side of the bridge will be closed for the duration of the project, and will be used as contractor laydown area. In addition, the previously proposed laydown area in the adjacent parking lot, will also be used for project storage. This is necessary due to public safety concerns accessing the work areas, around and under the bridge. Also construction site access required by the contractor for their tools and equipment.

If this area were to remain open, it would require an additional scaffolding structure to support the contractor's power lines, ventilation ducting, and media-blasting hoses. This would increase costs, which the project budget cannot support.

To maintain access in and out of the north and south parking lots, the medians on both park entrances will be removed to allow for left and right turns out of each entrance. The entrances will be reinstated to pre-construction condition by the contractor when construction is complete.

3. Based on pricing received to complete this work, we do not have budget to support:
  - a. A Transit subsidy of any kind.
  - b. A project specific shuttle of any kind.
  - c. Any fees associated with a potential park and ride.

Although no agreements have been signed, the project team is in negotiation with two sites in Courtenay to host park and ride locations, one on the west side of the river, and one on the east side. Both sites are on transit routes which would allow commuters to park their cars free of charge and access transit, or to change transportation modes (to cycling for example). The locations would also be available for commuters to leave their cars and share a ride with another commuter (being mindful of COVID-19 public health guidelines). The hope is that these locations will reduce the amount of traffic on the roads during construction.

Once the contractor is issued the Notice to Proceed, a detailed Traffic Management Plan will be prepared by the contractor and submitted to the City for review and approval. This will then be shared with Council and relevant stakeholders as needed.

**PROJECT SCHEDULE**

The project is expected to progress as per the below schedule.

| 5 <sup>th</sup> Street Bridge | 2021    |  |  |         |  |  |         |  |  |         |  |  |
|-------------------------------|---------|--|--|---------|--|--|---------|--|--|---------|--|--|
|                               | Jan-Mar |  |  | Apr-Jun |  |  | Jul-Sep |  |  | Oct-Dec |  |  |
| <b>Project Communications</b> |         |  |  |         |  |  |         |  |  |         |  |  |
| <b>Notice to Proceed</b>      |         |  |  |         |  |  |         |  |  |         |  |  |
| <b>Contractor Submittals</b>  |         |  |  |         |  |  |         |  |  |         |  |  |
| <b>Traffic Accommodations</b> |         |  |  |         |  |  |         |  |  |         |  |  |
| <b>Construction</b>           |         |  |  |         |  |  |         |  |  |         |  |  |
| <b>Project Close-out</b>      |         |  |  |         |  |  |         |  |  |         |  |  |

**FINANCIAL IMPLICATIONS:**

The detailed project costs are shown in the table below. The value of the construction contract is approximately \$5.4 million. Contract Administration and Site Inspection will cost approximately \$647,000. Miscellaneous project costs including traffic optimizations and additional project signage is approximately \$125,000. The remaining \$263,000 will be held in a project contingency fund.

The original project budget for construction for this work was \$6.3 million. Approximately \$208,000 in design phase project funds were carried forward as unspent project funds, and is being added to the project construction budget, to increase the construction budget to approximately \$6.5 million.

| Item                           | Cost               | Comments   |
|--------------------------------|--------------------|--|
| Construction Costs             | \$5,472,627        |  |
| Contract Admin/Site Inspection | \$647,480          |  |
| Miscellaneous Costs            | \$125,209          | Traffic signal upgrades, Signage, Communications, etc. |
| <b>Subtotal</b>                | <b>\$6,245,316</b> |  |
| Contingency                    | \$263,466          |  |
| <b>Project Total</b>           | <b>\$6,508,782</b> |  |

**ADMINISTRATIVE IMPLICATIONS:**

The 5th St Bridge Rehabilitation Project will be led by Engineering Services, with support from most other City Departments. Consultants with technical knowledge specific to this work will be utilized to develop and implement detailed designs and processes. Estimated costs associated with external consultants are included in the project capital construction budget.

**ASSET MANAGEMENT IMPLICATIONS:**

The Fifth Street Bridge is one of the City’s most valuable assets, and is critical for connecting the community across the river. The bridge serves as an important transportation connection for personal and commercial transport, and emergency service route for fire, police and ambulance. On-going maintenance and periodic investments are required to maximize the life of the asset and to minimize disruption and increased investment over the long-term.

The Fifth Street Bridge is included in the City’s asset management strategy, and funding has been identified in the City’s financial plan for maintenance and periodic investment.

The bridge rehabilitation (re-coating, structural repair, and deck repair) is a ‘capital asset renewal’ (or even ‘maintenance’) and is the impetus of this work.

**STRATEGIC PRIORITIES REFERENCE:**

In addition to being identified one of Council’s five “NOW” Priorities, the following Strategic Priorities are relevant to the 5<sup>TH</sup> Street Bridge Project:

**We proactively plan and invest in our natural and built environment**

- Focus on asset management for sustainable service delivery
- ▲ Look for regional infrastructure solutions for shared services
- ▲ Advocate, collaborate and act to reduce air quality contaminants
- ▲ Support social, economic and environmental sustainability solutions

**We plan and invest in methods of multi-modal transportation**

- Move forward with implementing the City's Transportation Master Plan
- ▲■ Collaborate with regional and senior government partners to provide cost-effective transportation 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:**

Regarding the Official Community Plan for Courtenay, the following goals of Section 5.0 Transportation are relevant:

5.2 Goals:

1. Integrate land use changes with transportation planning to coordinate changes and increases to traffic patterns.
2. Development of a transportation system that provides choices for different modes of travel including vehicle, transit, pedestrian, cycling and people with mobility impairments.
3. Protect the integrity of the road classification system to facilitate the purpose and function of the specific road types.
4. Support an integrated transportation system that works towards reducing travel distances and congestion.
5. Support a transportation system that recognizes the importance of the character and overall appearance of the City.

6. Provide an effective transportation system that facilitates the movement of vehicles throughout the community and the Comox Valley to major regional services such as the Little River Ferry System and the Comox Valley Airport

**REGIONAL GROWTH STRATEGY REFERENCE:**

The 5<sup>th</sup> Street Bridge Rehabilitation Project is aligned with the transportation network goal from the Regional Growth Strategy:

Goal 4 - Transportation:

Develop an accessible, efficient and affordable multi-modal transportation network that connects Core Settlement Areas and designated Town Centers and links the Comox Valley to neighboring communities and regions.

**CITIZEN/PUBLIC ENGAGEMENT:**

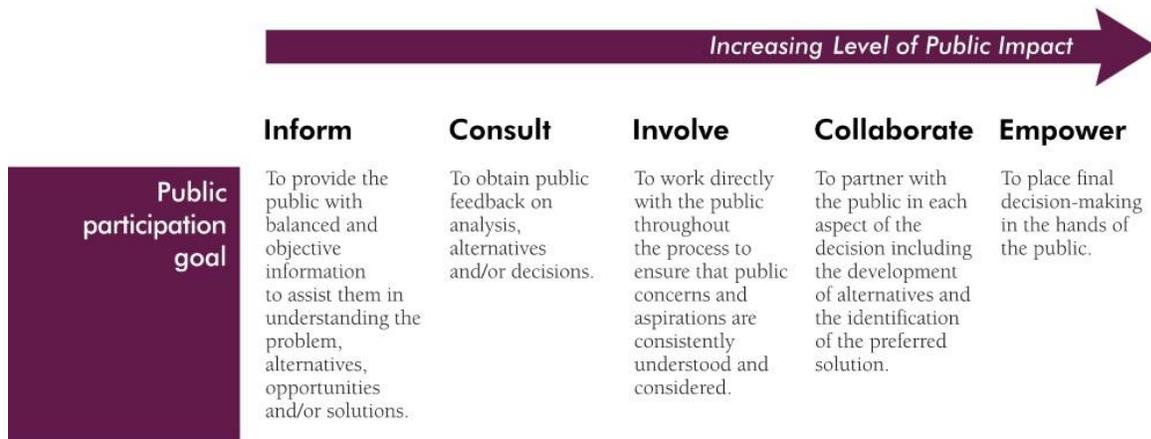
Throughout the project, proactive, accurate and effective communication efforts will be undertaken to keep the public informed, and to allow them to appropriately anticipate and respond to construction updates. As the project progresses into construction, communications will be centered on some of following topics:

1. **Construction Traffic Control** - Establish single lane alternating traffic control practices to maximize available capacity.
2. **Short-Term Bridge Closures** - Ensure short-term full bridge closures are scheduled to occur during periods when travel demand is lowest to minimize impact.
3. **Intersection Traffic Control** – As noted above, nearby intersection signal timings will be optimized to reflect altered traffic conditions and minimize delays.
4. **Traffic Detour Routes** - Publicize detour routes that minimize negative impacts elsewhere in the network and offer comfort/certainty to motorists seeking alternatives to the 5<sup>th</sup> Street Bridge.
5. **Time-of-day Travel** - Promote/encourage off-peak travel to reduce congestion during peak periods.
6. **Alternative Travel Modes** - work with regional partners to establish park and ride locations.

Additionally, neighbourhood specific communications will be undertaken in areas that are expected to see larger impacts caused by construction.

Based on the design recommendation from the report, staff recommend to **Inform** the public and key stakeholder groups based on the IAP2 Spectrum of Public Participation:

[http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum\\_vertical.pdf](http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/imported/IAP2%20Spectrum_vertical.pdf)



**OPTIONS:**

Option 1: THAT based on the March 1<sup>st</sup>, 2021 staff report "5<sup>th</sup> Street Bridge Rehabilitation Project Update" Council approve OPTION 1, and based on the results of the 5<sup>th</sup> Street Bridge colour selection survey;

THAT Council direct staff to proceed with coating the bridge "Classic Green" colour, as consistent to the existing original colour as possible while using modern coating material.

Option 2: Refer back to Staff for further review.

Prepared by:



Chris Davidson, P.Eng., PMP  
Director of Engineering Services

Concurrence:



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

File: 5330-20/CVSS LWMP

February 24, 2021

Sent via email only: [wsorichta@courtenay.ca](mailto:wsorichta@courtenay.ca)

Mayor and Council  
City of Courtenay  
830 Cliffe Ave  
Courtenay, BC V9N 2J7

Dear Mayor and Council:

**Re: Next Steps Approved for Comox Valley Sewer Service Planning**

On behalf of the Comox Valley Regional District's (CVRD) Sewage Commission, I am writing to confirm the selection of a preferred conveyance route for the Comox Valley Sewer Service's Liquid Waste Management Plan (LWMP). This marks the completion of a series of important decision points that provide direction for the future of this critical infrastructure.

On February 23, the Sewage Commission selected the option which combines traditional "cut-and-cover" construction with tunnelled portions through Comox hill and Lazo hill in order to reduce operational costs and long-term risks. It was also agreed that this project should be delivered as a single-phase in order to remove the foreshore pipeline—both at the Willemar Bluffs and along the estuary—as soon as possible. A map with the preferred route is attached (Pg.2).

This planning process has required a lot of hard work from the CVRD's project team, public and technical advisory committees and Sewage Commission directors. We thank your council's representatives for their ongoing commitment to the process that started in 2018. With this decision, the stage 2 LWMP will be finalized and submitted to the province for approval late this year. This plan ensures a clear, long-term approach for improvements to our shared sewer infrastructure.

The conveyance project will now proceed separately from the LWMP process. Funding will be considered under the Alternative Approval Process scheduled for May and June 2021, but we can be confident that the planned approach is the result of extensive commitment to engagement and technical review. The project scope, including specifics of the route and extent of retrofit or replacement of the two major pump stations, will be finalized in consultation with municipal technical staff over the rest of this year. Project planning will proceed with the goal of reducing costs and community impacts while maximizing operational efficiencies.

The project team will be working to update the community in the coming weeks on the results of this decision and next steps forward. This includes borrowing approvals, groundwater assessment and route planning. We're thankful to the community members who have participated in our public consultation and hope you can help share our appreciation.

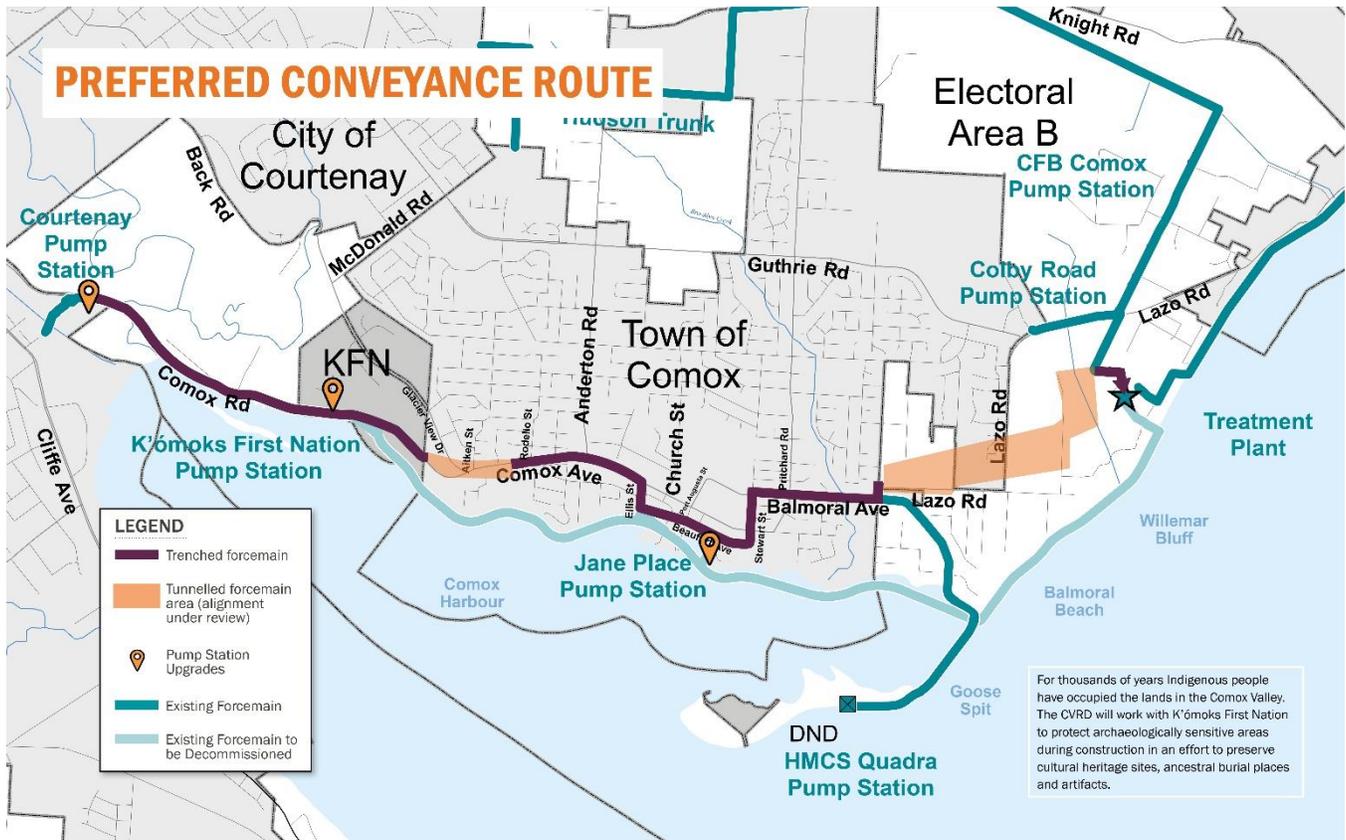
Sincerely,

**D. Hillian**

Doug Hillian, Chair  
Comox Valley Sewage Commission

cc: Trevor Kushner, Interim Chief Administrative Officer

Attachment: Preferred Conveyance Route



# MEMORANDUM

**TO: Trevor Kushner, Interim CAO**

**FROM: Donald A. Bardonnex, Fire Chief**

**DATE: February 18, 2021**

**2020 Year End Report**

Please accept my annual 2020 report for the City of Courtenay Fire Department.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D.A. Bal', with a long horizontal flourish extending to the right.

Donald A. Bardonnex  
Fire Chief

# Courtenay Fire Department 2020 Annual Report

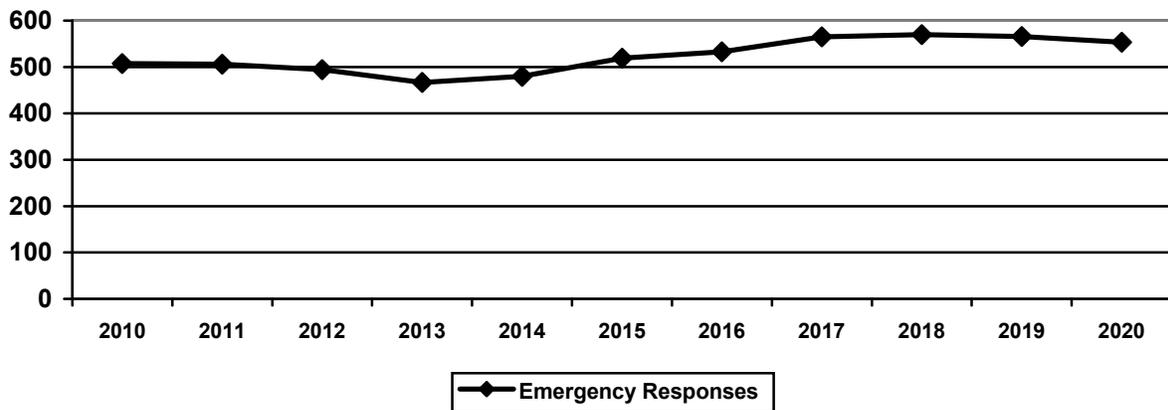


## OPERATIONS

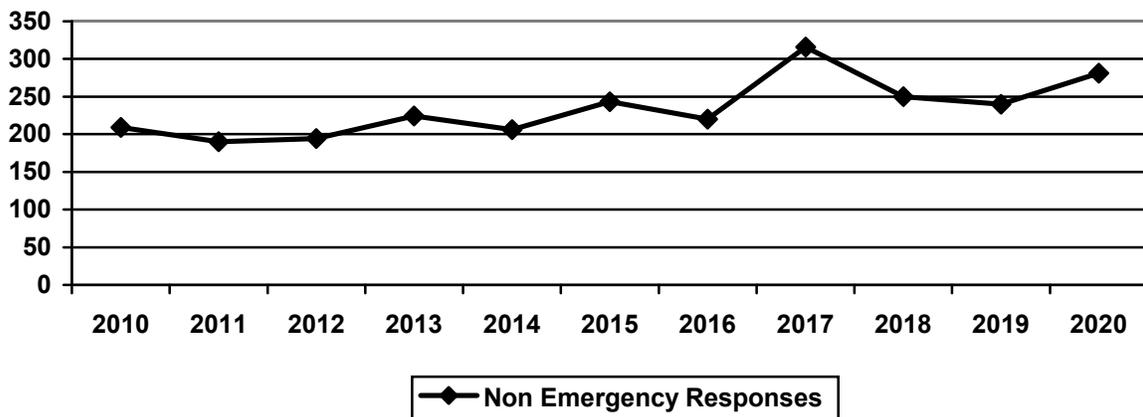
The Courtenay Fire Department responded to 834 incidents in the City of Courtenay and fire protection districts in 2020 with 553 of these responses being made to emergency incidents. The remaining 281 responses were made to non-emergency incidents. We are very pleased to report that there were no serious injuries or worker fatalities in 2020.

The number of emergency incidents the fire department responded to in 2020 dropped slightly in relation to 2019, with responses to fire alarm activations, motor vehicle incidents, and structure related calls making up most of our emergency calls. Non-emergency responses increased by 41 responses in comparison to 2019, mostly related to complaints of smoke during the COVID Pandemic and activities associated with homeless encampments.

**Chart 1: Emergency Responses by Year 2010-2020**

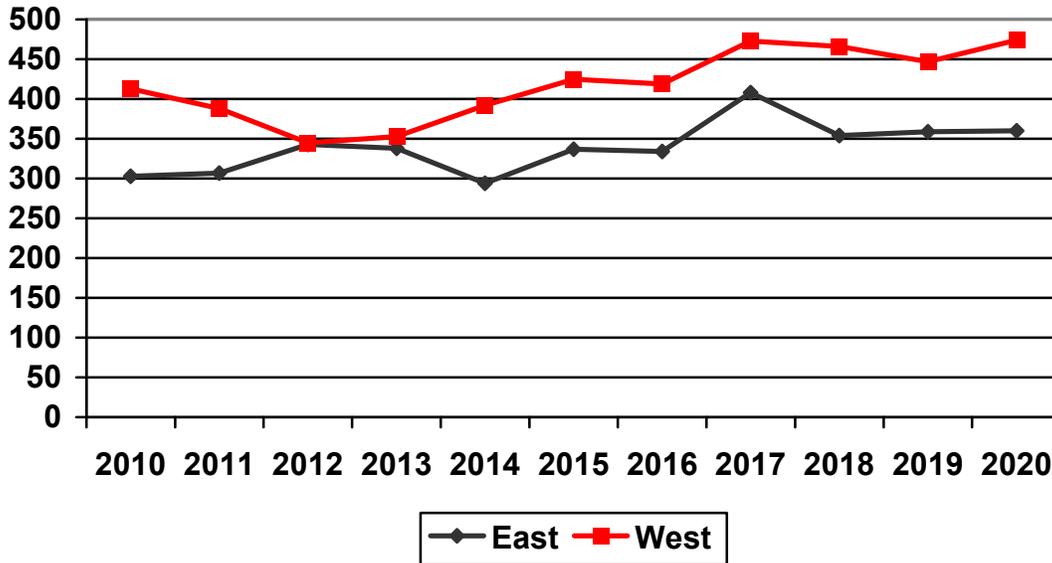


**Chart 2: Non-Emergency Responses by Year 2010-2020**



Responses to both the West side and East side of the Courtenay River remained consistent with the previous year with 474 responses made to the west side of town and 360 responses to the east side of town in 2020.

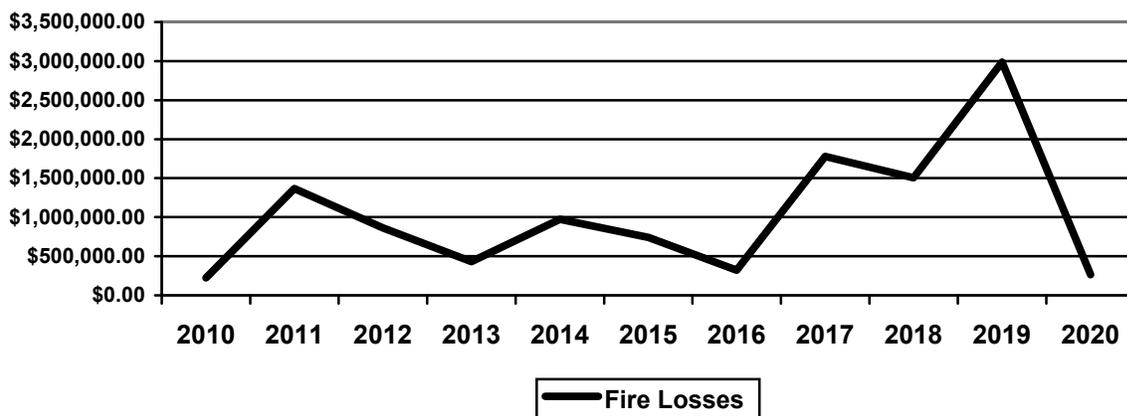
**Chart 3: Fire Department Responses East vs. West 2010–2020**



## **FIRE LOSSES**

Fire losses for each of the City of Courtenay, Courtenay Fire Protection District, and Merville Fire Protection District totalled \$810,200.00 for 2020. Each area's losses have been separated from the total and are listed below. Please note that the fire loss totals provided are estimates as some of the insurance claims on these fires are still pending.

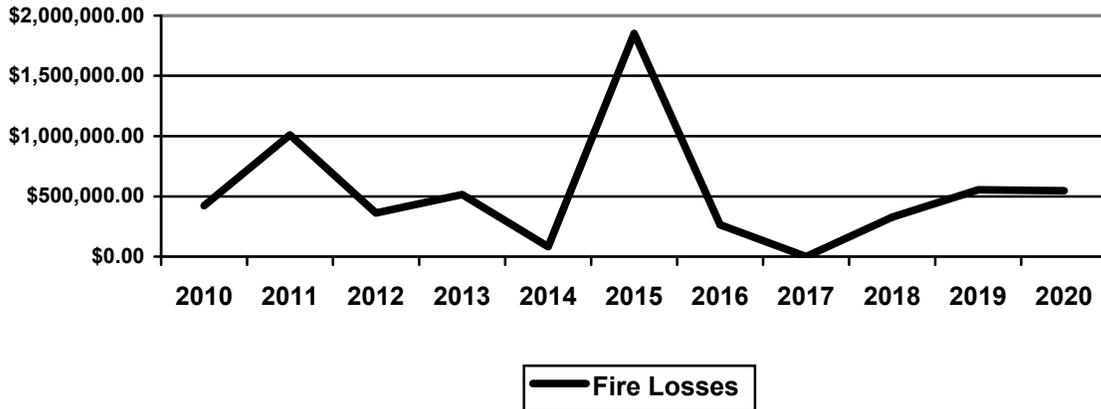
**Chart 4: City of Courtenay Fire Losses 2010–2020**



Major losses for this area include:

- 140 Headquarters Road (commercial fire, \$60,000.00)
- 1029 Ryan Road (apartment fire, \$57,500.00)

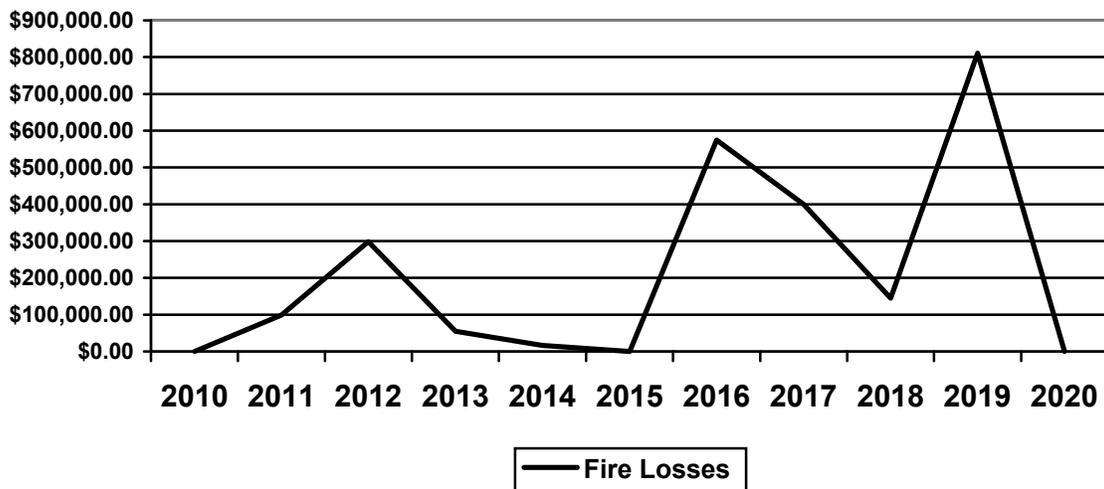
**Chart 5: Courtenay Fire Protection District Fire Losses 2010 – 2020**



Major losses for this area include:

- 4330 South Island Highway (hotel fire, \$500,000.00)

**Chart 6: Merville Fire Protection District Fire Losses 2010 - 2020**



Major losses for this area include:

- None

## **TRAINING**

Training the Fire Department's personnel is an active function of the Department. Training is scheduled weekly covering a number of topics using various methods of instruction. The general mission of the Training Division is to provide all Fire Department personnel opportunities to learn new skills and enhance existing skills through repetition and advanced drill design.

As a result of the COVID 19 pandemic, traditional training activities were required to be modified to enable the department to comply with the government's health orders. When firefighters were required to stay home, volunteer's accessed skills based training by watching in-house training videos through their own personal computers. Hands on team training is delivered in smaller groups at the WM Lane MacDonald Training Center three nights a week instead of one.

As well as providing training to our volunteer firefighters the training division was also very busy working with our recruit firefighters to complete their NFPA 1001, Fire fighter 2, Pro Board Seal certification through the College of the Rockies. We are very proud to report that as of December 2020 all recruits successfully completed the NFPA 1001 level 2 certification program.

## **FIRE PREVENTION**

The COVID 19 pandemic and associated Public Health Orders had a tremendous impact on our fire prevention program in 2020, as we had to find creative ways to ensure that the public fire safety requirements were being met while protecting our personnel from potential exposure to the virus.

A self-inspection program was implemented for low hazard businesses which provided business occupants the ability follow a fire inspection checklist to ensure their properties were safe while minimizing contact and exposure risk to our personnel. Our fire inspectors continued to provide fire inspections to higher hazard buildings in our community, but only once COVID safety protocols were met. We were able to conduct 1640 fire inspections utilizing this program and are happy to report that there were very few serious safety issues found.

While we were not able to take the Fire Safety House to all of the elementary schools in the city and fire protection districts, we did run a modified fire safety program in the schools in October 2020. This program had one of our inspectors going into each grade three classroom and talking to the students about fire safety, escape from fire, etc and was very well received by both teachers and students involved. We were also able to provide smoke alarm checks for those in need of the service, but again only after COVID 19 pre-screening and precautions were taken.

Unfortunately programs such as car seat inspections, fire station tours, fire extinguisher demonstrations, and other public speaking events had to be postponed as many of these types of events have crowds of people that exceeded Provincial Public Health Orders imposed limits. We are looking forward to starting these programs back up at some point in 2021.

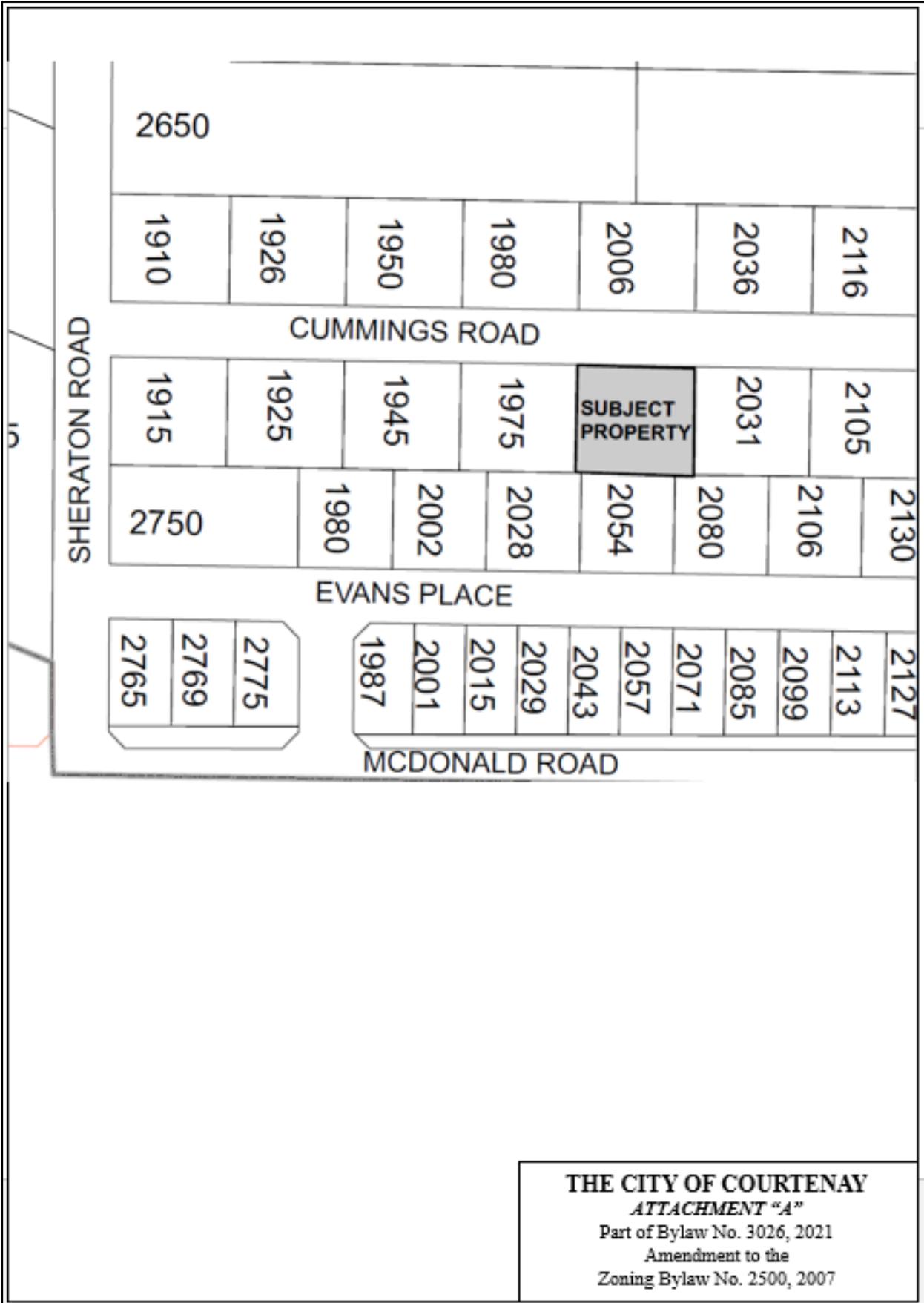
## **PERSONNEL**

The Courtenay Fire Department currently has 53 regular members and another 8 fully trained firefighters serving in a provisional capacity. The COVID 19 pandemic did not allow us to start a new recruit training program in 2020, but we are looking forward to starting a new class in mid-2021, Provincial Health Orders permitting.

In closing, I would like to thank Mayor and Council for their support of the fire department. I would also like to thank the members of the Courtenay Fire Department for their dedication and service throughout the year.







**THE CITY OF COURTENAY**  
*ATTACHMENT "A"*  
 Part of Bylaw No. 3026, 2021  
 Amendment to the  
 Zoning Bylaw No. 2500, 2007



