



The Corporation of the City of Courtenay

Council Agenda

Meeting #: R6/2025
Date: April 2, 2025
Time: 4:00 p.m.
Location: CVRD Civic Room, 770 Harmston Ave, Courtenay

We respectfully acknowledge that the land we gather on is Unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

	Pages
1. CALL TO ORDER	
2. INTRODUCTION OF LATE ITEMS	
3. ADOPTION OF MINUTES	
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3.2 Parks and Recreation Advisory Commission (PRAC) Minutes – February 6, 2025 (Draft)	12
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4.1 RCMP Town Hall held March 26, 2025 Verbal update by Insp. Scott Mercer, Officer in Charge	
5. STAFF REPORTS	
5.1 Operational Services	
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8. NOTICE OF MOTION**8.1 Federation of Canadian Municipalities (FCM) Nomination (Councillor Cole-Hamilton)**

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of member municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM’s Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the united voice required to carry the municipal message to the federal government;

WHEREAS FCM’s Annual General Meeting (AGM) will be held in conjunction with the Annual Conference and Trade Show, May 29-June 1 2025, followed by the election of FCM’s Board of Directors; and

WHEREAS the UBCM-FCM Small Communities Travel fund covers airfare, hotel accommodation and ground transportation expenses related to attending FCM Board and Standing Committee meetings (other than the Annual Conference and Trade Show);

THEREFORE BE IT RESOLVED THAT Council of the City of Courtenay endorse Councillor Will Cole-Hamilton to stand for re-election on FCM’s Board of Directors for the period starting in May 2025 and ending June 2027; and

BE IT FURTHER RESOLVED THAT the City assume all costs associated with Councillor Will Cole-Hamilton attending FCM’s Board of Directors meetings that are not covered by the UBCM-FCM Small Communities travel fund.

9. BYLAWS**9.1 For 1st, 2nd and 3rd Readings:**

9.1.1 Traffic Regulation - Amendment Bylaw No. 3172, 2025 153

9.2 For 1st Reading:

9.2.1 Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025 188

9.3 For 1st and 2nd Readings:

9.3.1 Amend Development Permit Area 1 and 2 for Small-Scale Multi-Unit Housing (SSMUH) 209

9.3.1.1 Official Community Plan - Amendment Bylaw No. 3177, 2025 (form & character development permit area, SSMUH)

9.3.1.2 Zoning - Amendment Bylaw No. 3176, 2025 (form & character development permit area, SSMUH)

9.3.2.1 Business Licence - Amendment Bylaw No. 3133, 2025
(short-term rental accommodation)

9.3.2.2 Zoning - Amendment Bylaw No. 3134, 2025 (short-term
rental accommodation)

9.3.2.3 Municipal Ticket Information - Amendment Bylaw No.
3139, 2025 (short-term rental accommodation)

10. COUNCIL REPORTS

10.1 Councillor Cole-Hamilton

10.2 Councillor Frisch

10.3 Councillor Hillian

10.4 Councillor Jolicoeur

10.5 Councillor McCollum

10.6 Councillor Morin

10.7 Mayor Wells

11. ADJOURNMENT



Council Minutes

Meeting #: R5/2025
Date: March 12, 2025
Time: 4:00 pm
Location: CVRD Civic Room, 770 Harmston Ave, Courtenay

Council Present: B. Wells (Mayor)
W. Cole-Hamilton (electronic)
D. Frisch
D. Hillian
E. Jolicoeur
M. McCollum

Regrets: W. Morin

Staff Present: G. Garbutt, City Manager (CAO)
C. Davidson, Director of Infrastructure & Environmental Engineering
A. Langenmaier, Director of Financial Services
K. O'Connell, Director of Corporate Services
S. Saunders, Director of Recreation, Culture & Community Services
M. Wade, Director of Development Services
J. Chan, Manager of Business Administration (joined at 4:56 p.m.)
S. Hainsworth, Manager of Procurement, Risk & Real Estate
A. Pitcher, Manager of Engineering Capital Projects
P. Preston, Manager of Building and Administrative Services (left at 4:56 p.m.)
J. Schile, Manager of Development Planning (left at 4:56 p.m.)
L. Bourgeois, Deputy Corporate Officer

1. CALL TO ORDER

Mayor Wells called the meeting to order at 4:00 p.m. and respectfully acknowledged that it was taking place on the unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

He also acknowledged the successful K'ómoks First Nation Treaty Vote that took place over the weekend.

Additionally, Mayor Wells proclaimed March 21, 2025, as World Down Syndrome Day, an international observance recognized by the United Nations to raise awareness and promote the rights and inclusion of individuals with Down syndrome, in accordance with the Convention on the Rights of Persons with Disabilities.

2. INTRODUCTION OF LATE ITEMS

Without any late items or objections, Council proceeded with the agenda as presented.

3. ADOPTION OF MINUTES

3.1 Regular Council Minutes - February 26, 2025

Moved By Jolicoeur

Seconded By Frisch

THAT Council adopt the February 26, 2025 Regular Council minutes.

CARRIED

4. STAFF REPORTS

4.1 Development Services

4.1.1 Antenna System Applications and Process Policy DS-02

Moved By Jolicoeur

Seconded By Frisch

THAT Council approve the Antenna System Application and Process Policy DS-02, dated February 28, 2025; and

THAT Council direct Staff to prepare the bylaw amendments for Zoning Bylaw No. 2500, 2007 and Fees and Charges Bylaw No. 1673, 1992.

CARRIED

4.1.2 Liquor Licence Application No. 2403 – 244 4th Street

Moved By Hillian

Seconded By Jolicoeur

THAT Council recommend the Liquor and Cannabis Regulation Branch (LCRB) approve the application from Gladstone Brewing, located at 244

4th Street (LOT A SECTION 61 COMOX DISTRICT PLAN EPP111555) for a structural change and permanent increase to the capacity of the licence's service areas from 280 persons to 360 persons and Council's comments on LCRB prescribed considerations are as follows:

- a. If the application is approved, any increase in noise as a result of the licence is not anticipated to have much, if any, impact on the community within the immediate vicinity and;
- b. Based on the results of the public input process described in this report and the agencies contacted for comment, including the RCMP, if the application is approved the general impact on the community is not anticipated to be negative.

CARRIED

4.1.3 Review of policy and impacts - Relocating homes older than 15 years

Moved By Frisch

Seconded By McCollum

That Council direct staff to maintain the existing wording of "Building Bylaw No. 3114" Part 11, Section 11.1.

CARRIED

Opposed: Councillor Jolicoeur

4.2 Infrastructure and Environmental Engineering

4.2.1 6th Street Bridge – Project Update

Moved By McCollum

Seconded By Frisch

THAT Council direct staff to amend the 6th Street Bridge Capital Budget in the 2025-2029 financial plan to \$11,165,100, and award the construction contract, and proceed with construction of the project; and

THAT Council direct staff to prepare a loan authorization bylaw for \$4,300,000.

CARRIED

Opposed: Councillor Jolicoeur and Councillor Cole-Hamilton.

Without objection, the meeting recessed at 6:00 p.m. The Council meeting resumed at 6:26 p.m.

4.3 Financial Services

4.3.1 Parcel Tax Review Panel - 2025

Moved By Frisch

Seconded By Hillian

THAT Council set the Parcel Tax Review Panel on Wednesday, April 2, 2025 at 3:00 p.m. at the CVRD Civic Room, 770 Harmston Ave, Courtenay.

CARRIED

4.4 Recreation, Culture and Community Services

4.4.1 Strategic Cultural Plan and Implementation Strategy Adoption

Moved By Frisch

Seconded By Hillian

THAT based on the March 12, 2025 staff report “Strategic Cultural Plan and Implementation Strategy Adoption,” Council approve the final draft of the Strategic Cultural Plan (Attachment 1) and Implementation Strategy (Attachment 2) as presented.

CARRIED

5. EXTERNAL REPORTS AND CORRESPONDENCE

5.1 Requesting Support - Pride Society Comox Valley

Moved By McCollum

Seconded By Jolicoeur

THAT Council provide a letter of support, on behalf of the City of Courtenay, for The Pride Society of the Comox Valley’s application to the Local Festivals – Building Communities Through Arts and Heritage grant.

CARRIED

6. INTERNAL REPORTS AND CORRESPONDENCE

6.1 Comox Valley Community Foundation Grant: Community Winter Response and Storage Solutions

Moved By Hillian

Seconded By Frisch

THAT Council receive the “Comox Valley Community Foundation Grant: Community Winter Response and Storage Solutions” briefing note for information.

CARRIED

7. COUNCIL RESOLUTIONS

7.1 Tariffs Response - City of Courtenay Joins Team Canada (Councillor Jolicoeur)

Moved By Jolicoeur

Seconded By Frisch

WHEREAS the United States government is proposing to impose tariffs on Canadian imports, including a 25% tariff on all Canadian goods entering the US, except for energy resources, which face a 10% tariff; and

WHEREAS these tariffs may negatively impact Canadian businesses, industries, and workers, particularly those engaged in manufacturing, agriculture, forestry, and other export-driven sectors, leading to job losses and economic instability in communities such as Courtenay.

WHEREAS supporting Canadian-made goods and services sustains local businesses, protects Canadian jobs, and strengthens the national economy in response to trade restrictions; and

THEREFORE BE IT RESOLVED that the City of Courtenay encourage residents, businesses, and municipal departments to prioritize the purchase of Canadian-made goods and services whenever feasible; and

BE IT FURTHER RESOLVED that the City of Courtenay prioritize Canadian-made

goods and services in current and upcoming municipal procurement and contracts, provided they meet financial and operational requirements; and

BE IT FURTHER RESOLVED that the City engage with local business organizations, including the Comox Valley Chamber of Commerce and Downtown Courtenay Business Improvement Area to promote initiatives supporting Canadian businesses and local employment; and

BE IT FURTHER RESOLVED that staff report back to Council on the impacts of the above actions;

AND FURTHER THAT this resolution be shared with other Comox Valley local governments and K'ómoks First Nation for consideration.

CARRIED

8. BYLAWS FOR ADOPTION

8.1 2025-2029 Financial Plan Bylaw No. 3165, 2025

Moved By Frisch

Seconded By Hillian

THAT Council adopt "2025-2029 Financial Plan Bylaw No. 3165, 2025".

CARRIED

8.2 Sewer Service Frontage Tax - Amendment Bylaw No. 3170, 2025

Moved By Hillian

Seconded By McCollum

THAT Council adopt "Sewer Service Frontage Tax - Amendment Bylaw No. 3170, 2025"

CARRIED

9. COUNCIL REPORTS

9.1 Councillor Cole-Hamilton

No report provided.

9.2 Councillor Frisch

No report provided.

9.3 Councillor Hillian

Councillor Hillian noted his participation in the following events over the weekend:

- Comox Valley Coalition to End Homelessness – Participated in the Point-in-Time (PiT) Count of Homelessness.
- K'ómoks First Nation Treaty Vote – Attended the event.

9.4 Councillor Jolicoeur

Councillor Jolicoeur announced his appointment as the Council representative to the Comox Valley Food Policy Council (CVFPC). He noted that the CVFPC is currently addressing tariff-related matters and is planning to launch a local campaign, "**Eat Local**," in the near future.

9.5 Councillor McCollum

No report provided.

9.6 Councillor Morin

No report provided.

9.7 Mayor Wells

Mayor Wells noted his participation in the following events:

Tariff Crisis Meeting – Participated in discussions with senior levels of government, FMC, and UBCM on March 6.

- Comox Valley Chamber of Commerce Annual Economic Outlook Breakfast on March 6

10. ADJOURNMENT

Mayor Wells terminated the open portion of the meeting at 7:15 pm.

CERTIFIED CORRECT

Adopted by Council [MONTH] [DAY], 2025

Mayor Bob Wells

Corporate Officer



Parks & Recreation Advisory Commission

Meeting Minutes

Meeting #: PRAC1/2025
Date: February 6, 2025, 6:30 p.m.
Location: Lewis Centre – Craft Room A, 489 Old Island Hwy, Courtenay
489 Old Island Hwy, Courtenay, BC V9N 3P5

Present: S. Saunders, Director Recreation, Culture and Community Services
M. Lynch
I. Churchill
C. Janes
M. McCollum (Council Representative)
A. Douglas
M. Crowley
B. Green

1. ACCEPTANCE OF AGENDA

THAT the agenda for the February 6, 2025 meeting be amended to include a new item under New Business titled "3.3 Downtown Local Area Plan Update."

CARRIED

2. ADOPTION OF MINUTES

2.1 Parks and Recreation Advisory Commission (PRAC) Minutes – November 21, 2024

THAT the Parks and Recreation Advisory Commission (PRAC) adopt the November 21, 2024 PRAC Meeting minutes.

CARRIED

3. NEW BUSINESS

3.1 PRAC Meeting Procedural Recommendations & Best Practices

Guest Presentation: Kate O'Connell, Director of Corporate Services, City of Courtenay, reviewed **Council Procedure Bylaw No. 2730** which establishes the rules and procedures for Council and Committee meetings in the City of Courtenay.

- Committee discussed and reviewed: Legislative updates, minute-taking standards, public notice requirements, and Commission role and Council interaction.

- Bylaw Reference: *Section 56(9)*, Page 23, pertains to Commissions.

3.2 2025-2029 Financial Plan: Recreation, Culture and Community Services

Susie Saunders, Director Recreation, Culture and Community Services, City of Courtenay provided an updated on the recently proposed 2025-2029 Financial Plan.

3.3 Downtown Local Area Plan Update

Susie Saunders, Director Recreation, Culture and Community Services, City of Courtenay provided an update on the Downtown Local Area Plan.

4. UNFINISHED BUSINESS

On January 29th, 2025, Courtenay City Council approved the PRAC recommendation to continue the free public swim at Courtenay & District Memorial Pool.

5. NEXT MEETING

The next PRAC meeting is scheduled for **Thursday April 3, 2025 6:30 p.m.** at the Lewis Centre – Craft Room A.

6. ADJOURNMENT

Without objection, the meeting was adjourned at 8:00 p.m.



The Corporation of the City of Courtenay

Staff Report

To: Council
From: Director of Operational Services
Subject: BC Transit – Transit Priorities Update

File No.: 5335-20
Date: April 2, 2025

PURPOSE:

The purpose of this report is to present Council with an update on work for the improvements to the Comox Valley Regional Transit System, highlighting key exchanges within the City and provide a recommendation for endorsement of BC Transit and the Comox Valley Regional District's exchange designs as to enable the commencement of public engagement and construction.

BACKGROUND:

In January 2022, the CVRD presented Council with the Comox Valley Transit Infrastructure Study. The study proposes five new Transit Exchange locations and looks for opportunities to prioritize transit operations along the Frequent Transit Network (FTN), to support service increases and ridership growth. This includes recommendations for transit priority measures, as well as corridor assessments where transit operations are impacted by queuing and delay.

On January 17, 2022, Council resolved:

“THAT based on the January 17, 2022 staff report, “Comox Valley Transit Infrastructure Study,” Council approve OPTION 1 and provide a Letter of Support in Principle to the CVRD for only the transit exchanges and transit priority measures at the intersection of Ryan Road and Old Island Highway, and at Old Island HWY and Comox Road; and,

THAT Council request that the CVRD modify the Comox Valley Transit Infrastructure Study to move the transit priority measure at Old Island HWY and Comox Road to the short term, and, add traffic signal coordination along Old Island HWY from Ryan Road, across the 5th Street bridge to Cliffe Avenue and 8th Street,

AND THAT Council direct staff to proceed with the conceptual design in Appendix A, upon completion of the 5th Street Bridge Rehabilitation Project.”

The Regional District's Transit Infrastructure Study recommends a new transit exchange in South Courtenay and a relocated transit exchange in the Downtown core. The CVRD, in conjunction with Urban Systems, created preliminary options and evaluation criteria in order to recommend successful exchange locations. The study assessed locations based on rider experience, safety, community, and transit operations. These categories include the walking distance to key destinations, ease of connections, opportunities to accommodate transit amenities, the level of safe, comfortable pedestrian and cyclist access, traffic safety, and transit travel time and delays.

BC Transit – Transit Priorities Update

Based on these criteria, the study recommended a new South Courtenay transit exchange on southbound Cliffe Avenue north of Anfield Road, adjacent to the Anfield Centre (Walmart). The existing transit stop in the Anfield Centre parking lot will remain for access to businesses. This new exchange location offered easier access for transit operations, and passenger connections, and reduced route deviation and delays.

Additionally, the study recommended a new downtown exchange on England Avenue between Cumberland Road and 8th Street to replace the existing downtown transit exchange on Cliffe Avenue at 4th Street, adjacent to the Courtenay and District Museum & Palaeontology Centre. This location offered good proximity to the centre of downtown Courtenay, and has good sidewalk coverage and crossing opportunities, as well as good natural surveillance.

Lastly, the Regional District study looked for opportunities to enhance or prioritize transit operations along the frequent transit network corridor (FTN) with the objective of making the FTN service competitive with vehicle travel by continually increasing service levels, coupled with reduced transit travel times and improved service reliability. The study identified transit priority measures in the form of traffic signal queue jumps, both at Ryan Road and the Old Island HWY and Old Island HWY and Comox Road intersections.

DISCUSSION:

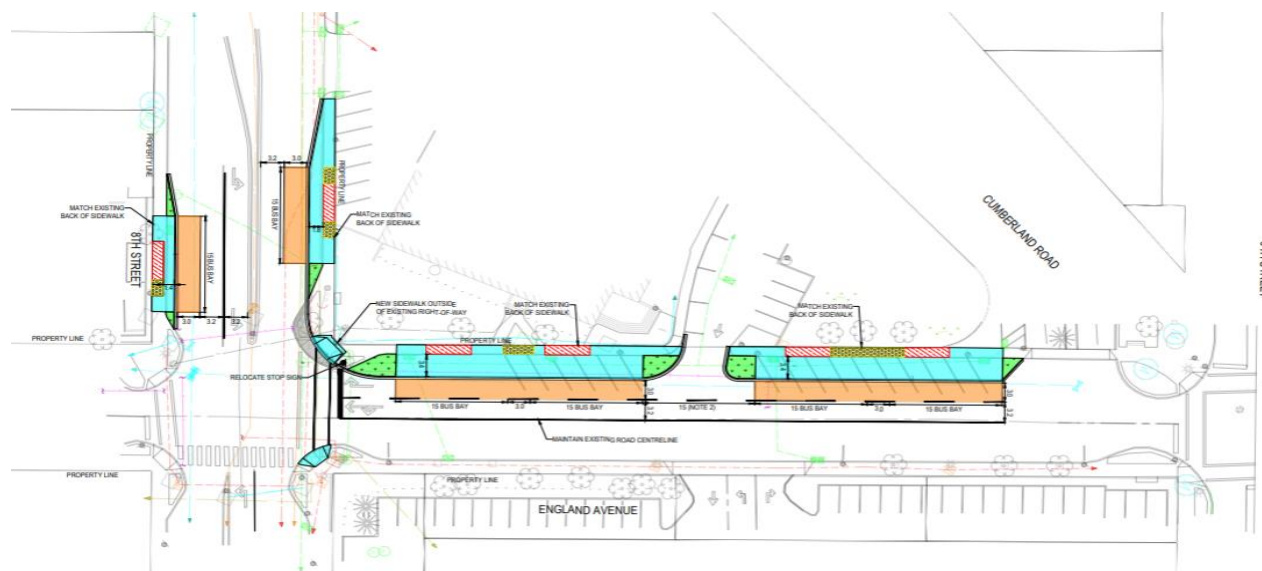
Since December 2023, BC Transit and the Comox Valley Regional District have hired a design consultant and have been working with City staff to develop and refine the detailed designs for the two exchanges within the City of Courtenay jurisdiction.

Downtown Courtenay Exchange

In the early conceptual design and route planning stages, BC Transit staff identified that the proposed routing should avoid England Avenue between 4th and 5th Streets as it would conflict with the downtown events; e.g. DCBIA Events, Farmer's Market, etc. Considering these potential impacts, BC Transit developed new routing to avoid this block and ensure efficient routing through downtown that aimed to maintain some service near the existing exchange at Cliffe Avenue at 4th Street. BC Transit also identified a preference for circulating buses in a clockwise manner around a City block to avoid left turns and minimize the risk of delays. As a result of these decisions, the current design for Downtown Courtenay Exchange contains four new bus bays on the west side of England Avenue near 8th Street in front of the Courthouse with two additional bays for route 1 along each side of 8th Street near England Avenue.

As a result of this preliminary work, BC Transit has proposed a revised exchange layout for the *Downtown Courtenay Exchange* location as depicted in **figure 1**.

Figure 1: Downtown Courtenay Exchange – Preliminary Design:



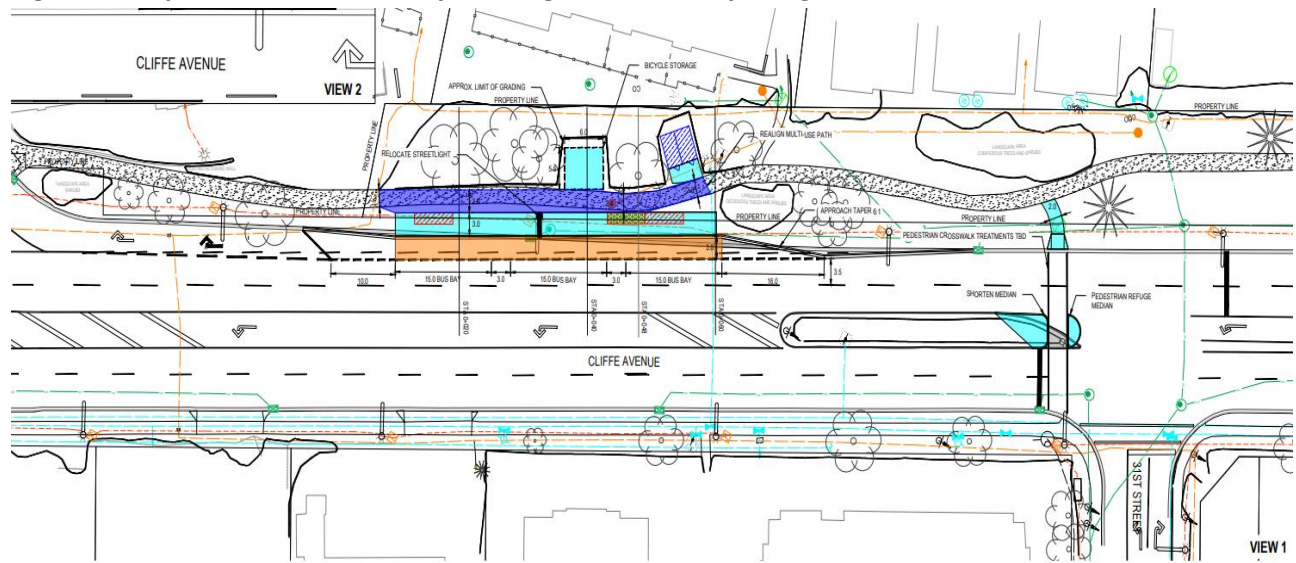
South Courtenay Exchange

The location of the South Courtenay Exchange has also been adjusted from initial designs to be slightly to the north of the mall access road entering Anfield Centre, closer to the 31st Street intersection, with the addition of a new pedestrian crossing on Cliffe Avenue at 31st Street. BC Transit, CVRD, and the City identified this as a preferred option as there is additional City land (parkland dedication along Cliffe Avenue) in this area, which could provide the required space for the development of the bus bays for the exchanges, as well as transit amenities; i.e. dedicated operator washroom, realignment of the multi-use pathway impacted by this project, the sidewalk, and the new transit shelters.

Concerning future constructability and land use planning; the proposed uses are compliant with the current zoning i.e. Parkland dedication, however, due to the shallow depth of the parkland lot, a development variance permit will be required for the siting of any structures, such as the washroom or covered bike racks, under the current Public Assembly Two Zone. To ensure the multi-use pathway parkland values are retained and align with the City's strategic documents such as the Official Community Plan (2022) and the Parks and Recreation Master Plan (2019), a review of the detailed design for the South Courtenay Exchange is required before they are finalized. Additionally, any assets that are of exclusive use by BC Transit (e.g. washrooms only for bus drivers) would require a Licence of Occupation.

As a result of this preliminary work, BC Transit has proposed a revised exchange layout for the *South Courtenay Exchange* location as depicted in **figure 2**.

Figure 2: Proposed South Courtenay Exchange – Preliminary Design:



The study further identified opportunities for enhanced transit priority measures, in the form of a traffic signal queue jump, at Ryan Road and the Old Island HWY, as well as at Old Island HWY and Comox Road. Transit queue jumps combine short dedicated transit lanes with either a leading bus interval or active signal priority, to allow buses to enter traffic flow in a priority position. Queue jumps at these two locations give transit priority by permitting them to enter the intersections ahead of regular traffic. These improvements are proposed to proceed as prescribed in **figure 3**.

Figure 3: Transit Priority Measures – Preliminary Concept:



If supported, BC Transit has proposed to start the public engagement and marketing process, this will occur throughout 2025 in alignment with a detailed design phase, with construction occurring in 2026.

POLICY ANALYSIS:

In support of the transportation mode target of 30% of trips are made by walking, cycling and transit by 2030, these transit improvements implement a number of OCP policies:

- ST 3: Support and participate in a regional approach to multi-modal transportation planning, delivery of infrastructure and services in accordance with this Plan.
- ST 7: Continue to work with the Comox Valley Regional District and BC Transit on the implementation of the Transit Future Plan, including;
 - A. Implementation of the Comox Valley Frequent Transit Corridor;
 - B. Location and design of transit exchanges in the City; and
 - C. Coordinating the Frequent Transit Network and development within the city to promote transit-supportive land use densities.

FINANCIAL IMPLICATIONS:

Following the completion of the Transit Exchange Options Evaluation report, BC Transit developed and submitted its funding application through the Investing in Canada Infrastructure Program (ICIP) in February 2023. The application covers five exchange locations (Downtown Courtenay, South Courtenay, Downtown Comox, North Island College and Oyster River) and two transit priority locations (Ryan Road at Old Island HWY and Old Island HWY at Comox Road). In December 2023, funding approval was granted for nearly \$10 million to construct these five exchanges and two transit priority locations (40% federal government, 40% provincial government and 20% Comox Valley Regional District).

While the Transit exchanges and priority measures are funded through the Regional District, the in-perpetuity maintenance costs of the exchanges will be attributable to the City operating budget going forward. Currently, the City provides annual maintenance funding for all transit-related assets within its jurisdictional boundary. The addition of these new exchange locations, including amenities will require a modest increase in annual budgetary funds to support ongoing maintenance obligations relative to current service delivery models. City staff did request an additional amenity contribution for the downtown location in the form of secure bike storage, however, due to budget limitations the request was not supported.

Finally, traffic signal infrastructure along the Old Island HWY corridor will need to be replaced in order to successfully deploy the proposed queue-jumping lines. To support these improvements, BC Transit is proposing a 50% cost-sharing agreement with the City to the estimated value of \$30,000. BC Transit has requested that the City consider its ability to contribute capital funding toward these infrastructure improvements.

ASSET MANAGEMENT IMPLICATIONS:

The installation of a new bus exchange, transit priority measures, pedestrian improvements, and cycling infrastructure on any City street where they do not currently exist is an increased level of service and is considered an upgrade under the umbrella of asset management. Increasing the level of service can include additional capital costs to implement the service and in turn, increase annual maintenance costs to operate. Council has adopted an Asset Management Policy and Bylaw to reflect this.

STRATEGIC PRIORITIES REFERENCE:

Under the Council Strategic Priorities 2023-2026, Municipal Infrastructure (Page 13);

This initiative addresses the following strategic priorities:

- Municipal Infrastructure - Continued regional collaboration: Regional Growth Strategy, Liquid Waste Management Plan, South Sewer Conveyance, organics/solid waste, air quality, and regional parks

PUBLIC ENGAGEMENT:

Public communications and engagement for the transit exchanges will be led by BC Transit in coordination with the CVRD. A communications and engagement plan have been prepared by BC Transit and preliminary information has been shared with key project partners. Engagement falls within the inform and consult levels of engagement where consult will be pursued with key interest holders when input will help in adapting and adjusting enhancements, such as with the Comox Valley Accessibility Committee. Key communication tools include a BC Transit project webpage with a project overview for all 5 regional transit exchanges and an opportunity for the public to pose comments and ask questions. <https://engage.bctransit.com/comox-valley>

Additionally, the BC Transit plans to engage directly with property owners within proximity of the transit exchanges and with the Downtown Courtenay Business Improvement Association (DCBIA) directly. Downtown business owners will receive informative letters, including information about how the transit exchanges are being coordinated with the Downtown Vitalization Local Area Planning process, which will allow the public to share place-making ideas on some details of the Downtown Courtenay Transit Exchange.

OPTIONS:

1. THAT Council endorse the proposed improvements to the Comox Valley Regional Transit System's key exchanges within the City and provide support for BC Transit and the Comox Valley Regional District's design, public engagement and construction processes; and

THAT Council direct staff to seek funding support from the Comox Valley Regional District Transit Service in support of the construction and upgrades to City-owned traffic signal infrastructure, required to support transit queue jump lanes.

2. THAT Council endorse the proposed improvements to the Comox Valley Regional Transit System's key exchanges within the City and provide support for BC Transit and the Comox Valley Regional District's design, public engagement and construction processes; and

THAT Council provides financial support up to a maximum contribution amount of \$30,000 in the form of Capital Funding for the construction and upgrade of City-owned traffic signal infrastructure, required to support transit queue jump lanes.

3. THAT Council provide alternate direction to staff.

ATTACHMENTS:

1. BC Transit Update – Comox Valley Exchange Project

Prepared by: Matthew Brown, Manager of Transportation Services

Reviewed by: Nancy Gothard, RPP MCIP, Manager of Community and Sustainability Planning
Joy Chan, Manager of Business Administration
Kyle Shaw, Director of Operational Services

Concurrence: Chris Davidson, Director of Infrastructure and Environmental Engineering – Acting City
Manager (CAO)



City of Courtenay

BC Transit Update | Comox Valley Exchange Project

Seth Wright, Senior Manager of Government Relations | BC Transit

Michael Zbarsky, Manager of Transit and Facilities | Comox Valley Regional District

April 2, 2025

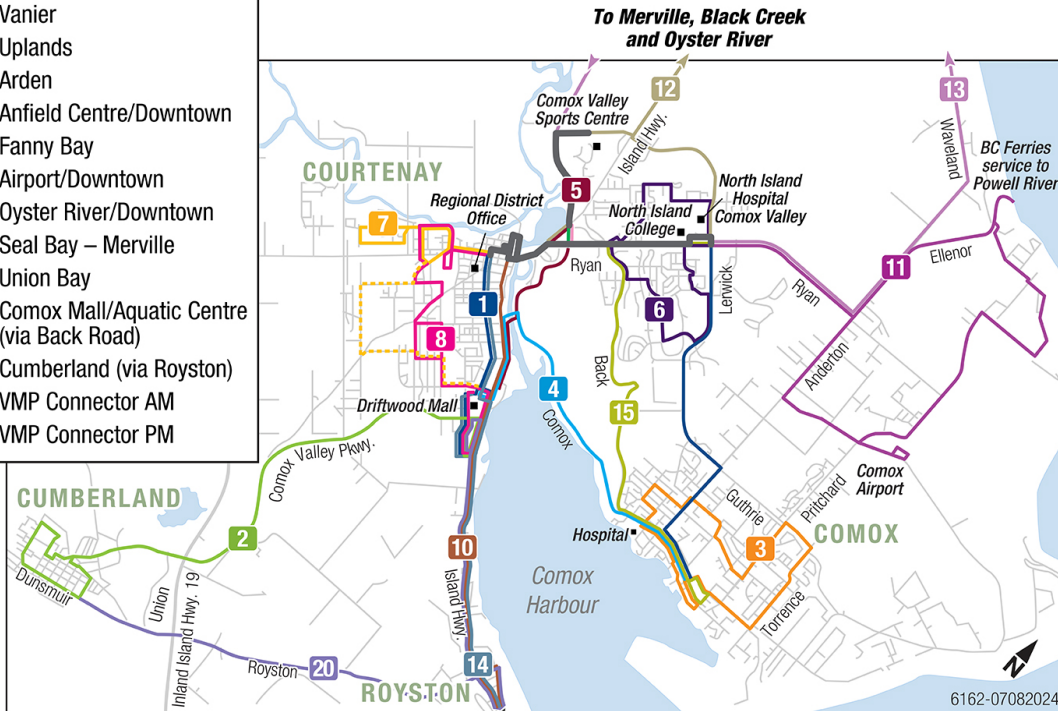


Outline

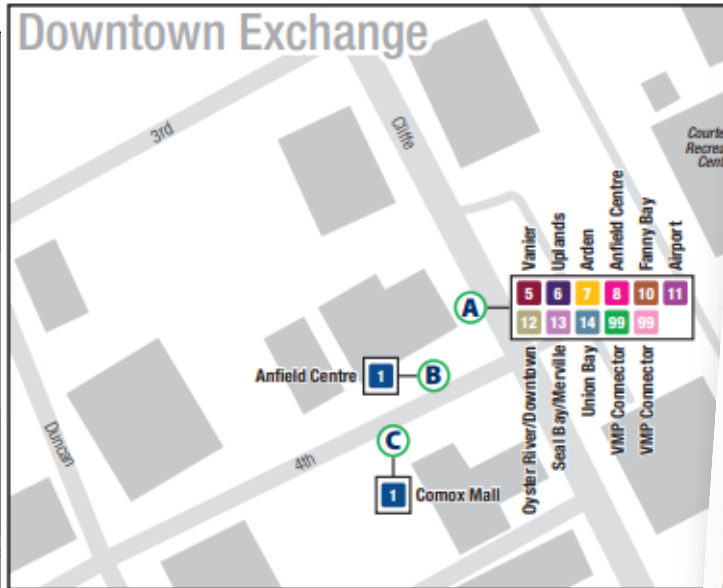
- Context: Purpose of Exchange
- Development of Exchange Project
- Bus Stop Activity Map
- Revised Exchange Layout
- Exchange Amenities
- Project Timeline & Public Engagement
- Next Steps

Context: Comox Valley Regional Transit

- 1 Anfield Centre/Comox Mall
- 2 Cumberland/Anfield Centre
- 3 Comox Local
- 4 Driftwood Mall/Comox Mall
- 5 Vanier
- 6 Uplands
- 7 Arden
- 8 Anfield Centre/Downtown
- 10 Fanny Bay
- 11 Airport/Downtown
- 12 Oyster River/Downtown
- 13 Seal Bay – Merville
- 14 Union Bay
- 15 Comox Mall/Aquatic Centre (via Back Road)
- 20 Cumberland (via Royston)
- 99 VMP Connector AM
- 99 VMP Connector PM



To Union Bay,
Buckley Bay Ferry Terminal
and Fanny Bay



Context: What is a Transit Exchange?



Transit exchanges are typically located within the core activity centres of a community – such as in downtown or adjacent to shopping malls –to provide convenient access to key destinations.

When well designed, transit exchanges are effective pedestrian-oriented, multi-modal transportation hubs.

Transit exchanges should provide:

- Weather protection
- Seating
- Transit route and timetables
- Lighting
- Bike parking

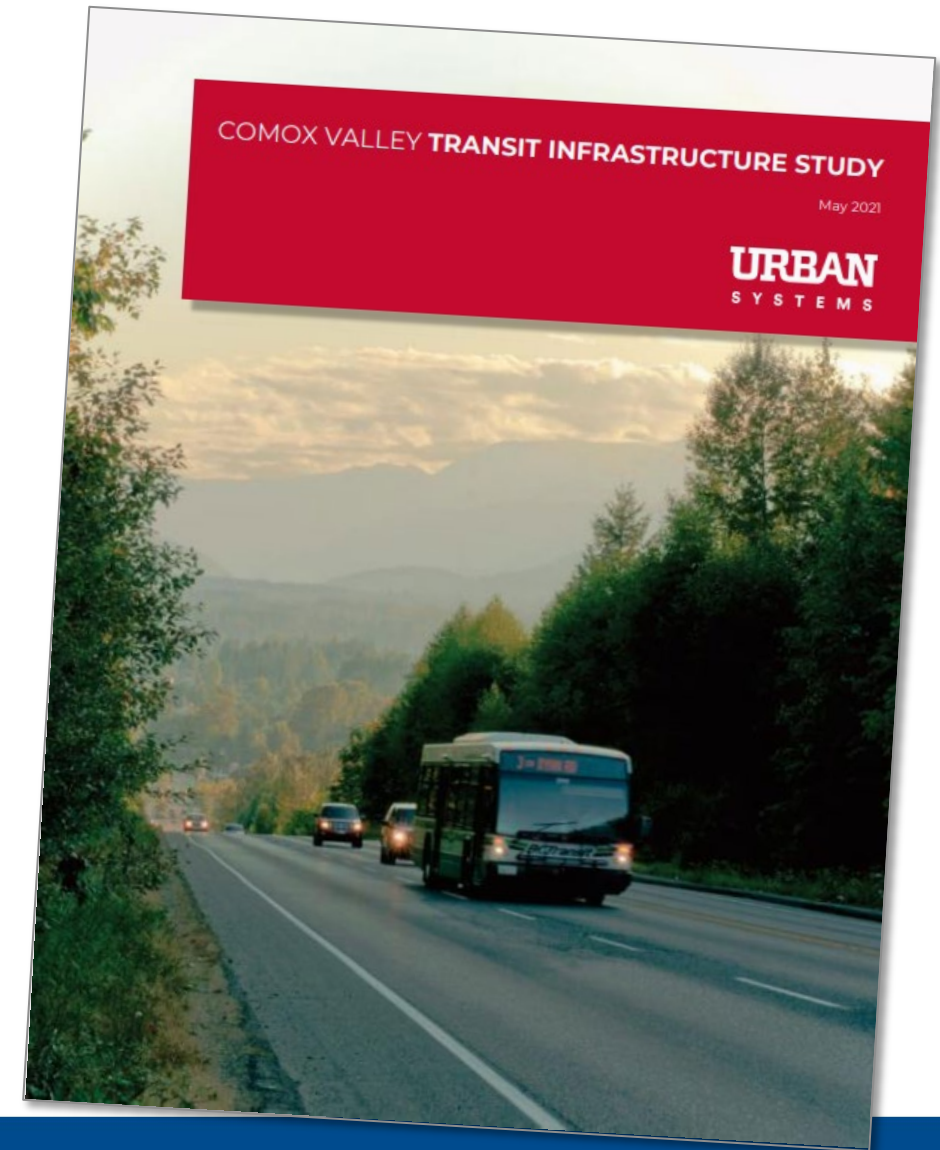
Comox Valley Transit Future Planning

- **2014 Transit Future Plan** sets out an ambitious 25-year plan to triple ridership.
- **2022 Transit Future Action Plan** sets out Infrastructure Priorities:
Improved & Expanded Transit Exchanges:
 - i. South Courtenay
 - ii. Downtown Courtenay
 - iii. Oyster River
 - iv. Downtown Comox
 - v. North Island College
 - Ryan Rd./Old Island Hwy Transit Priority



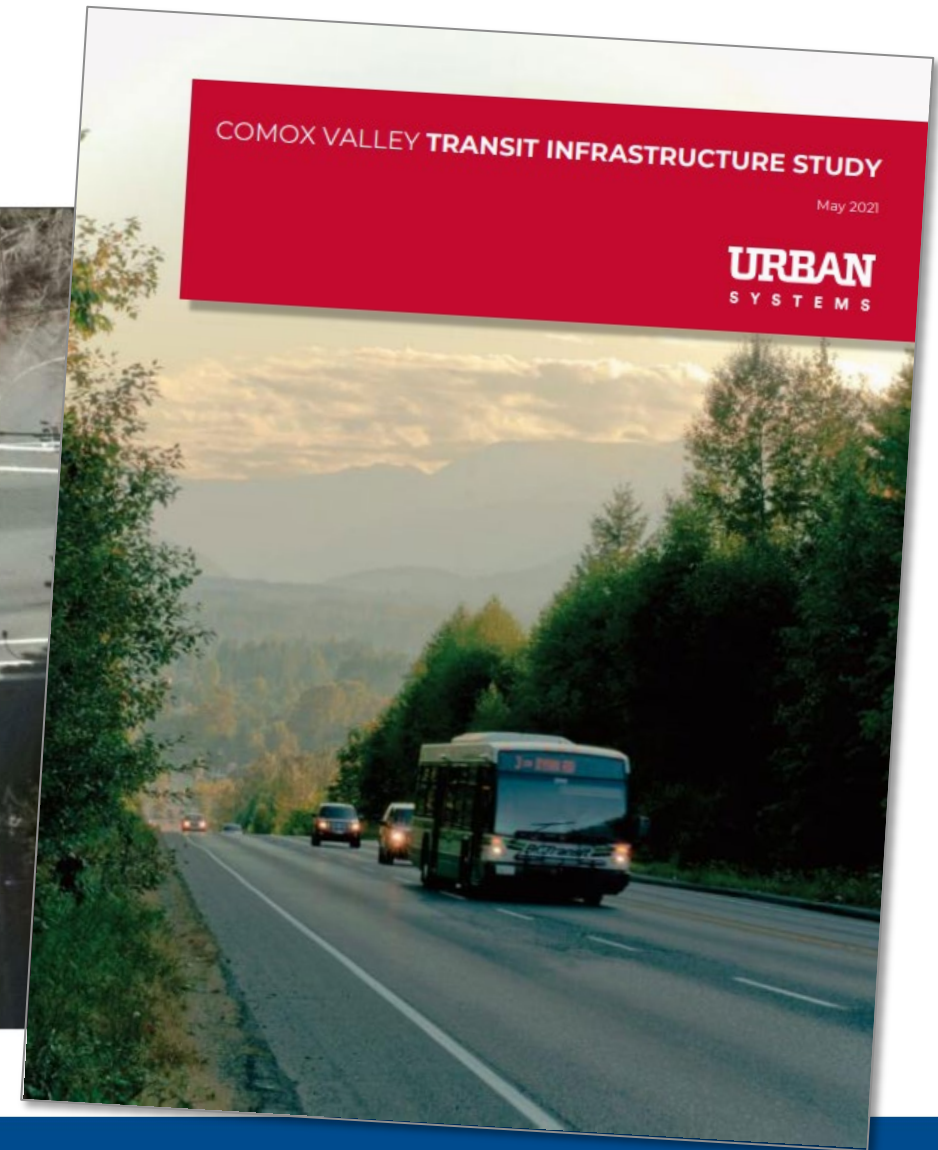
Development of Exchange - History

FIGURE 8. DOWNTOWN COURTENAY EXCHANGE CONCEPT



Development of Exchange - History

FIGURE 5. SOUTH COURTENAY TRANSIT EXCHANGE CONCEPT

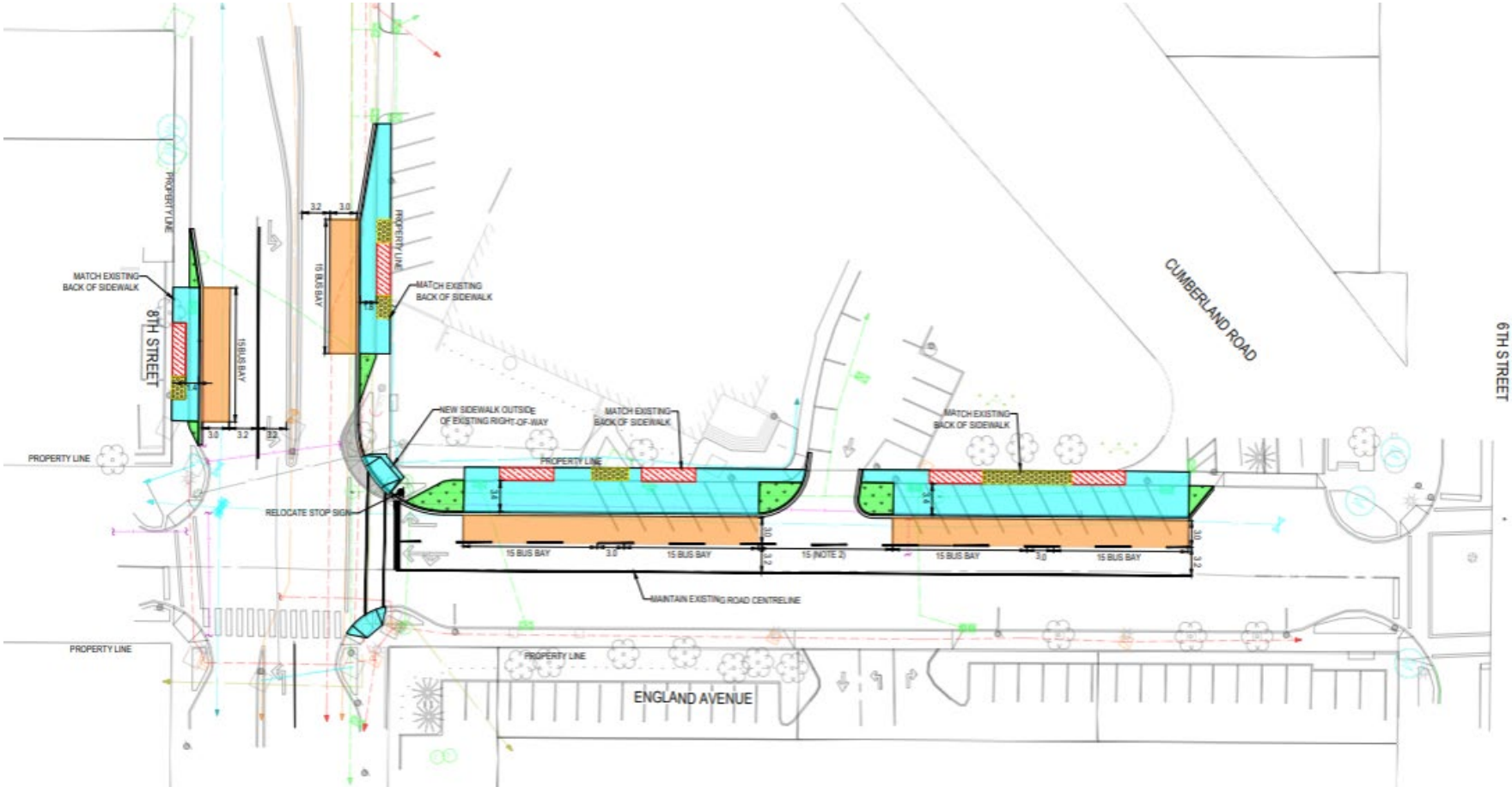


Development of Exchange – Council Direction

January 17, 2022 City of Courtenay Council:

“THAT...Council approve OPTION 1 and provide a Letter of Support in Principle...for only the transit exchanges and transit priority measures at the intersection of Ryan Road and Old Island Highway, and at Old Island HWY and Comox Road; and, THAT Council request that the CVRD modify the Comox Valley Transit Infrastructure Study to move the transit priority measure at Old Island HWY and Comox Road to the short term, and, adding traffic signal coordination along Old Island HWY from Ryan Road, across the 5th Street bridge to Cliffe Avenue and 8th Street, AND THAT Council direct staff to proceed with the conceptual design in Appendix A, upon completion of the 5th Street Bridge Rehabilitation Project.”

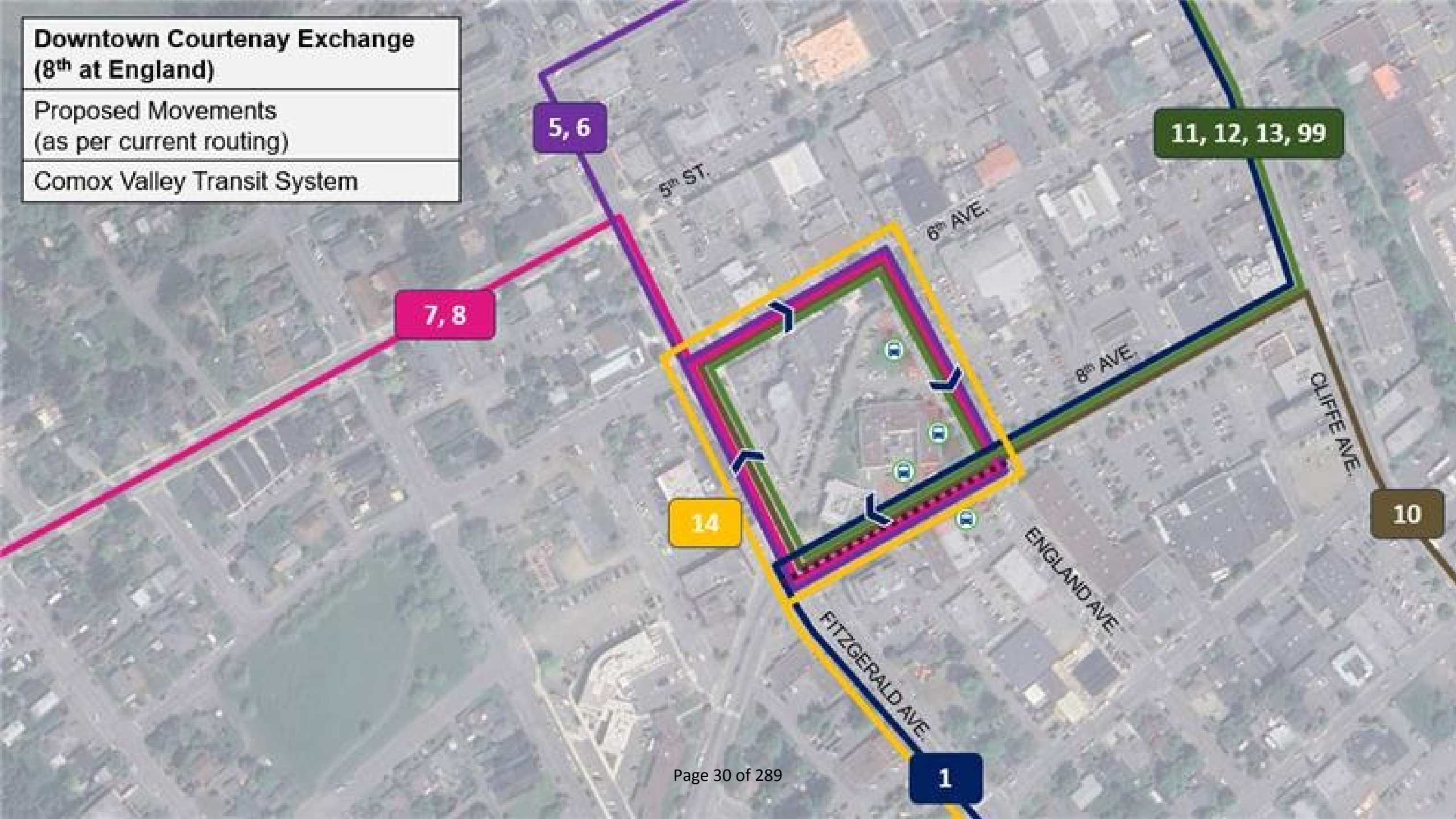
Revised Exchange Layout – Downtown Courtenay



**Downtown Courtenay Exchange
(8th at England)**

Proposed Movements
(as per current routing)

Comox Valley Transit System



5, 6

11, 12, 13, 99

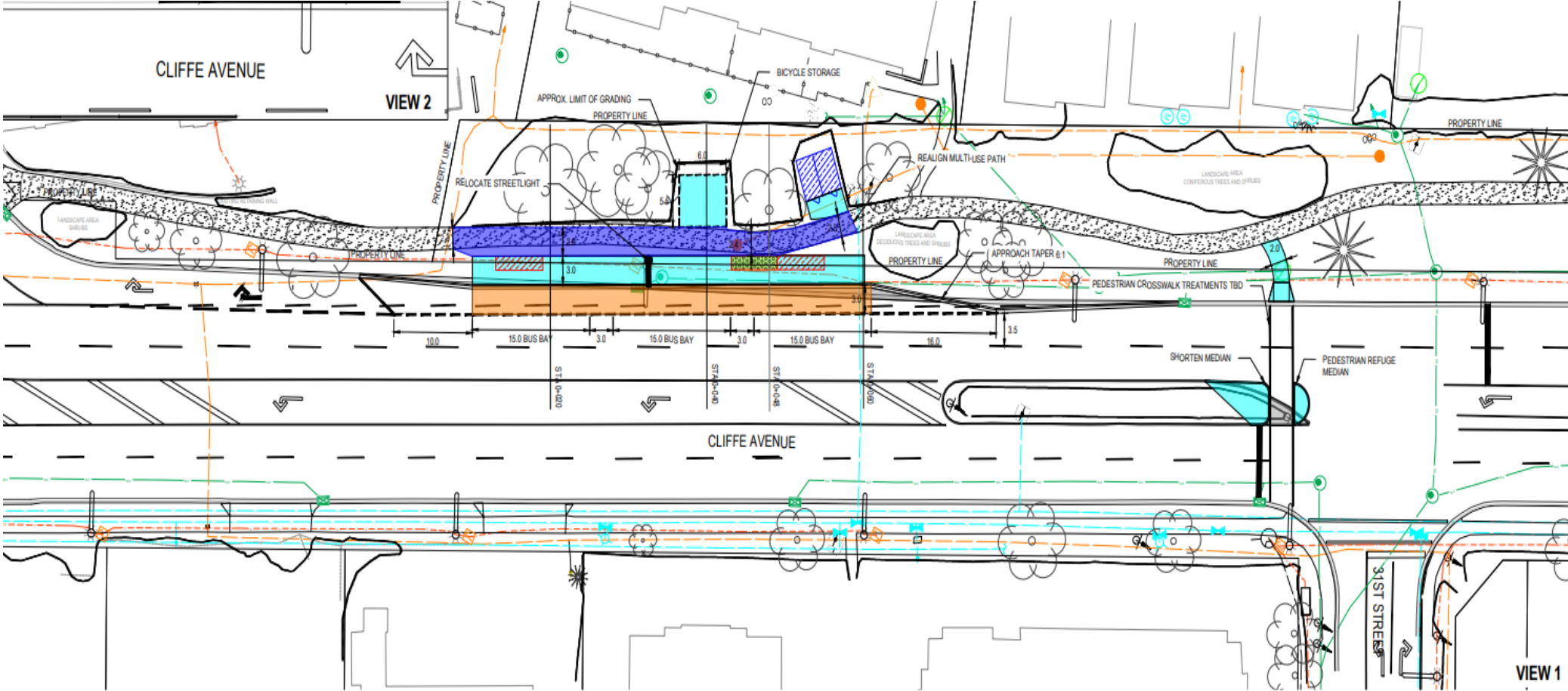
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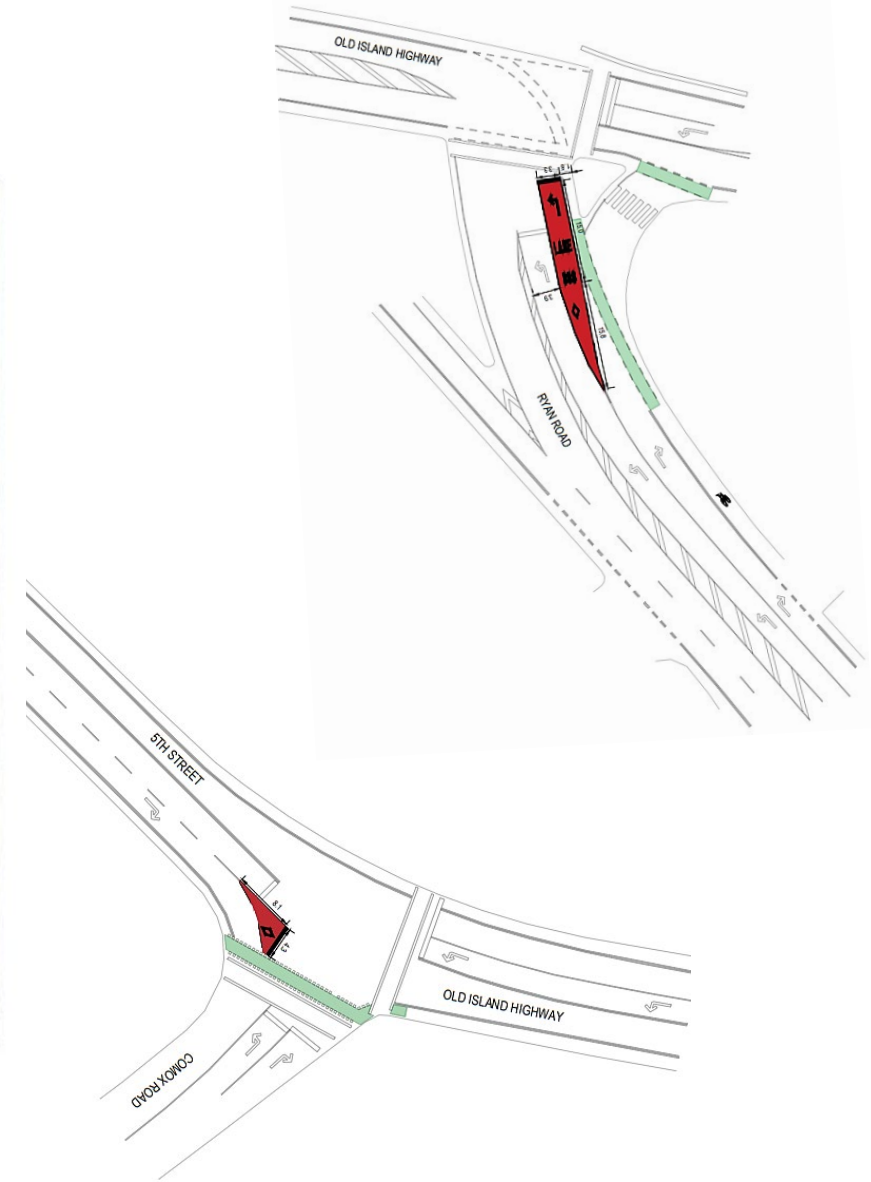
Revised Exchange Layout – South Courtenay



Transit Priority Measures



Figure 1 Transit Priority Reference Designs

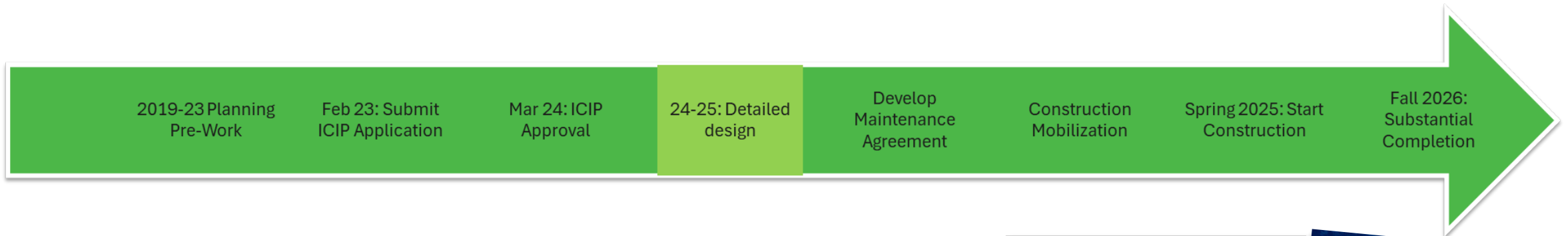


Transit Exchange Improvements

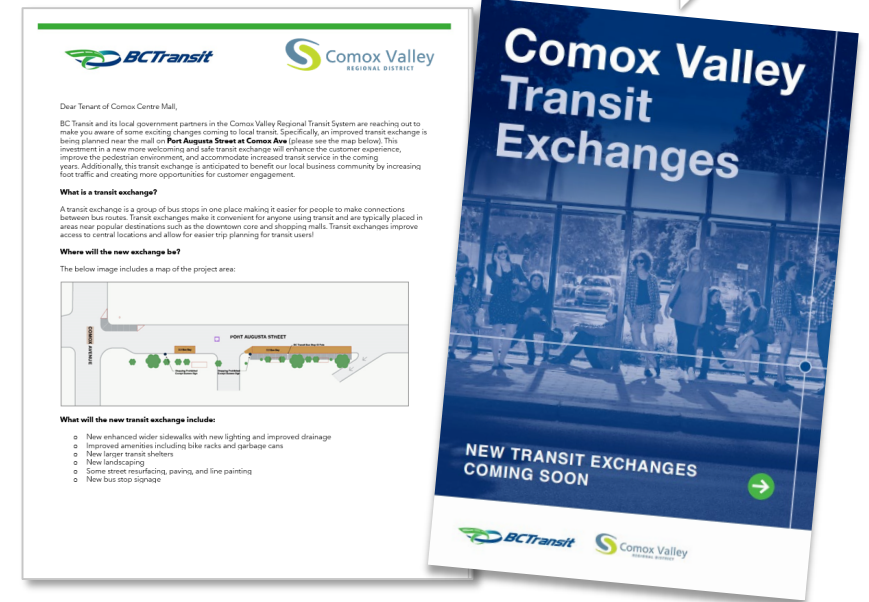
- New T4 Cantilevered Shelters
- New bike racks
- Enhanced lighting
- Wider sidewalks
- New landscaping
- Improved pedestrian environment
- Garbage receptacles
- Dedicated driver washroom (South Courtenay)



Transit Exchange Project Timeline & Engagement



- Distribution of Exchange Project Postcard
- Mailout of Project Letter (within 50 m)
- Webinar with Downtown BIA
- BC Transit Project Website



Next Steps

- Facilitate ongoing stakeholder and public engagement
- Finalize detailed design process
- Develop maintenance agreement
- Schedule construction
- Continue engagement during construction
- Celebrate completion



Mike Zbarsky
Manager, Transit and Facilities
tel. 250-334-6037 | mzbarsky@comoxvalleyrd.ca

Seth Wright
Senior Manager, Government Relations
cell 250-880-8039 | swright@bctransit.com



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 5335-20

From: City Manager (CAO)

Date: April 2, 2025

Subject: 6th Street Multi-Modal Corridor Enhancement – Grant Application

PURPOSE:

The purpose of this report is to seek Council’s support for both the interim and ultimate cross-section design options for the 6th Street Corridor and for Council to provide approval for staff to apply for grant funding for the 6th Street Multi-Modal Corridor Enhancement project through the National Active Transportation Fund Application and British Columbia Active Transportation (BCAT) Fund Application.

EXECUTIVE SUMMARY:

Infrastructure Canada’s Active Transportation Fund will provide \$400 million over five years to support a modal shift away from cars and toward active transportation, in support of Canada's National Active Transportation Strategy. The Active Transportation Fund will invest in projects that build new and expanded networks of pathways, bike lanes, trails and pedestrian bridges, in addition to supporting active transportation planning and stakeholder engagement activities. Qualified capital projects are funded up to \$50 million per project, with a maximum contribution rate of 60% for federal funding and up to 100% when stacked with provincial funding. Eligible costs include capital, design and planning, and grant requirement costs, such as signage. Pending council resolution, staff will submit a grant application to fund the construction of the 6th Multi-Modal Corridor Enhancements.

Additionally, an application to the B.C. Active Transportation Infrastructure Grant fund is planned for the Fall of 2025. This is the same grant opportunity that the City has been successful with in the past for projects such as 17th Street, Fitzgerald Ave, Back Rd, and 5th Street. This funding stream is being targeted to support the interim bi-directional bike lane treatment on 6th Street, including protected facilities on the south side of 6th Street and intersection treatments at Cliffe Avenue and Fitzgerald Avenue. The province cost-shares to a maximum of \$500,000 per project, with a contribution rate of 50% of the applicant’s share. Eligible costs include capital infrastructure directly related active transportation infrastructure.

BACKGROUND:

The City’s past downtown revitalization concepts and previously contemplated improvements for 6th Street are the starting point for considering multi-modal corridor enhancement options. Key components include consideration of 6th Street as a “green street” per the Downtown Playbook, as well as 6th Street as the key east-west cycling corridor through the downtown area per the Cycling Network Plan. Consideration is also to be given to the following specific locations along the corridor:

6th Street Multi-Modal Corridor Enhancement – Grant Application

- Opportunities to further the Duncan Commons concept, including accommodating possible closures to host festivals and special events;
- Transition to/from the future 6th Street Active Transportation Bridge and the Riverway Trail; and
- Accommodation of transit access/egress to the planned future transit exchange on England Avenue.

Progress is being made toward an interim design treatment for 6th Street that includes a two-way cycling facility on the south side, including bicycle signal at Cliffe Avenue and cyclist-activated crossing at Fitzgerald Avenue. This treatment is currently being advanced through concept and detailed design, in anticipation of an application to the B.C. Active Transportation (BCAT) Infrastructure Grant program in September / October 2025. The BCAT Grant has an annual intake, providing up to 60% funding, up to \$500,000 to support active transportation infrastructure investment.

More recently the Government of Canada announced the most recent intake for the National Active Transportation Fund (NATF). This grant opportunity allows for 60% funding for infrastructure improvements supporting active transportation, supporting projects with a significantly larger funding ceiling. Staff have determined that the full build-out of 6th Street, including protected bike lanes, widened sidewalks, bike storage and support streetscape and public realm enhancements would make for a strong application to the NATF.

DISCUSSION:

In response to a review and direction by Council, Urban Systems was retained by the City to review and provide a recommended option. A key outcome from the discussion and subsequent conversations with staff was the desire to advance cycling improvements on 6th Street as the 6th Street Active Transportation Bridge is completed (anticipated 2026/2027).

An interim treatment has been identified consistent with a two-way protected bike lane that would see bi-directional bike lanes replacing on-street parking and curb extensions on the south side of 6th Street, with associated intersection upgrades at Cliffe Avenue and Fitzgerald Avenue, as illustrated in Appendix I. These improvements could be realized over the next few years with only modest cost and impacts, with the potential still for a more comprehensive streetscape and urban design revitalization pursued longer term. These improvements would form the City's B.C. Active Transportation (BCAT) Infrastructure Grant program application.

To complement our interim treatment and meet the corridor's build-out strategy, a more detailed concept design and cost estimate should be advanced. This next step will allow the City to understand the full impact and costs associated with the proposed changes. To achieve this, staff propose an application under the National Active Transportation Fund (NATF) to deliver the following:

- Specify dimensions and design of travel lanes, bi-directional bike lanes and physical protection between travel lane and bike lane;
- Impact on on-street parking on 6th Street and surrounding area;

6th Street Multi-Modal Corridor Enhancement – Grant Application

- Extent of the removal for existing curb extensions (est. 5 locations), including any landscape and tree loss (assumes no mature trees impacted);
- Impact on public space and seating area associated with curb extension / public space removal in front of the library;
- Impact on drainage associated with the removal of existing curb extensions (5 locations)
- Required street light relocation (est. 3 street lights);
- Required curb ramp, crosswalk and sidewalk reconfiguration due to loss of curb extensions (England Ave, Fitzgerald Ave intersections);
- Consultation on bike storage needs;
- Confirm bicycle crossing treatments at Cliffe Avenue and Fitzgerald Avenue, including the requirement for a dedicated bicycle signal (Cliffe Ave) and cyclist-activated treatment (Fitzgerald Ave);
- Study of impact on intersection performance at Cliffe Avenue resulting from removal of one eastbound travel lane and bicycle signal and dedicated signal phase for cyclists.

For delivery on both projects, the interim and ultimate design, staff propose the next steps:

- Develop detailed concept design and cost estimates for the preferred enhancement option;
- Undertake a two-phased preliminary public engagement approach. First with the Downtown Courtenay Business Improvement Association (DCBIA), followed by the downtown business community, Courtenay residents, and other stakeholders;
- Undertake follow-up engagement with the downtown business community, DCBIA and directly impacted property / business owners;
- Secure funding to advance enhancement project, including possible external grant opportunities related to active transportation, economic development and/or downtown beautification; and
- Advance to detailed design, tendering and construction. Consideration may be given to the opportunity to “pilot” the preferred enhancement option, in full or in part, prior to permanent construction. This could utilize rapid implementation measures (e.g., lower-cost materials, within available curb space, faster implementation time) and would enable further feedback from the downtown business community, residents, and other stakeholders.

As staff reflected on both existing and future policies, the Downtown Courtenay Playbook and the Downtown Local Area Plan, each recommended a series of corridor improvements that integrate several key elements: green street design, enhanced community services, public spaces, and a supportive infrastructure for active transportation. The recommended improvements (cross-section) aim to create a pedestrian-friendly, vibrant, and sustainable downtown environment, while also considering opportunities for gathering spaces and community use.

While the proposed cross-section improvements do not exactly match the original conceptual designs, as contemplated within the Downtown Playbook, the overall delivery of the recommended upgrades has been successfully achieved. Importantly, these changes preserve and reflect the unique history and character of the downtown corridors, ensuring that the area’s heritage is honoured while embracing modern urban planning principles. The resulting direction of Council, with respect to the preferred cross-section, will go on

6th Street Multi-Modal Corridor Enhancement – Grant Application

to guide the remaining Downtown Local Area Plan planning work as it relates to forward design and ultimate use of the 6th Street corridor.

FINANCIAL IMPLICATIONS:

Both BCAT and the NATF project application have financial implications. The following is a summary of each respective project and application.

If the BCAT interim project is approved, the class C cost estimate is \$981,600. Of that, the City would be responsible for 50 %, or \$490,800 in the 2026/2027 financial years.

If the NAFTA ultimate build-out project is approved, the class C cost estimate is \$4,826,500. Of that, the City would be responsible for 40 %, or \$ 1,930,600 in the 2026/2027 financial years.

A detailed cost estimate is not required to be submitted at the time of both applications. If the grants are approved, a detailed cost estimate will need to be submitted and included in the finalized agreement. It's expected that this timeline will allow the detailed design to be completed and develop more accurate cost estimates.

ADMINISTRATIVE IMPLICATIONS:

The 6th Street Multi-Modal Corridor Enhancement will be led by Operational 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 budget.

STRATEGIC PRIORITIES REFERENCE:

Under the Council Strategic Priorities 2023-2026, Streets and Transportation (Page 7);

This initiative addresses the following strategic priorities:

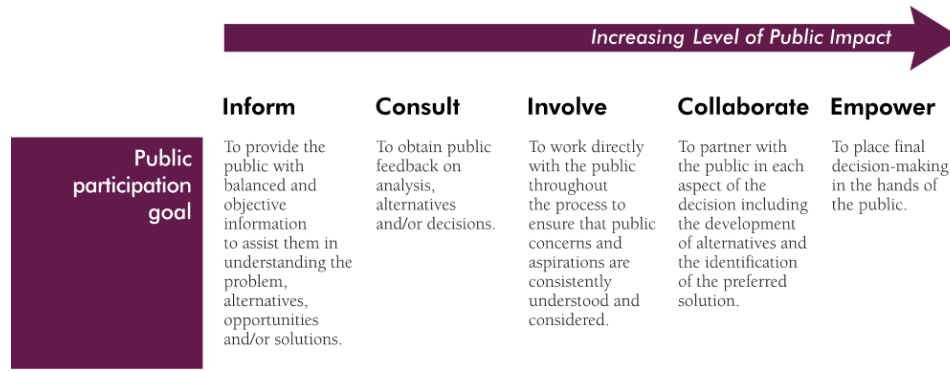
- Streets and Transportation - Update cycling network plan and implementation strategy
- Streets and Transportation - 6th Street Bridge design and funding

PUBLIC ENGAGEMENT:

Staff would 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

6th Street Multi-Modal Corridor Enhancement – Grant Application



© International Association for Public Participation www.iap2.org

OPTIONS:

1. THAT Council endorse the preferred cross-section for the 6th Street Corridor, and THAT Council provide in principle support for the application to the National Active Transportation Fund for the ultimate build-out of 6th Street including two-way protected cycling facilities, pedestrian and public realm improvements; and
 FURTHER THAT Council direct staff to prepare an application for 2025 B.C. Active Transportation Infrastructure Grant fund for the interim cycling improvements on 6th Street.
2. THAT Council endorse the preferred cross-section for the 6th Street Corridor, and THAT Council direct staff to prepare an application for 2025 B.C. Active Transportation Infrastructure Grant fund for the interim cycling improvements on 6th Street.
3. THAT Council provide alternative direction to staff.

Attachments:

1. 6th Street Multi-Modal Corridor Enhancement – Council Presentation
2. 6th Street Multi-Modal Corridor Enhancement - Options Assessment

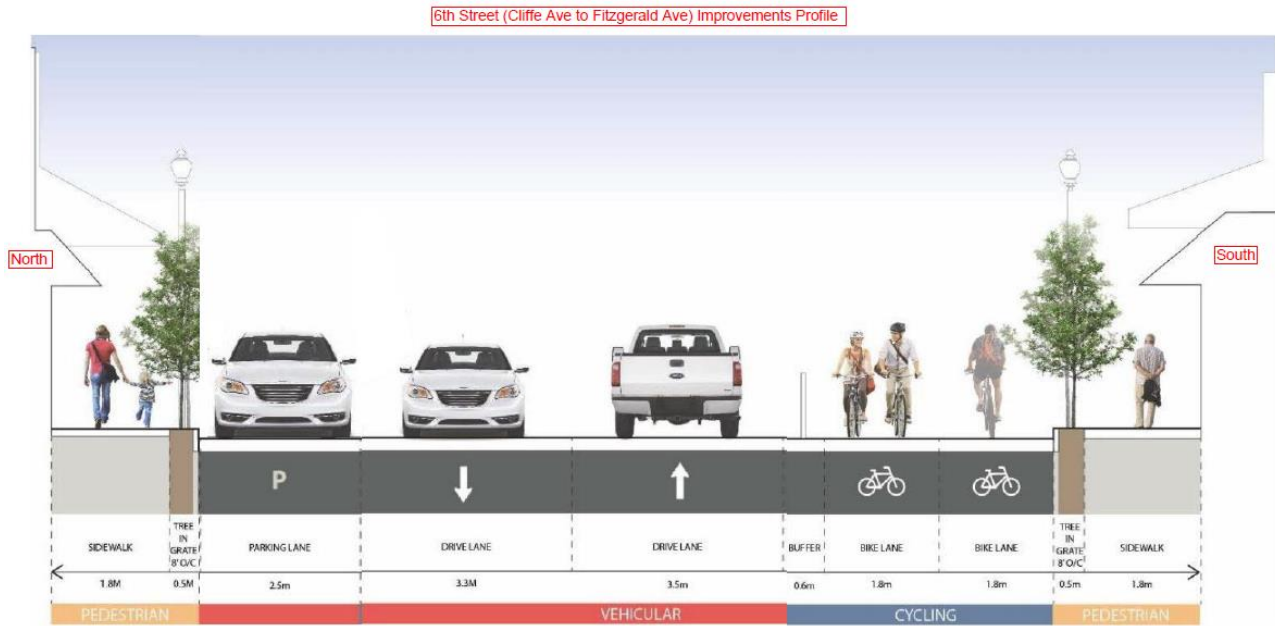
Prepared by: Matthew Brown, Manager of Transportation Services

Reviewed by: Brandon Donais, Manager of Operational Projects
 Kyle Shaw, Director of Operational Services

Concurrence: Chris Davidson, Director of Infrastructure and Environmental Engineering – Acting City Manager (CAO)

6th Street Multi-Modal Corridor Enhancement – Grant Application

Appendix I



6th Street Multi-Modal Corridor Enhancements



Overview

Why Enhance 6th Street?

Recap on *Options Assessment* process

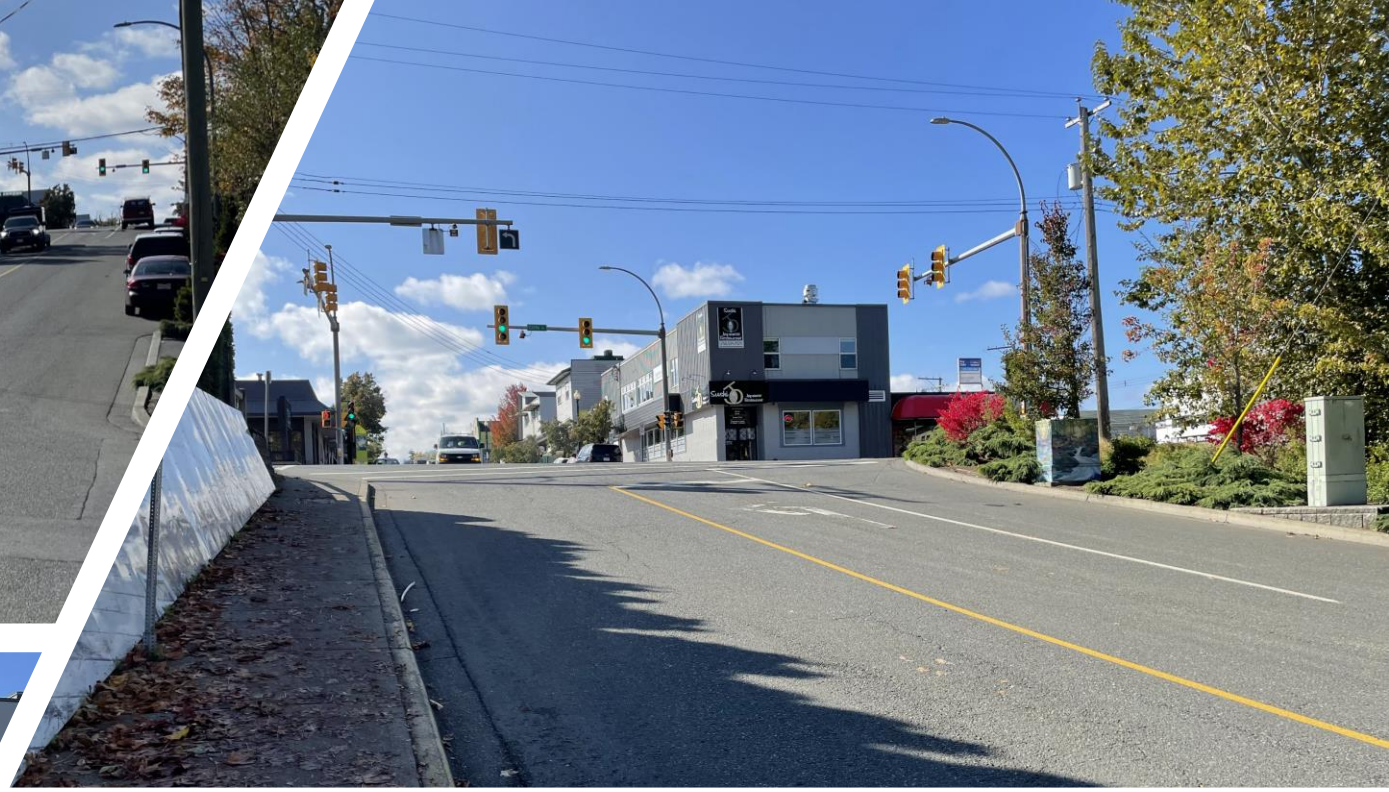
Latest thinking on implementation

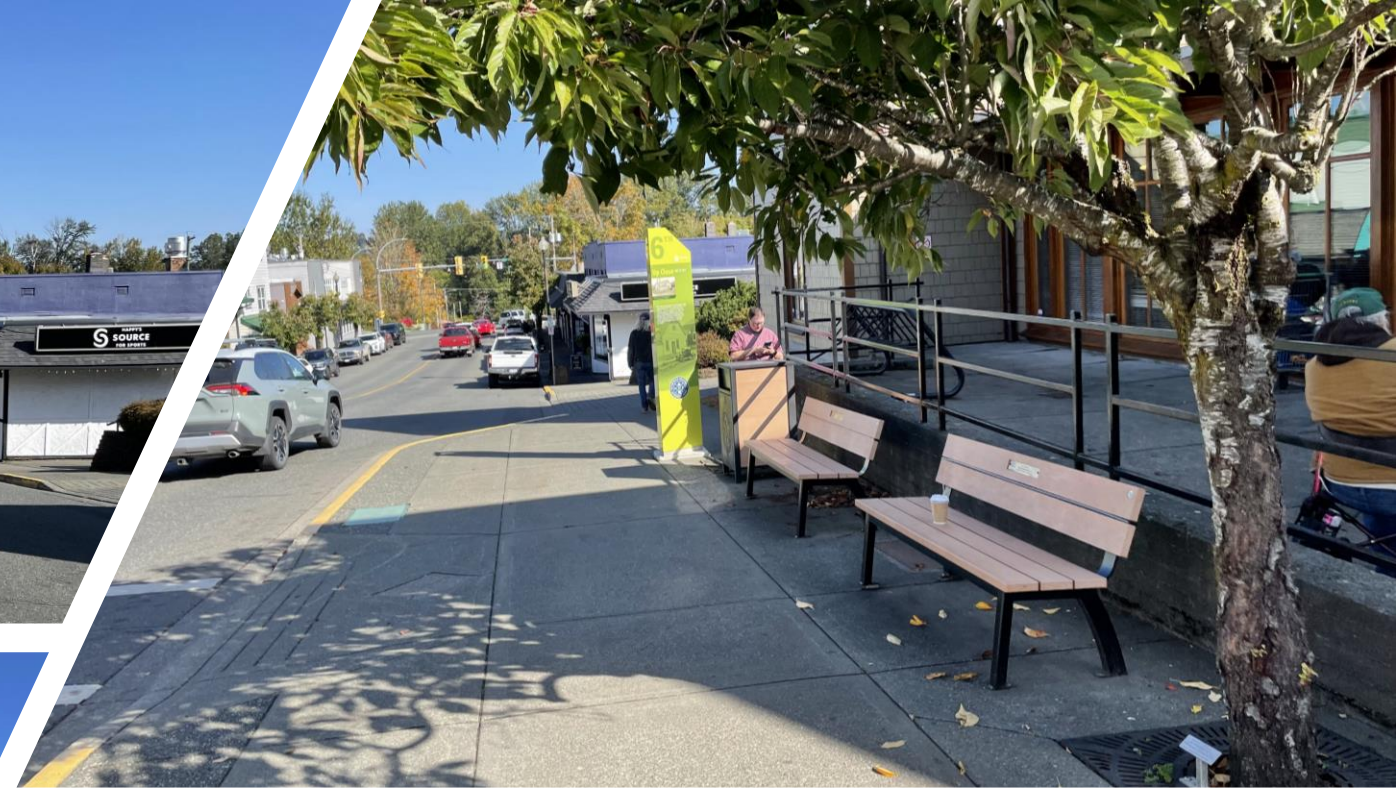
Approach to grant funding



Why Enhance 6th Street?









Why Enhance 6th Street?

6th Street Concept, from OCP:

Dedicated cycling and walking connection from west to east Courtenay, connecting community services and public spaces, serving as a festival street integrated with a Downtown Commons and Mews with plenty of public outdoor seating and greenery.

Why Enhance 6th Street?

Transportation Objectives, from OCP:

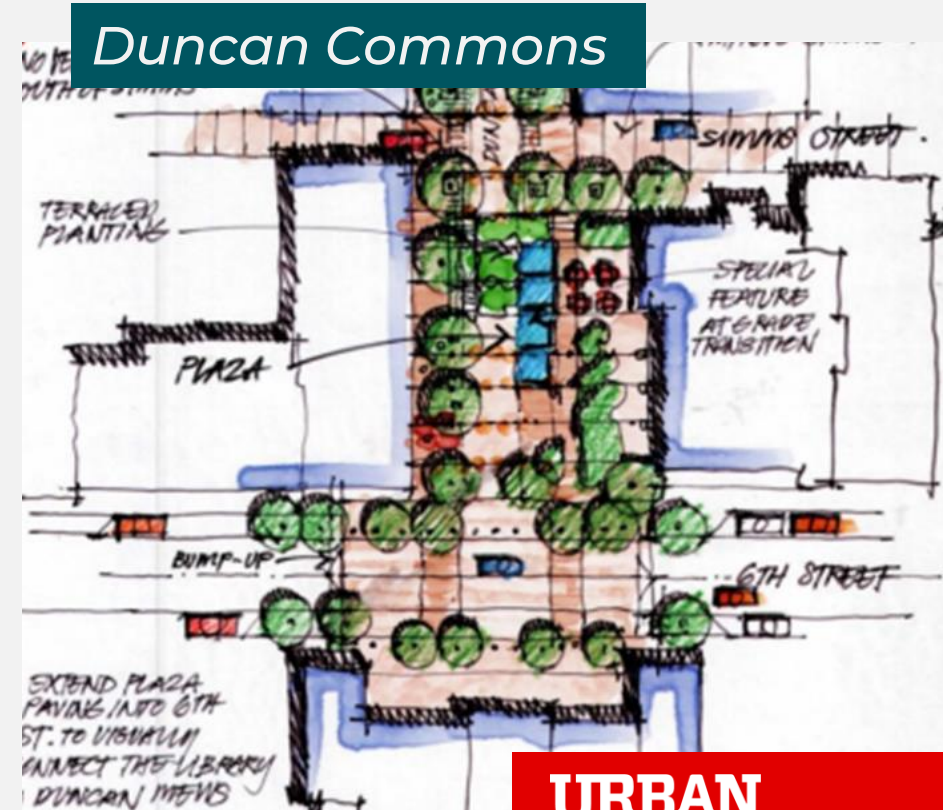
- 1 *30% of trips are by walking, cycling, and transit by 2030*
- 2 *Transportation investments prioritize walking, cycling, and transit*
- 3 *Street standards include attention to safety, accessibility, and comfort at the pedestrian scale*
- 4 *Excess existing road space is repurposed to support public life, active travel, and green infrastructure*

Why Enhance 6th Street?

Downtown Playbook



6th Street "Green Street"

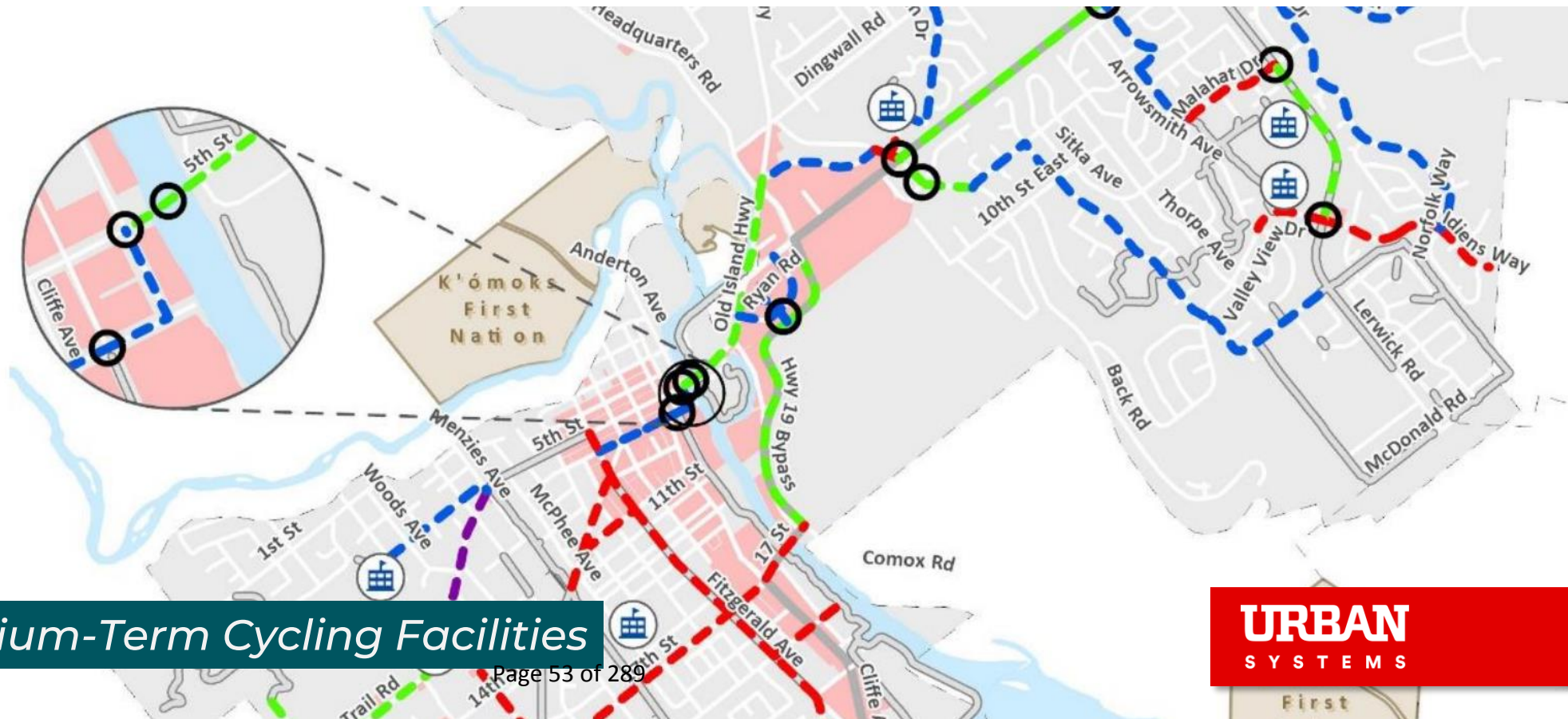


Duncan Commons

Why Enhance 6th Street?

Cycling Network Plan (CNP)

- Protected Bicycle Lane / Cycle Track
- Multi-Use Path (Adjacent To Street)
- Bike Boulevard / Neighbourhood Bikeway
- Buffered / Painted Bicycle Lane



Short- & Medium-Term Cycling Facilities

Why Enhance 6th Street?

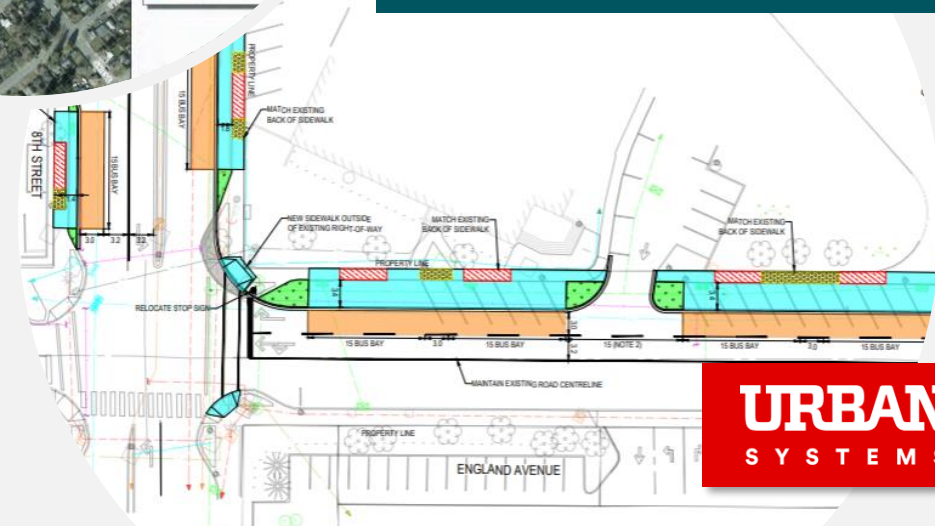


6th Street Active Transportation Bridge



Downtown Vitalization Local Area Plan

Downtown Transit Exchange



Implementation

Proposing to approach implementation on two timeframes to maximize grant funding opportunity...



Interim
Treatment



Ultimate
Build-Out

Implementation

Interim Treatment

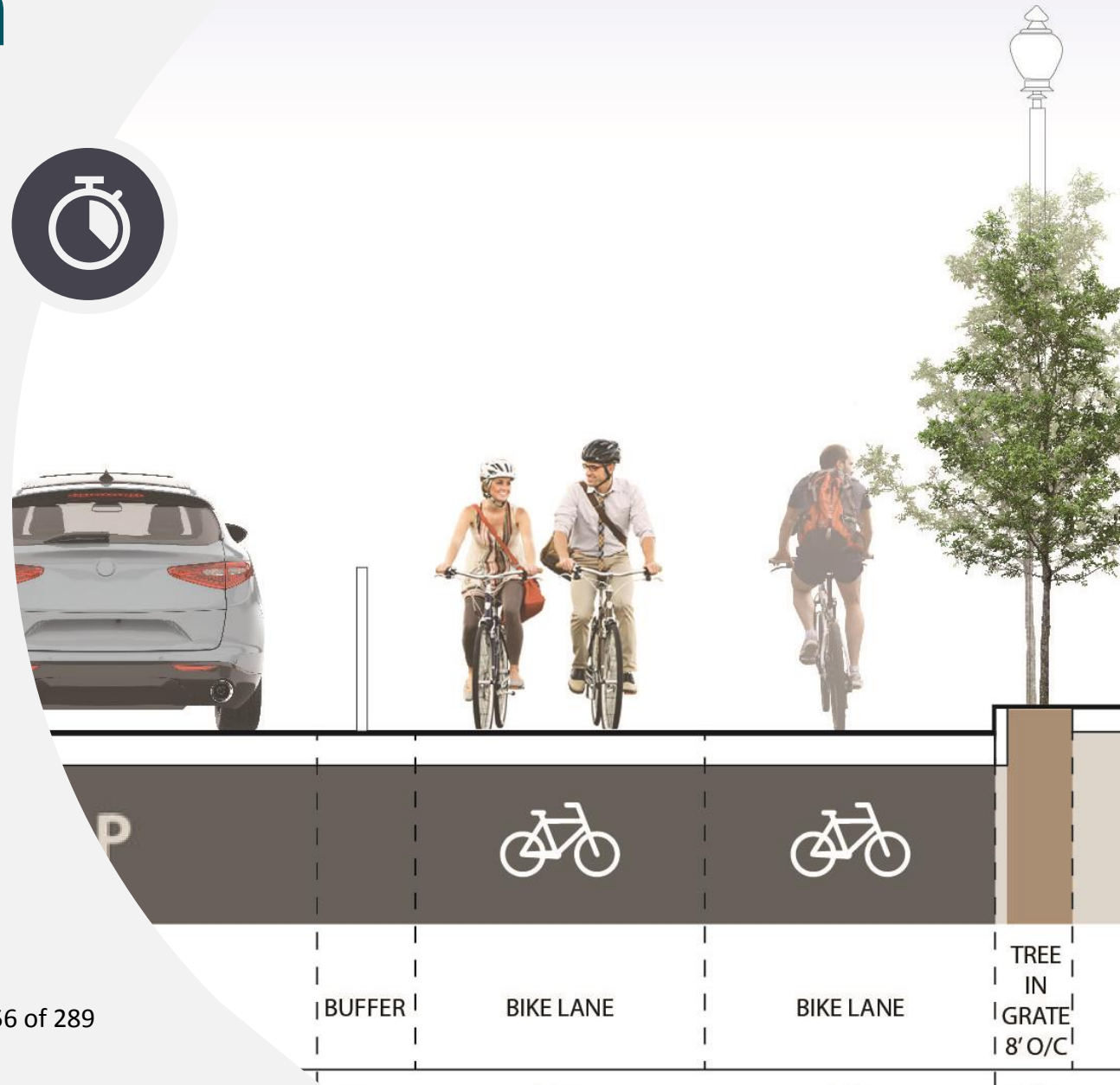


Add two-way protected bike lane on south side

Remove parking on north side

Remove curb extensions on south side

New bike signal at Cliffe Avenue for safe crossing



Implementation

Ultimate Build-Out



Comprehensive streetscape redesign

Enhanced active transportation facilities

New trees and landscape

Features to support temporary street closures



Grant Opportunities

National Active Transportation Fund

B.C. Active Transportation Infrastructure Grant

Timing	Feb 2025	Fall 2025 (expected)
Total Value	60%, no limit	50%, up to \$500,000
Eligible \$	Engagement, Design + Construction	Construction only



Summary + Next Steps

Application submitted to
National Active Transportation Fund
for Ultimate Build-Out

Seeking \$2.9-million in grant funding,
approx. \$1.9-million would remain

Awaiting application result

Summary + Next Steps

B.C. Active Transportation Infrastructure Grant intake anticipated in Fall 2025

Detailed design and cost estimate being prepared for Interim Treatment

Seeking to make application for \$600,000 in funding, approx. \$400,00 would remain

Examples from Other Communities

(for Inspiration!)





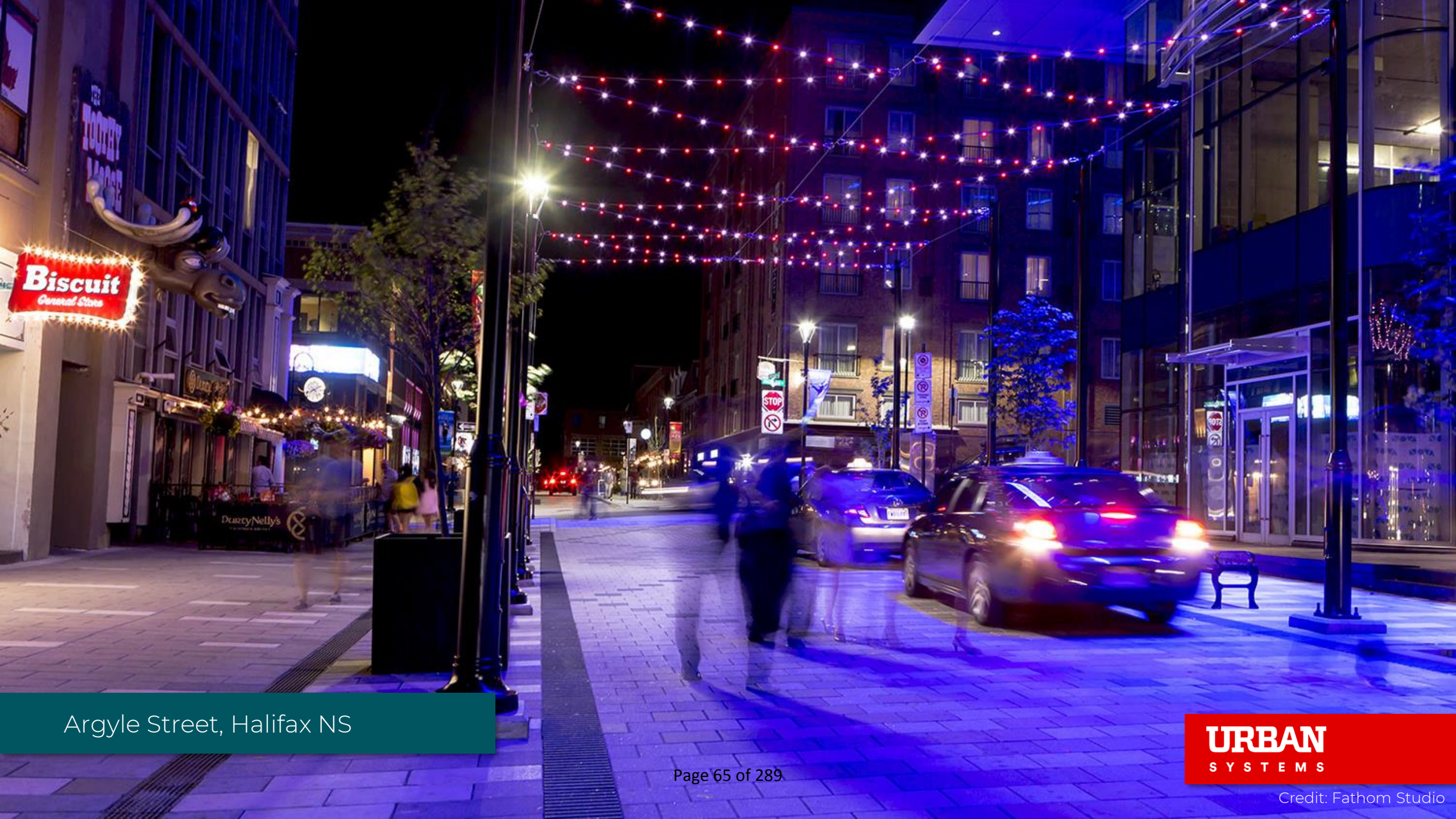
Bell Street, Seattle WA



Bell Street, Seattle WA



Argyle Street, Halifax NS



Argyle Street, Halifax NS



Bernard Avenue, Kelowna BC



Goldstream Avenue, Langford BC

Thank You.

Dan Casey
Transportation
Consultant



6th Street Multi-Modal Corridor Enhancement Options Assessment

City of Courtenay | September 2024

URBAN SYSTEMS
B-550 COMOX ROAD, COURTENAY, BC V9N 3P6
| T: 250-220-7060

URBAN
SYSTEMS

PREPARED FOR:

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

PREPARED BY:

Urban Systems Ltd.
B-550 Comox Road
Courtenay, BC V9N 3P6

SEPTEMBER 2024

FILE:

3222.0085.01

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1.0 OVERVIEW

6th Street is a key east-west corridor through Downtown Courtenay. Not only is it part of the downtown street network, it provides an increasingly important function as part of the City's cycling network and is identified as an important public space in the *Downtown Courtenay Playbook*. Also of importance, a new 6th Street Active Transportation Bridge over the Courtenay River is being advanced that will provide a key linkage between East Courtenay and the downtown, requiring careful consideration for how people walking and cycling will be accommodated on 6th Street.

The purpose of this study is to determine the preferred cross-section and reconfiguration of 6th Street. This includes consideration of opportunities to better reflect the intended transportation function of the corridor, including its function as a key cycling and walking corridor, as well as opportunities to address City objectives relating to downtown revitalization and urban forest.

The study specifically considers the following:

- Pre-existing policy and strategy documents are reviewed to understand established directions and planned infrastructure improvements;
- Current conditions are considered along the corridor, including land use, street dimensions, network performance (intersections, parking), and urban forest and open space conditions;
- Opportunities to redesign and reconfigure 6th Street are identified and assessed against a series of evaluation criteria; and
- A preferred complete option is recommended.

The study addresses the approximately 500m long section of 6th Street between the Fitzgerald Avenue intersection (west) and Courtenay River (east). Refer to **Figure 1**.

FIGURE 1. 6th STREET CORRIDOR ENHANCEMENT OPTIONS ASSESSMENT STUDY AREA



2.0 SUPPORTING INITIATIVES

Pre-existing plans and technical studies developed by the City and partner agencies contain relevant background information that both support the need for improvements on 6th Street and help guide the development of suitable corridor enhancement options.

As evidenced by the following summary of key plans and policies, 6th Street represents a unique interface for many of the City's objectives, including active transportation, transit, public spaces and community well-being.

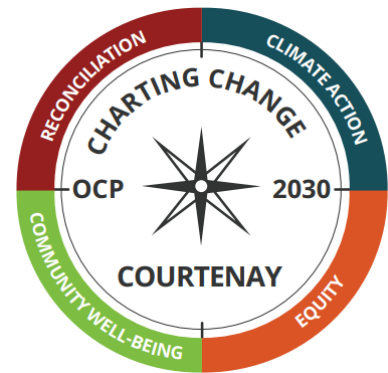
2.1 PLANS + POLICIES

2.1.1 OFFICIAL COMMUNITY PLAN

The City's *Official Community Plan* (OCP) guides a wide range of land use and other municipal decisions, ensuring they are influenced by a comprehensive community vision.

The four (4) cardinal directions of the OCP are intended to provide direction for the future:

1. **Reconciliation.** *The City commits to incorporating Indigenous perspectives into its work and decision-making process, and to providing equitable and inclusive services that benefit Indigenous peoples.*
2. **Climate Action.** *The City has committed to achieving a 45% reduction in community-wide GHG emissions (from 2016 level) by 2030 and net-zero emissions by 2050.*
3. **Equity.** *[The] OCP challenges some traditional planning practices that can result in policies, programs, and regulations that disproportionately impact and stymie the progress of some equity-priority groups.*
4. **Community Well-Being.** *[The OCP] takes a systems-based approach to well-being, considering the physical, mental, and emotional well-being of individuals and communities, and the natural ecosystems of which we are all a part.*



6th Street Multi-Modal Corridor Enhancement Options Assessment

City of Courtenay

The OCP also includes nine (9) overarching goals to guide community growth. *Goal 4. Functional Transportation Choices* illustrates the community's commitment to forwarding active transportation:

The City of Courtenay will rebalance Courtenay's transportation system to provide a more functional spectrum of options that prioritizes walking, cycling, and transit. This in turn will support street life, active living, neighbourliness, economic vitality, affordable household transportation, and low carbon footprints.

The following concept is identified for 6th Street in the OCP (page 61):

Dedicated cycling and walking connection from west to east Courtenay, connecting community services and public spaces, serving as a festival street integrated with a Downtown Commons and Mews with plenty of public outdoor seating and greenery.

The study area is primarily comprised of lands designated as Downtown. Other nearby designations include Town Centre, Urban Residential, Multi-Residential, Service Commercial, Parks and Recreation, and Institutional. The urban form of each of these land uses differs in their compatibility with cycling facilities. The Downtown and Town Centre land uses prioritize active transportation options and encourage increased residential density, while supporting public life. As a result, these land uses call for:

- Enhanced street tree canopy
- Traffic calming and raingardens
- Accessible design and rest areas
- Corner plazas
- Cycling facilities

Multi-Residential and Urban Residential areas are primarily residential neighbourhoods which will comprise the mid section of the east-west corridor. These land use designations encourage integration of features which improve cycling conditions, calling for:

- Traffic calming / raingardens
- Rest areas
- Accessible design

The mid-route Service Commercial area poses the biggest challenge for integrating cycling facilities due to its zoning for larger format commercial uses. These areas are typically designed with a focus on cars as opposed to active transportation options.

The OCP describes four (4) objectives relating to Streets and Transportation which support the development of 6th Street as an enhanced multi-modal corridor:

- Objective 1 30% of trips are by walking, cycling, and transit by 2030
- Objective 2 Transportation investments prioritize walking, cycling, and transit
- Objective 3 Street standards include attention to safety, accessibility, and comfort at the pedestrian scale
- Objective 4 Excess existing road space is repurposed to support public life, active travel, and green infrastructure

OCP policies that contribute to the achievement of these objectives which relate to the development of 6th Street include:

- Supplement public amenity spaces within road rights of way in Downtown, Town, and Neighbourhood Centres by providing more places for people to gather
- Prioritizing cycling intersection treatments
- Enhancing accessibility features and transit

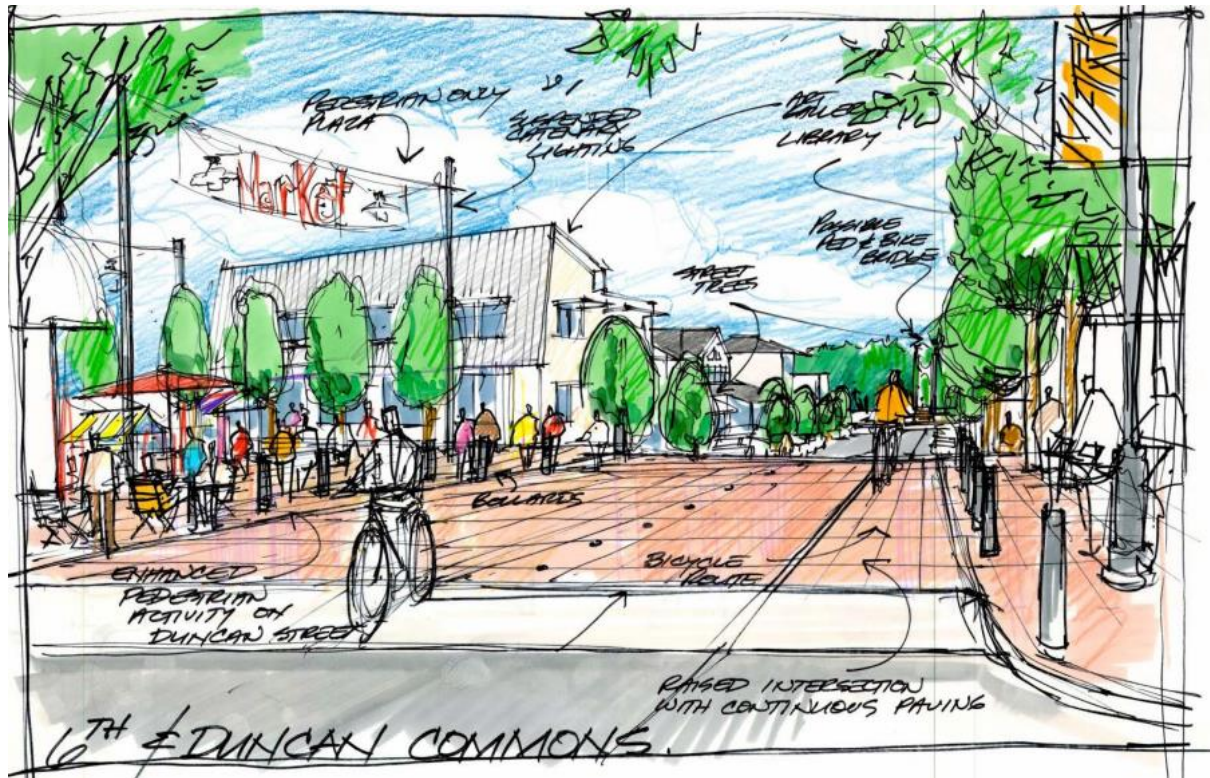
2.1.2 DOWNTOWN PLAYBOOK

Created in 2016, the *Downtown Courtenay Playbook* provides a shared vision for the downtown area. One of the three guiding principles is to create a connected downtown, with easy access from all directions and by all modes of transportation.

The *Downtown Courtenay Playbook* identifies a series of “catalyst projects” that are transformational ideas for downtown, reinforce the community vision and stimulate future investment. The catalyst projects that impact 6th Street include the following:

6th Street – The Green Street

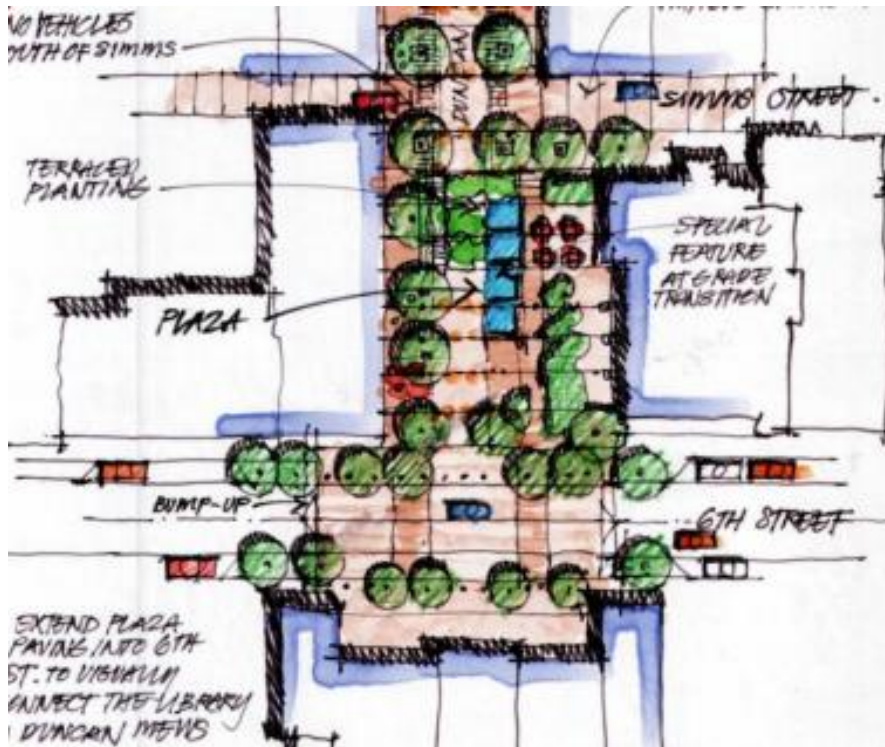
6th Street is identified as a “green street”, with emphasis on additional trees and landscape, as well as creating a bicycle- and walking-friendly experience with connections to the Riverway Trail at the east end. The term “Festival” street is used, with community art and other placemaking opportunities shown in the example below.



Sample drawing of 6th Street Green Street
(Downtown Playbook, pg. 18)

Duncan Commons

Duncan Commons is a concept centred on Duncan Street between 5th and 6th Street and is envisioned as a staging area for special events. The space is framed by the Library and Art Gallery, and is to be designed to allow for street closure to accommodate special events and with a green lawn flex-use area and kids play space.

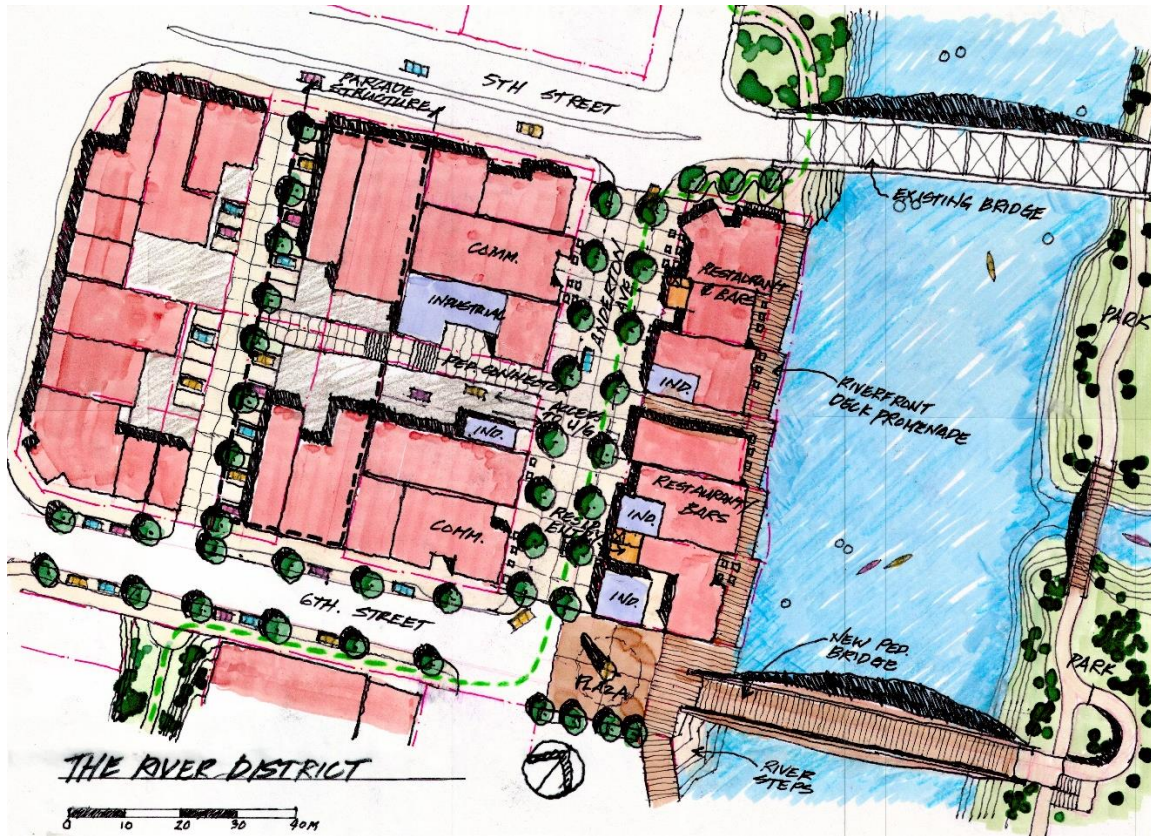


Sample drawing of Art Gallery Plaza

(Downtown Playbook, pg. 15)

The River District

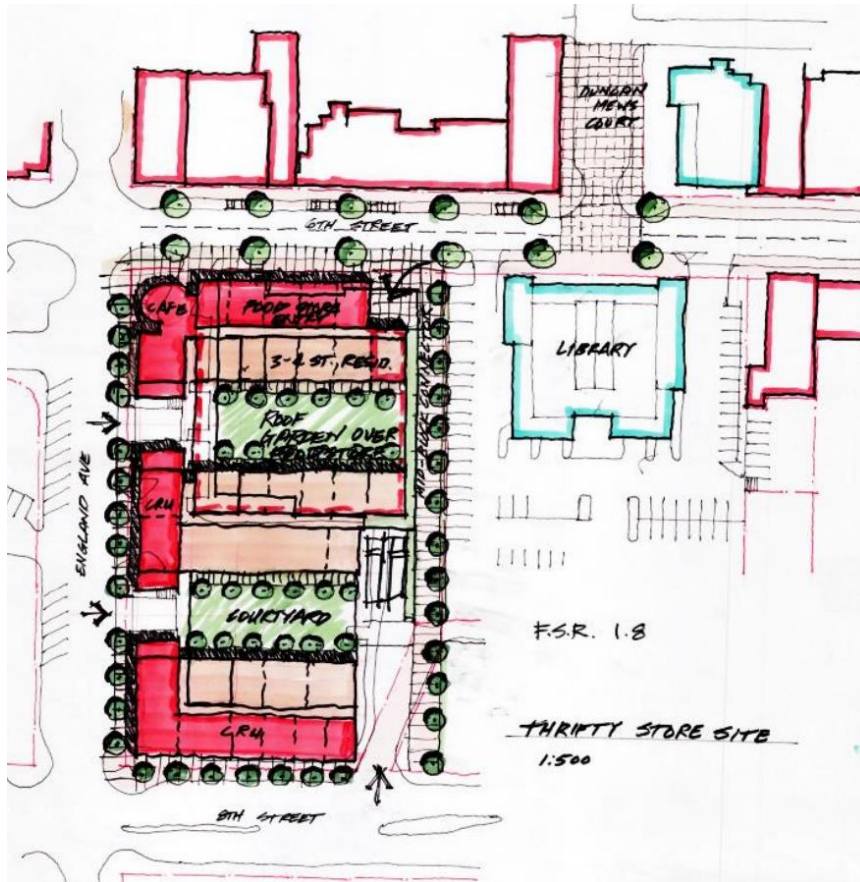
Redevelopment of Anderton Avenue between 5th Street and 6th Street is seen as an opportunity to revive and activate connection to the Courtenay River. 6th Street plays an important role in this concept, connecting the Riverway Trail to riverfront land uses and the 6th Street Active Transportation Bridge, as well as extending west into the centre of the downtown area.



Sample drawing of the River District
(Downtown Playbook, pg. 23)

Library / Old Town Market Site Redevelopment

The Library / Old Town Market Site redevelopment concept was to preserve the potential for a large food store anchor to be incorporated into a new mixed-use development, creating a commercial frontage defining the edges of 6th Street, 8th Street and England Avenue. This concept enhances 6th Street as a “green street” and adds pedestrian connections throughout this large block currently occupied largely by parking. The relocation of the current site tenant (Old Farm Market) has achieved some of the envisioned function of the concept (major grocery anchor tenant), while there is still potential to realize the mixed-use, pedestrian-oriented building orientation in future.



Sample drawing of the Old Farm Market site
(Downtown Playbook, pg. 26)

2.1.3 HARMSTON AVENUE CIVIC PRECINCT LOCAL AREA PLAN

Consistent with direction in the OCP, the City has recently initiated a local area planning process for the Harmston Avenue Civic Precinct. While only recently begun at the time this report was prepared, it is understood that the process is to result in a Local Area Plan to provide clarity of development goals for publicly owned lands as well as direction to the development of private land in the western end of downtown in the vicinity of Harmston Avenue. As shown below, the detailed planning area includes the western extent of 6th Street, abutting Fitzgerald Avenue. It could serve to extend and/or support some of the enhancement being considered for 6th Street beyond the borders of the current study extent, which terminates at Fitzgerald Avenue.



Harmston Avenue Civic Precinct planning area
(OCP, pg. 63)

2.1.4 TRANSPORTATION MASTER PLAN + CYCLING NETWORK PLAN

The City's *Transportation Master Plan* ("Connecting Courtenay") was completed in 2019 alongside the *Cycling Network Plan* and guides investment in transportation infrastructure by the City and regional partners. Information contained in the TMP specific to 6th Street includes the following:

- 6th Street is identified as a Local Road intended to carry lower traffic volumes as compared to parallel roads such as 8th Street (Collector) and 5th Street (Arterial);
- Signal infrastructure improvements are identified for the 6th Street / Cliffe Avenue intersection; and
- A potential walking / cycling crossing over the Courtenay River is identified at the east end of 6th Street, with reference to the *Parks & Recreation Master Plan*.

The *Cycling Network Plan* gives more detailed consideration to possible cycling improvements on 6th Street, as follows:

- 6th Street is identified as a short-term cycling network improvement project;
- A bike boulevard design treatment is identified for 6th Street, which is described as a street with low traffic volumes and low vehicle speeds suitable for cyclists to share the road with motorists, often including traffic calming measures and/or improvements at major intersections to help cyclists cross safely;
- The following specific considerations for cycling improvements on 6th Street are identified:
 - A crossing of Cliffe Avenue is required that can be accommodated with the addition of bicycle push buttons, paint, and may require minor curb modifications;
 - Traffic calming may be required to reduce traffic volumes and speeds; and
 - Drive-in angle parking on 6th Street between Fitzgerald Avenue and England Avenue should be modified to be reverse-in angle parking or parallel parking, which is safer on cycling routes.

2.1.5 PARKS & RECREATION MASTER PLAN

The *Parks and Recreation Master Plan* (PRMP) provides a framework for decisions related to parks and recreation land, facilities, amenities, programs, and resources for the City. The realization of 6th Street would forward several goals of the PRMP including:

- Improve connectivity
- Foster a healthy and active community
- Provide access for all
- Protect and enhance beauty

The PRMP explicitly states that trails connecting East and West Courtenay are lacking. This project explores the PRMP's proposal of a pedestrian bridge, as long-term trail development priority, that would lead into Simms Park from the base of 6th Street. It notes that trail connections in Simms Park and evidently the bridge will need to be improved. The PRMP provides draft trail standards that should be reviewed as part of the development of 6th Street corridor enhancement cross section options.

The PRMP includes the following applicable guidelines for the design of new and upgraded trails in Courtenay:

- Connect trails to sidewalks and bike lanes with appropriate accessible letdowns
- Provide switchback trails on slopes instead of or in addition to stairs where possible, especially in the urban area, to accommodate all users
- Use crime prevention through environmental design (CPTED) principles, balancing these with the need to protect and enhance habitats
- Provide seating along multi-use trails
- Design trails with consideration for protection and enhancement of environmental resources and include rainwater/stormwater infiltration where possible
- Identify locations for trailheads and staging areas, and provide infrastructure to suit the location, e.g., kiosk, sign, waste receptacles, dog bag dispensers, parking

2.1.6 URBAN FOREST STRATEGY

The 6th Street study area includes areas of the City that have a high percentage of permeable surfaces according to the *Urban Forest Strategy* (UFS) Impermeable Cover by Block (2016) map. This highlights an opportunity to forward the City's goal of a 34-40% tree canopy cover, while meeting other City goals for the public realm and active transportation. The following UFS policies support this rationale:

Policy 17. Increase the quantity of new tree planting in the public and private realm

17a. Plant 300 trees per year on public land (in addition to replacement and restoration plantings) and work with residents to plant approximately 850 trees per year on private land.

Policy 18. Plan and prioritize tree planting where it will most benefit community and ecological health, and support other City strategies

18b. Prioritize street tree improvements when downtown streets are scheduled for capital improvements towards implementation of the Downtown Playbook vision.

2.1.7 INTEGRATED RAINWATER MANAGEMENT PLAN

The *Integrated Rainwater Management Plan* (IRMP) is a community-wide plan that will guide how the City manages rainwater now and into the future. Development of the IRMP is ongoing. It calls for a comprehensive look at policy, procedures, regulations and infrastructure to guide community growth in an environmentally respectful and sustainable manner. The City is examining opportunities for a more holistic approach to rainwater management through green infrastructure. To align with high level goals of the IRMP, the 6th Street corridor enhancements should include opportunities to integrate green infrastructure with opportunities to manage rainwater, minimize underground infrastructure, and support a healthy watershed.

2.1.8 COMOX VALLEY REGIONAL TRANSIT INFRASTRUCTURE STUDY

The *Comox Valley Regional Transit Infrastructure Study* identifies England Avenue between 6th Street and 8th Street as the preferred location for a future Downtown Courtenay Transit Exchange. The study also identifies a series of transit priority measures along the identified Frequent Transit Network (FTN), which include signal timing improvements on Fitzgerald Avenue, 8th Street and Cliffe Avenue nearby 6th Street.

The City, in partnership with the CVRD and BC Transit, are advancing design for a transit exchange on England Avenue. Refer to *Section 2.2.2*. The exchange location does not directly impact 6th Street, but provides opportunity to connect to public spaces on 6th Street (including public washroom) and may result in buses circulating on 6th Street.

2.2 INFRASTRUCTURE PROJECTS

2.2.1 6TH STREET ACTIVE TRANSPORTATION BRIDGE

Identified in the *Parks & Recreation Master Plan*, the 6th Street Active Transportation Bridge will provide cyclists, pedestrians and other people-powered transportation connections from Downtown Courtenay via the bottom of 6th Street to Simms Millennium Park, and the extensive trail networks on both sides of the Courtenay River.

A four (4) metre wide symmetrical cable-stayed design was chosen for the project by Council in December 2020. This design minimizes the staging area required during construction and manages impacts on traffic and the environment, while remaining visually appealing.

The bridge is currently in the detailed design stage. While still to be finalized, a rendering of the proposed design is shown in **Figure 2**. A diagram showing the bridge alignment and proposed connections on either side of the Courtenay River is included in **Figure 3**.

Once complete, the bridge will provide an enhanced crossing opportunity of the Courtenay River for people walking, rolling and cycling. An important part of considering improvements along the 6th Street corridor is connecting to the future 6th Street Bridge crossing and providing a continuous All Ages & Abilities (AAA) connection into Downtown Courtenay.

FIGURE 2. RENDERING OF THE 6TH STREET ACTIVE TRANSPORTATION BRIDGE¹



FIGURE 3. ALIGNMENT + CONNECTIONS OF THE 6TH STREET ACTIVE TRANSPORTATION BRIDGE²



¹ City of Courtenay website, accessed at:
www.courtenay.ca/EN/main/city-hall/projects-gallery/sixth-street-active-transportation-bridge.html

² City of Courtenay website, accessed at:
www.courtenay.ca/EN/main/city-hall/projects-gallery/sixth-street-active-transportation-bridge.html

2.2.2 DOWNTOWN COURTENAY TRANSIT EXCHANGE

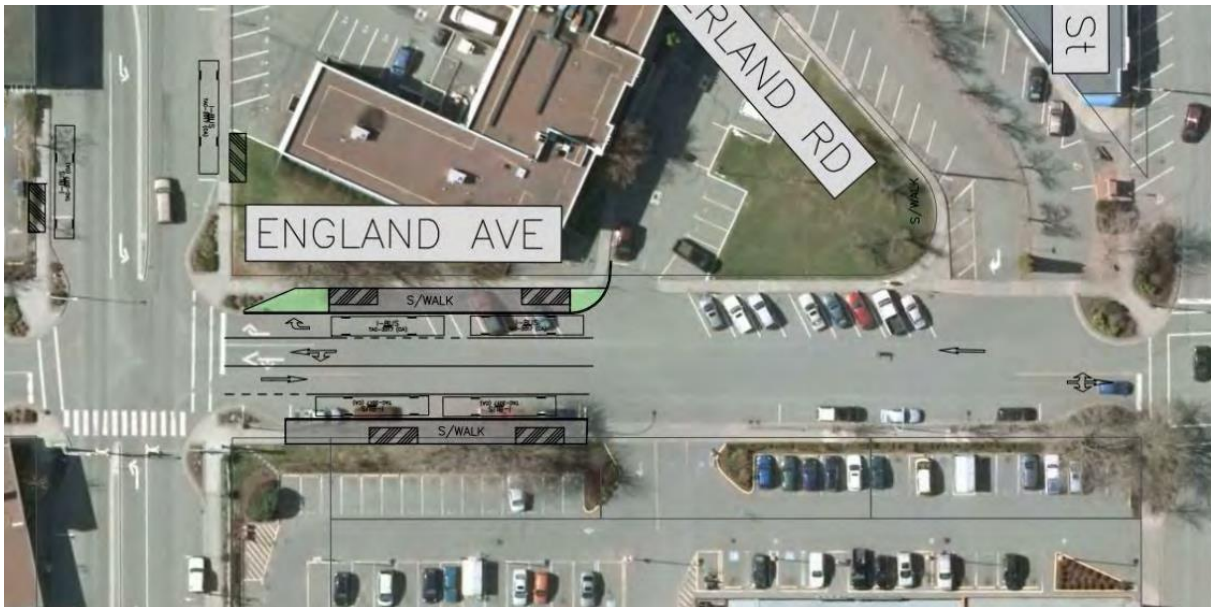
A key recommendation of the *Comox Valley Regional Transit Infrastructure Study*, the City is partnering with the CVRD and BC Transit to create a new downtown transit exchange on England Avenue between 6th Street and 8th Street.

The proposed new exchange will include 4 bus bays (2 in each direction), with potential to expand to accommodate more buses in future. The exchange will include supporting facilities such as widened sidewalks, new transit shelters and bench seating, as well as access to the public washroom facility recently installed at the 6th Street / England Avenue intersection (southwest corner).

A concept design for the proposed transit exchange is included in **Figure 4**.

A new transit exchange is anticipated to result in more people travelling to/from this location as part of their transit trip, most notably people walking and cycling. The investment in transit infrastructure presents the opportunity to realize broader improvements in the south end of Downtown Courtenay, in coordinating with multi-modal enhancements contemplated for 6th Street.

FIGURE 4. CONCEPT DESIGN FOR PROPOSED DOWNTOWN COURTENAY TRANSIT EXCHANGE³



³ Comox Valley Transit Infrastructure Study, accessed at: www.comoxvalleyrd.ca/sites/default/files/docs/Services/comox_valley_transit_infrastructure_study_may_3-21.pdf

3.0 EXISTING CONDITIONS

3.1 CORRIDOR DIMENSIONS + GRADES

3.1.1 RIGHT-OF-WAY

The right-of-way refers to the public land the street sits within and it represents the area within which streetscape enhancements may be considered.

The right-of-way width for 6th Street varies along the study corridor, but is generally 18m, with sections between England Avenue and Fitzgerald Avenue up to 24m. Refer to **Map 1**.

3.1.2 CURB-TO-CURB

The curb-to-curb width describes the distance between existing curbs on either side of the street. An understanding of existing curb locations will be used in considering street redesign options that may be achieved using existing curbs to minimize cost.

Curb-to-curb width varies along the corridor from as little as 8.5m at intersections with curb extensions, to as much as 21m. Refer to **Map 2**.

3.1.3 GRADES

6th Street is highest at the west end (Fitzgerald Avenue) and descends as it approaches the Courtenay River. The steepest sections are between Cliffe Avenue and Anderton Avenue (approx. 12%), as well as between Duncan Avenue and Cliffe Avenue (approx. 9%).

3.2 LAND USE

3.2.1 DESIGNATIONS

The 6th Street study corridor is primarily fronted by commercial land uses (C-1 and C-2), as shown in **Map 3**. The Riverside Trail is the only other designation, zoned as “Public Area.”

3.2.2 BUILDING FORM

Many of the buildings fronting the 6th Street corridor lie directly adjacent to the property line, with minimal or zero setback. This provides for a strong street frontage and reflects good, traditional urban design principles, but also limits opportunities to extend public functions into adjacent private spaces and limits space within the streetscape.

Several buildings include awnings or overhanging roof structures that extend as far as 1.5m over the sidewalk. While providing the benefit of protection from rain and sunny weather,

6th Street Multi-Modal Corridor Enhancement Options Assessment

City of Courtenay

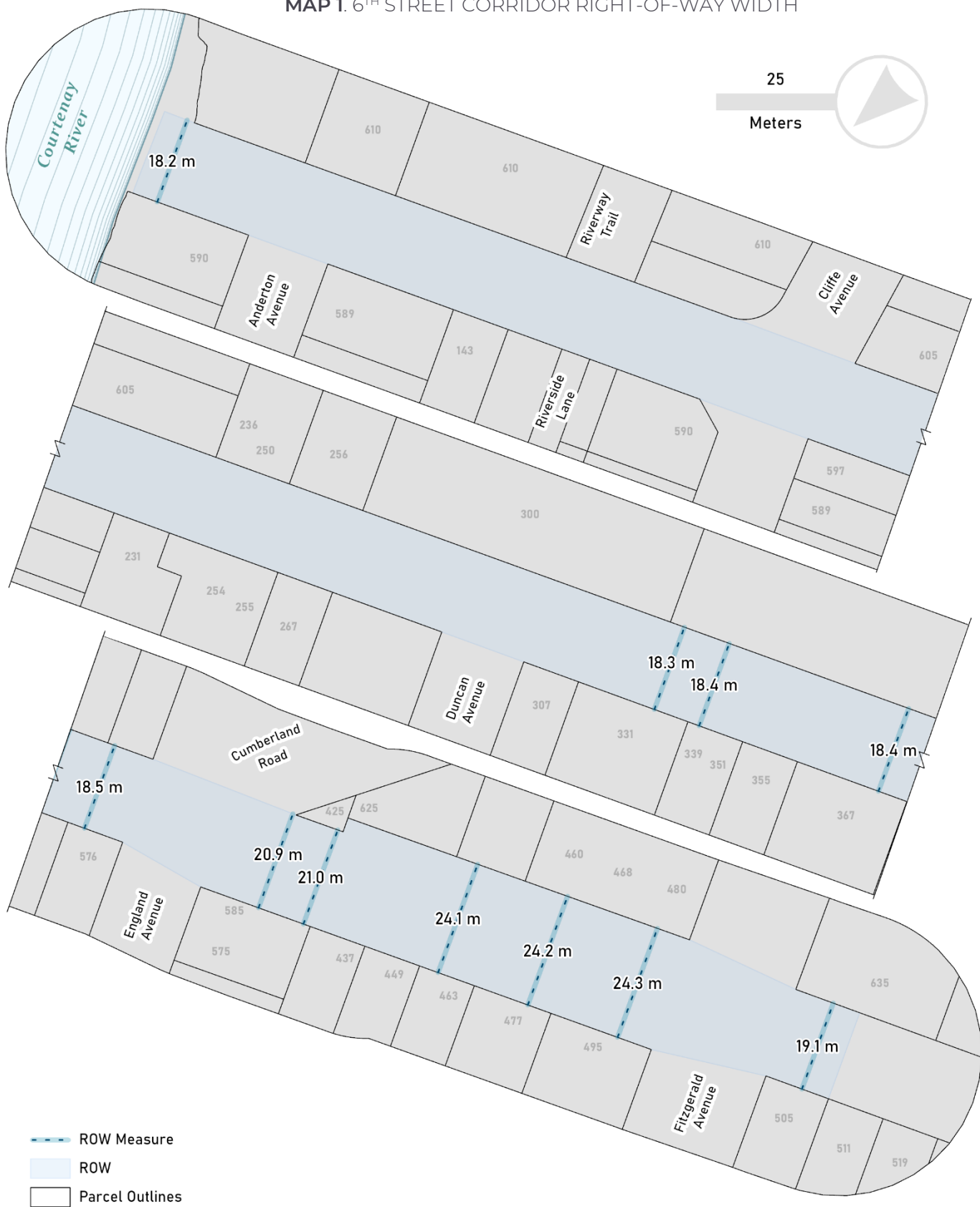
this also limits opportunities for vertical features in the sidewalk space. This is particularly impactful on existing street trees, some of which directly conflict with awnings, as well as limiting opportunities for future street trees and any other vertical features.

Building outlines relative to the public right-of-way are shown in **Map 4**, with visual examples shown below.



Examples from along the 6th Street corridor where building awnings extend over the sidewalk and into the street right-of-way, encroaching on the vertical space required for mature trees to grow.

MAP 1. 6TH STREET CORRIDOR RIGHT-OF-WAY WIDTH



MAP 2. 6TH STREET CORRIDOR CURB-TO-CURB WIDTH

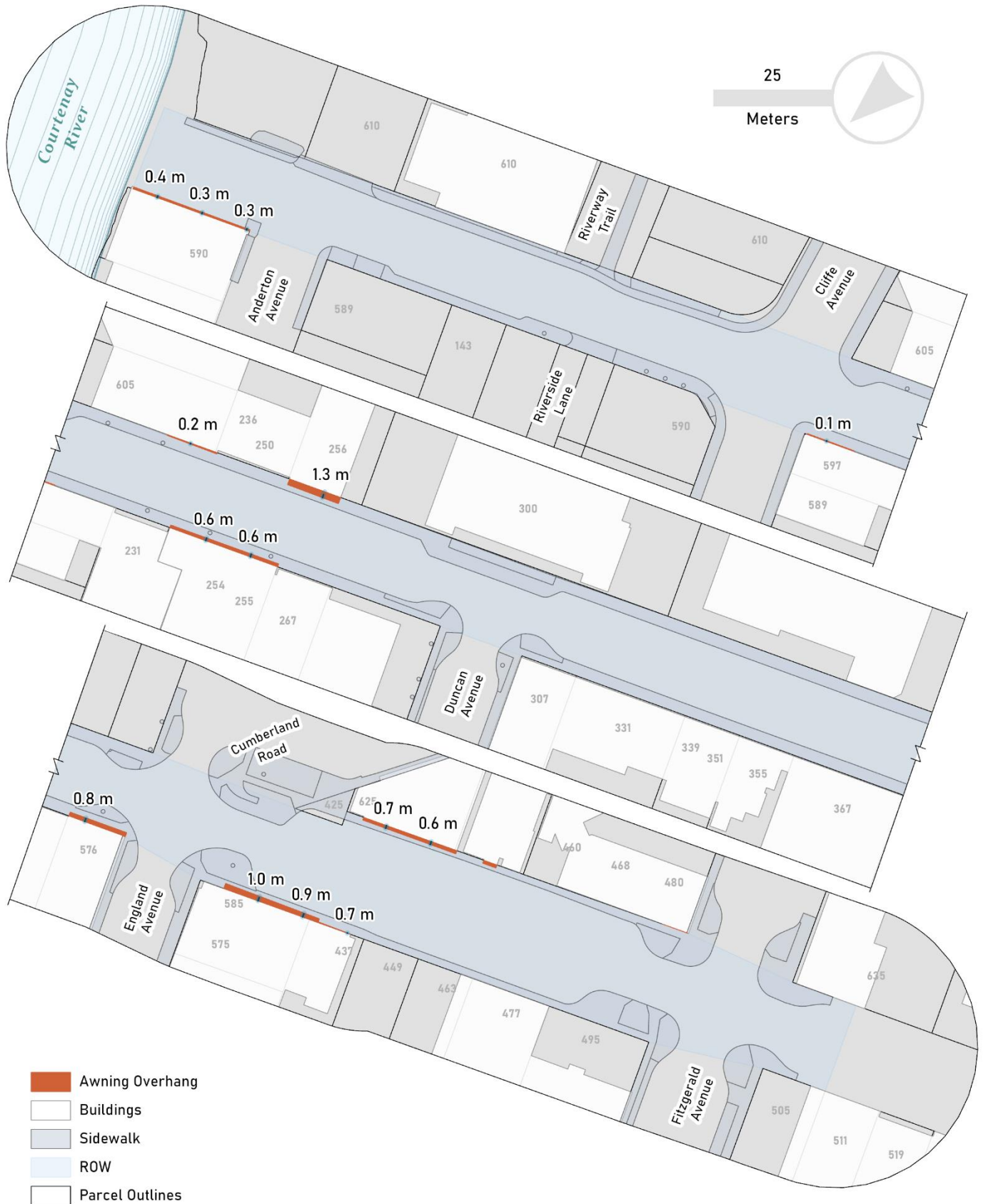


MAP 3. 6TH STREET CORRIDOR LAND USE



- Zoned C-1 (Commercial One)
- Zoned C-2 (Commercial Two)
- Zoned PA-2 (Public Areas Two)
- Sidewalks
- ROW
- Parcel Outlines

MAP 4. 6TH STREET CORRIDOR BUILDING FORM



3.3 STREET NETWORK

3.3.1 STREET CLASSIFICATIONS

The segment of 6th Street within the study area is classified as a Local Road.

All intersecting streets are classified as Local Roads, with the following exceptions:

- Cliffe Avenue is classified as an Arterial Road; and
- Fitzgerald Avenue is classified as a Collector Road.

3.3.2 INTERSECTION TRAFFIC CONTROL

The study area corridor contains five (5) intersections. Traffic control for each intersection is identified below (from east to west):

- Fitzgerald Avenue – Stop control on 6th Street (east and west legs)
- England Avenue – All-way stop control (4 legs)
- Duncan Street – All-way stop control (3 legs)
- Cliffe Avenue – Traffic signal
- Anderton Avenue – Stop control on Anderton Avenue (north and south legs)



Cliffe Avenue and 6th Street, pictured above, is the only signalized intersection along the study corridor.

3.3.3 CORRIDOR TRAFFIC VOLUMES

Corridor traffic counts were completed at two locations along 6th Street to understand the two-daily total daily traffic volumes. Counts were completed on Wednesday, October 4th, 2023 over a 24-hour period. The results are as follows:

- **West** – The section of 6th Street west of Cliffe Avenue (measured at the England Avenue – Duncan Avenue block) sees approximately 2,700 vehicles per day, with two similar peaks, one at midday and another between 4:00-5:00pm.
- **East** – The section of 6th Street east of Cliffe Avenue also exhibits a distinct midday peak with a lesser afternoon peak toward 5:00pm. Volumes are in the range of 1,800 vehicles per day.
- Traffic volumes are approximately 1.5x higher in the eastbound direction.

3.3.4 INTERSECTION PERFORMANCE

Intersection Traffic Volumes

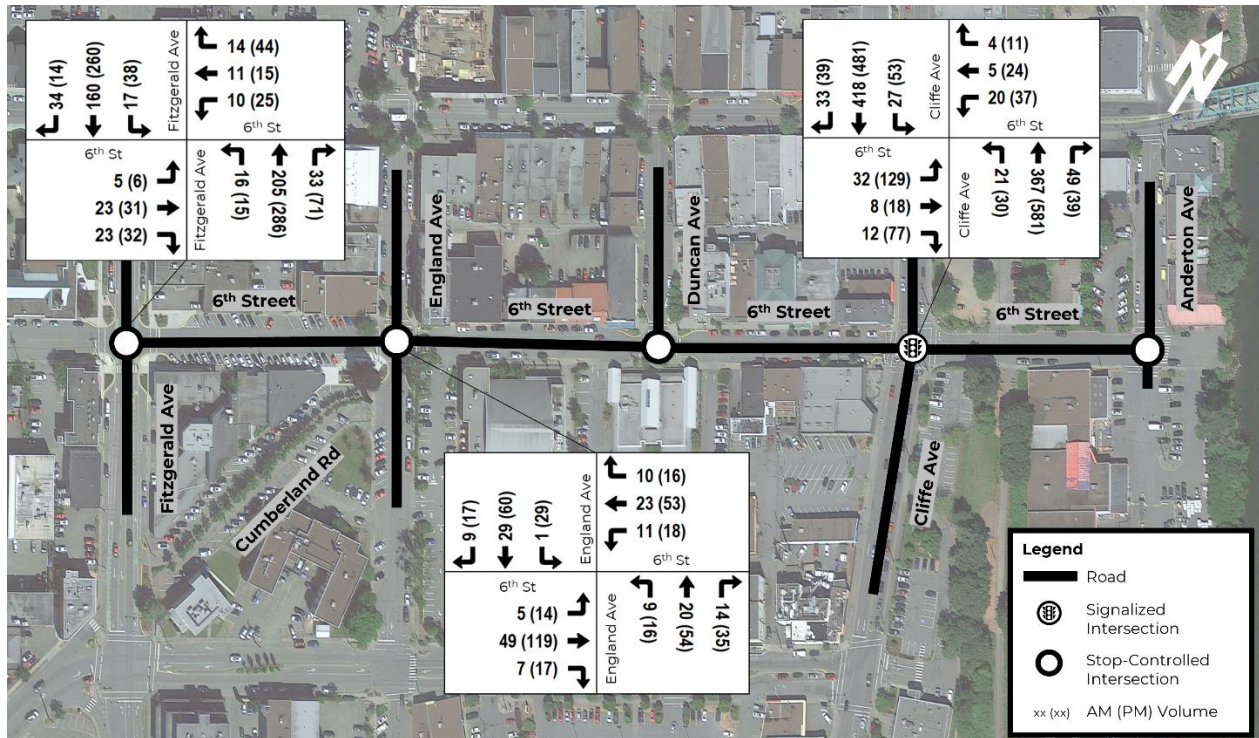
Traffic counts were conducted on Wednesday, October 4th, 2023 at three intersections along 6th Street: Fitzgerald Avenue, England Avenue and Cliffe Avenue. See **Figure 5** below.

The Cliffe Avenue / 6th Street intersection saw approximately 1,000 vehicles entering during the morning peak period (8-9am), and slightly over 1,500 vehicles entering during the afternoon peak (4-5pm). This is approximately 1.8x higher than the traffic volumes through the Fitzgerald Avenue / 6th Street intersection, which saw 550 and 850 total vehicles entering in the morning and afternoon peak periods, respectively.

The dominant movements at the Cliffe Avenue / 6th Street intersection are the N/S thru movements (heaviest southbound in the morning peak, and northbound in the afternoon peak). The most significant turn movement is the eastbound left turn from 6th Street in the afternoon peak (accounting for nearly 60% of vehicles on this approach).

Similarly, the Fitzgerald Avenue / 6th Street intersection is dominated by N/S thru movements on Fitzgerald Avenue (accounting for 65% of vehicles). The northbound right and southbound left movements from Fitzgerald to 6th Street are significant in the afternoon peak hour.

FIGURE 5. PEAK HOUR INTERSECTION TURNING MOVEMENT COUNTS (OCT 4, 2023)



Intersection Performance

The existing peak hour volumes were modelled in Synchro 11, using optimized signal timings at the Cliffe Avenue / 6th Street intersection. For this intersection, the primary concern is queuing from the northbound approach to the Cliffe Avenue / 5th Street intersection (not modeled), which may impact operations at 6th Street. Currently the 6th Street / Cliffe Avenue intersection operates at a level of service (LOS) B in the morning peak period and LOS C in the afternoon peak period, with total delays of 10 and 25 seconds for each respective period. The approaches along 6th Street have the highest delays, with 16 seconds in the morning peak period and 29 seconds in the afternoon peak period. Delays along Cliffe Avenue are 9-11 seconds in the morning peak period, and 23-26 seconds in the afternoon peak period. These level of service and delay metrics are considered acceptable.

Queues at the 6th Street / Cliffe Avenue intersection are highest on Cliffe Avenue, with 95th percentile queue lengths up to 70m in the morning peak period (southbound) and 135m in the afternoon peak period (northbound).

The England Avenue / 6th Street and Fitzgerald Avenue / 6th Street intersections both operate at an overall LOS A for the morning and afternoon peak periods. Queue lengths are below 10m for each movement at these intersections. The critical directions at the Fitzgerald Avenue / 6th Street intersection are the westbound and eastbound movements along 6th Street. These operate at LOS B in the morning peak period and LOS C in the afternoon peak period, with delays of up to 14 and 23 seconds for each respective period.

3.3.5 PARKING CONDITIONS

The City commissioned a technical parking assessment for the downtown area independent of the 6th Street corridor enhancement assessment project. Pertinent results from the parking assessment are provided below.

Parking Supply

The study area includes a total of 94 parking spaces. This accounts for all on-street parking spaces on 6th Street between Anderton Avenue and Fitzgerald Avenue.

Approximately 60% of all on-street parking spaces are in a parallel configuration. Parking spaces in the western-most block - approximately 40 spaces between Fitzgerald Avenue and England Avenue – are oriented as angled parking.

Utilization

Parking utilization refers to the level of use among a given parking supply, measured as percentage occupancy.

Average weekday parking utilization was observed at approximately 70% to 85% between 10:00am and 3:00pm. Maximum utilization was observed at 12:00pm to 1:00pm when 84% of all spaces were occupied (15 spaces unoccupied).

Parking utilization was observed highest in the western-most blocks of 6th Street, with the block between Fitzgerald Avenue and England Avenue observed at 95% occupied during the peak period.

A summary of overall parking utilization is presented in **Figure 6** below. A more detailed block-by-block analysis is contained in **Table 1**.

FIGURE 6. SUMMARY OF PARKING UTILIZATION – 6th STREET, ANDERTON AVE TO FITZGERALD AVE⁴

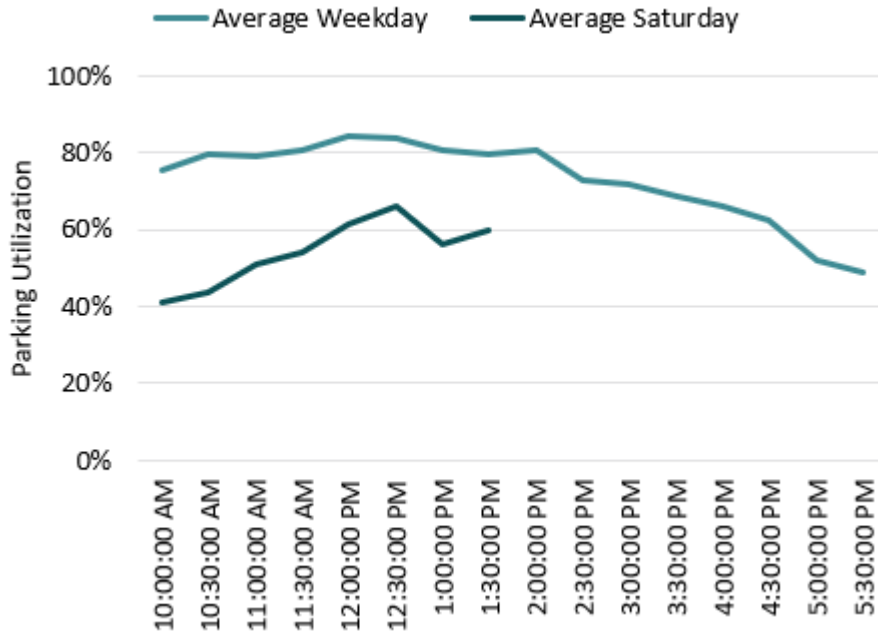


TABLE 1. SUMMARY OF PARKING SUPPLY + PEAK HOUR UTILIZATION, BY BLOCK

Location		Parking Supply	Parking Utilization			
			Peak Hour (12:00-1:00pm, weekday)		Peak Period Average (10:00am-3:00pm, weekday)	
Anderton Ave – Cliffe Ave	North	4	1	25%	1.2	30%
	South	7	5	71%	5.0	71%
Cliffe Ave – Duncan Ave	North	13	11	85%	10.6	82%
	South	9	7	78%	5.8	64%
Duncan Ave – England Ave	North	13	11	85%	10.3	79%
	South	8	7	88%	5.5	79%
England Ave – Fitzgerald Ave	North	17	16	94%	15.3	90%
	South	23	22	96%	20.8	90%

⁴ Parking conditions summary provided by City of Courtenay staff, October 18, 2023



Examples from along the 6th Street corridor showing parallel and angled parking configurations as well as electric vehicle (EV) charging stations west of England Avenue

3.3.6 ACTIVE TRANSPORTATION FACILITIES

Existing active transportation facilities and amenities are shown in **Map 5**.

The existing sidewalk width along the 6th Street study corridor varies from as little as 1.4m to 2.6m in some areas. There is full sidewalk coverage along the study corridor, except for the portion of 6th Street between Anderton Avenue and Cliffe Avenue on the north side. Curb extensions are present at the Duncan Avenue, England Avenue, and Fitzgerald Avenue intersections and extend by as much as 8m from the property line into the roadway. The curb extensions serve to provide opportunities for landscaped areas, to slow vehicle turning speeds, to provide protection for pedestrians seeking to cross the street, and to reduce overall crossing distance.

Pedestrian crossings are provided at all intersection legs, apart from the west leg at Anderton Avenue and the north leg at Fitzgerald Avenue. There are no mid-block crossings in the study area.

The sidewalk width distribution is not even within the study area. The BC Active Transportation Design Guide calls for accessible sidewalks to be no less than 1.8m wide, however approximately 15-20% of sidewalks within the study area do not meet this standard. Most of the deficient sidewalks are between England Avenue and Fitzgerald Avenue, or east of Cliffe Avenue on the south side of 6th Street. Sidewalk widths between Cliffe Avenue and England Avenue are consistently between 2.3m and 2.6m.

Other active transportation facilities include the Riverway Trail – a key multi-use facility following the Courtenay River and currently terminating at 6th Street between Cliffe Avenue and Anderton Avenue. The terminating point is the sidewalk on the south side of 6th Street, without a crossing or specific cyclist accommodation at this location.



The existing Riverway Trail entrance, between Cliffe Avenue and Anderton Avenue

3.4 URBAN FOREST + OPEN SPACE

3.4.1 URBAN FOREST

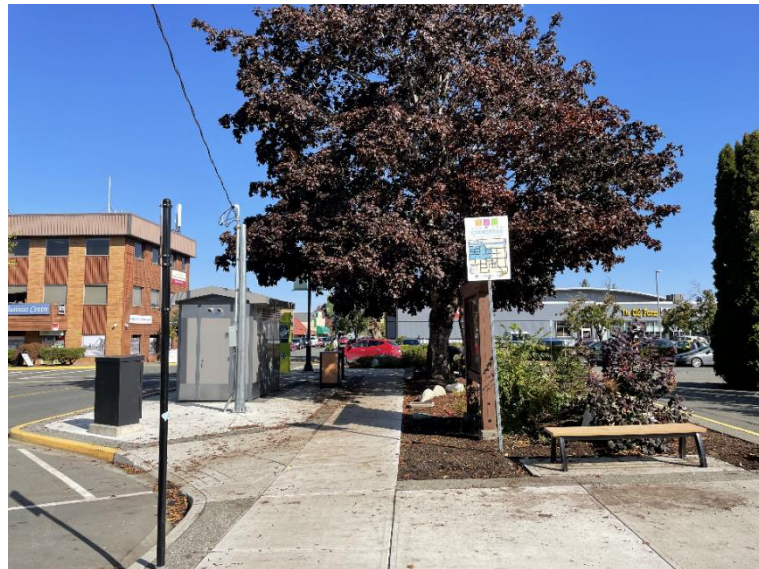
As described in the City's *Urban Forest Strategy*, healthy trees are important to the identity, ecology and comfort of those who call Courtenay home, and in this context, can be used to reduce the prevalence of pavement in commercial areas. This strategy also identifies a target of 34-40% canopy cover distributed throughout Courtenay.

An inventory of street trees, along with landscaped features and public space along the 6th Street corridor is shown in **Map 6**.

The existing urban forest within the study corridor is primarily composed of shorter / narrower street trees, with more mature trees surrounding the England Avenue intersection.

3.4.2 OPEN SPACE

The existing landscape features incorporated into curb extensions at the Duncan Avenue, England Avenue, and Fitzgerald Avenue intersections complement the other public spaces present along the study corridor. These include a seating area in front of the public library and benches with a public washroom adjacent to the EV charging stalls west of England Avenue.



Examples from along the 6th Street corridor of Totem Poles at Duncan Avenue, street trees, and the public washroom and seating area at 6th Street / England Avenue

MAP 5. 6TH STREET CORRIDOR SIDEWALK WIDTH



MAP 6. 6TH STREET CORRIDOR TREES AND PUBLIC SPACE



4.0 CORRIDOR ENHANCEMENT OPTIONS

4.1 BACKGROUND

The City's past downtown revitalization concepts and previously contemplated improvements for 6th Street are the starting point for considering multi-modal corridor enhancement options. Key components include consideration of 6th Street as a "green street" per the Downtown Playbook, as well as 6th Street as the key east-west cycling corridor through the downtown area (per the Cycling Network Plan). Consideration is also to be given the following specific locations along the corridor:

- Opportunities to further the Duncan Commons concept, including accommodating possible closures to host festivals and special events;
- Transition to/from the future 6th Street Active Transportation Bridge and the Riverway Trail; and
- Accommodation of transit access / egress to the planned future transit exchange on England Avenue.

4.2 CORRIDOR CONSTRAINTS

The physical design and limitations of the corridor also play a key role in understanding opportunities for improvement. The following are key considerations:

- The right-of-way width is most commonly 18m wide along the corridor, with areas between England Avenue and Fitzgerald Avenue as wide as 24m. In the absence of large-scale redevelopment and added right-of-way, streetscape enhancement opportunities must fit within the available right-of-way.
- Improvement options that utilize existing curb and sidewalk locations will incur far less capital cost than those that do not. The curb-to-curb width along the corridor is most commonly 13m, although with curb extensions narrowing street width at many intersections, as well as generally wider dimensions for the block between England Avenue and Fitzgerald Avenue (up to 21m wide).



Sample cross section for 6th Street
(produced during Downtown Playbook Charette, 2016)

4.3 CHARACTER AREAS

The 6th Street corridor is comprised of three (3) distinct character areas, each with a unique function and key design parameters. Enhancement opportunities for the corridor have been considered for their application overall, but also where variation may be required to reflect the character and function of each area.

The character areas are identified in **Figure 7** and described below:

Area A. 6th Street West, Fitzgerald Avenue – England Avenue

The western-most block is wider than the rest of the corridor, with a 24m right-of-way and 20 – 21m curb-to-curb width. This block includes angled parking on both sides representing nearly half the parking supply for the corridor, with the highest parking utilization. This block lacks street trees and will be relied on for bus circulation to/from the planned downtown Courtenay exchange on England Avenue.

Area B. 6th Street Centre, England Avenue – Cliffe Avenue

The central two blocks are the heart of the corridor. They have the widest sidewalks (2m+) and the sitting area in front of the Library. The right-of-way is approximately 18.3m and the curb-to-curb width is 13.0m. This area will be the focus of the special events and potential temporary closures contemplated in the Downtown Playbook, with connections to Duncan Avenue and the Duncan Commons concept.

Area C. 6th Street East, Cliffe Avenue – Anderton Avenue

The eastern-most block provides connection to the Riverway Trail (south side) and transition to the future 6th Street Active Transportation Bridge. This area is disconnected from the rest of the corridor by Cliffe Avenue and experiences steep grades, particularly on the approach to the Cliffe Avenue intersection. Where the rest of the corridor is fronted by Commercial uses, this block generally lacks business frontages.

FIGURE 7. 6th STREET CHARACTER AREAS



4.4 ENHANCEMENT OPTIONS

Five (5) improvement options have been identified for 6th Street that generally reflect the desired planning directions and are compatible with the physical parameters identified above. Each option is introduced below, with a more comprehensive description on the following pages and schematic designs provided in **Appendix A**.

1. Two-Way Protected Bike Lane

A two-way protected cycling facility is achieved on the south side of the street that is buffered by parked vehicles by removing on-street parking on the north side of the street.

2. One-Way Circulation

Reducing vehicle circulation to one direction and parking to one side of the street to allow for a two-way protected cycling facility and a wide boulevard space separating the sidewalk from the street.

3. Shared Street

Shared street treatments that reduce the traffic function of 6th Street using traffic calming and directional closures to allow for motorists and cyclists to share the street, retention of parking on both sides, and sidewalks with boulevards. This option may take the form of a typical shared bikeway (i.e., bicycle boulevard) largely with existing curbs and gutters, or a curbless “woonerf” shared street.

4. Multi-Use Promenade

Reducing vehicle circulation to a single direction and parking to one side, allowing for a signature promenade facility on the south side of the street with ample width for people walking and cycling, with boulevard separation from the street. Usage of surface materials, bollards, or other delineators to separate street areas instead of curbs, allowing for flexibility in usage (“woonerf”-style).

5. One-Way Circulation – Angled Parking

Reducing vehicle circulation to a single direction with angled parking to one side, allowing for a multi-use facility on the south side of the street accommodating people walking and cycling, with boulevard separation from the street. Usage of surface materials, bollards, or other delineators to separate street areas instead of curbs, allowing for flexibility in usage (“woonerf”-style).

Enhancement Option 1.

Two-Way Protected Bike Lane

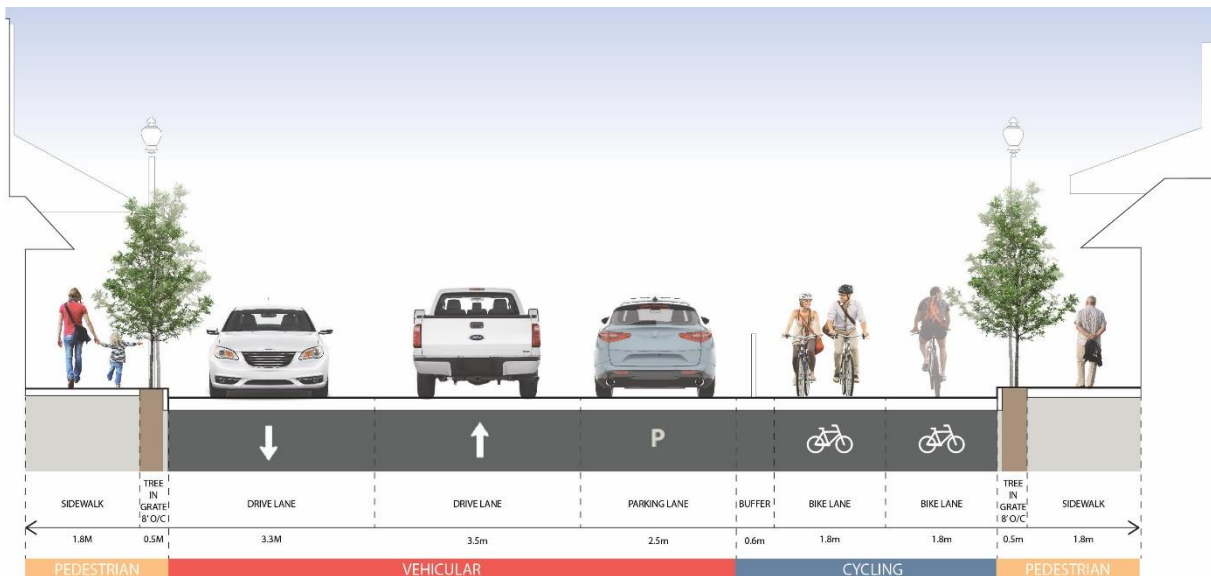
Overview

This option is focused on creating a two-way protected bike lane on the south side of the street that is buffered by parked vehicles. The space needed to create the new cycling facilities is achieved by removing on-street parking on the north side of the street (retain parking on the south side). Existing vehicle circulation patterns are maintained, although specific cycling treatments are required at the Cliffe Avenue and Fitzgerald Avenue intersections.

Key Features

- Two-way vehicle travel is retained (3.3m wide travel lanes)
- Parking is reduced to the south side only. Parking on the south side is located to buffer cyclists from vehicle traffic.
- Cyclists are prioritized in this option with a 3.6m wide bi-directional bike lane on the south side of 6th Street. The south side is preferred over the north side for better connections to the Riverway Trail and future 6th Street Active Transportation Bridge.
- The existing public space in front of the Library is lost, with the potential for added public space on the north side of 6th Street at Duncan Avenue.
- Public washroom facilities are retained at the England Avenue / 6th Street intersection, but existing EV chargers must be relocated.

Typical Cross-Section (Option 1)



Sample Photos

The following are photos of two-way protected bike lane facilities in a downtown location similar to 6th Street.



Front Street, Nanaimo⁵



Fort Street, Victoria

⁵ Image Source: City of Nanaimo, access online at: www.nanaimo.ca/your-government/projects/front-street-transportation-improvements-project

Enhancement Option 2.

One-Way Circulation

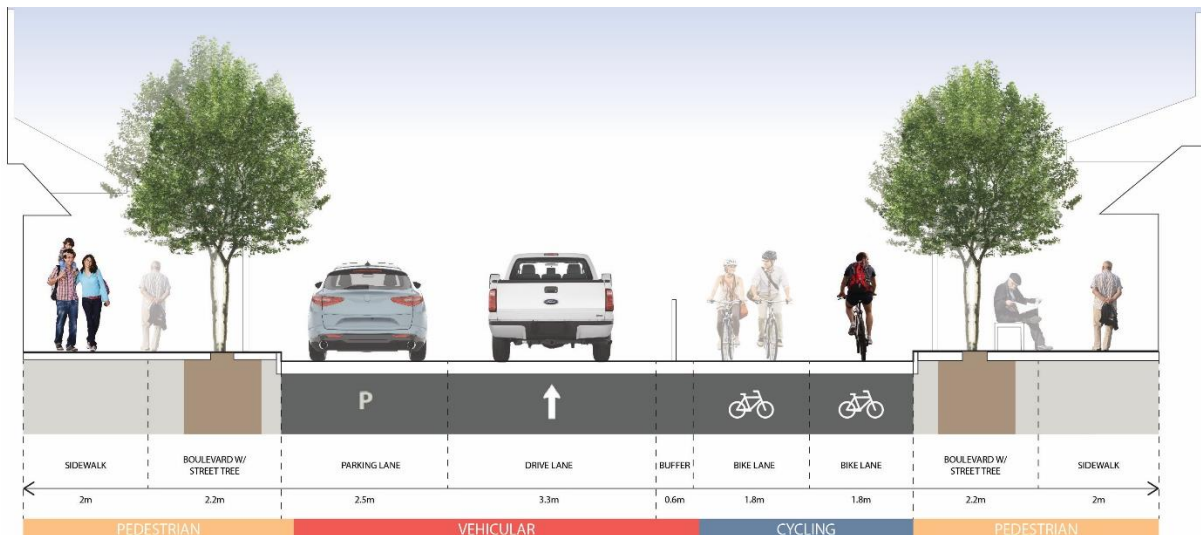
Overview

Converting vehicle traffic to one-way circulation is an opportunity to shift the space needed to support vehicle travel towards supporting other activities on 6th Street, such as a two-way protected cycling facility, wide sidewalks and boulevards with street trees.

Key Features

- Vehicle traffic is reduced to one-way travel between England Avenue and Cliffe Avenue (two-way travel retained Fitzgerald to England Ave and Cliffe to Anderton). One-way circulation is prioritized in the eastbound direction (current patterns see approx. 1.5x more traffic in the eastbound direction).
- Parking is reduced to the south side only. Parking on the south side is located to buffer cyclists from vehicle traffic.
- Cyclists are prioritized in this option with a 3.3-3.6m wide bi-directional bike lane on the south side of 6th Street. The south side is preferred over the north side for better connections to the Riverway Trail and future 6th Street Active Transportation Bridge.
- The existing public space in front of the Library is largely retained.
- A largely continuous boulevard space is achieved on both sides with significant opportunity for street trees and/or stormwater management features.
- The northbound left-turn lane on Cliffe Avenue is removed, providing greater opportunity for streetscape and/or transit accommodation on Cliffe Avenue.
- Public washroom facilities are retained at the England Avenue / 6th Street intersection, existing EV chargers must be relocated.

Typical Cross-Section (Option 2)



Enhancement Option 3a.

Shared Street / Neighbourhood Bikeway

Overview

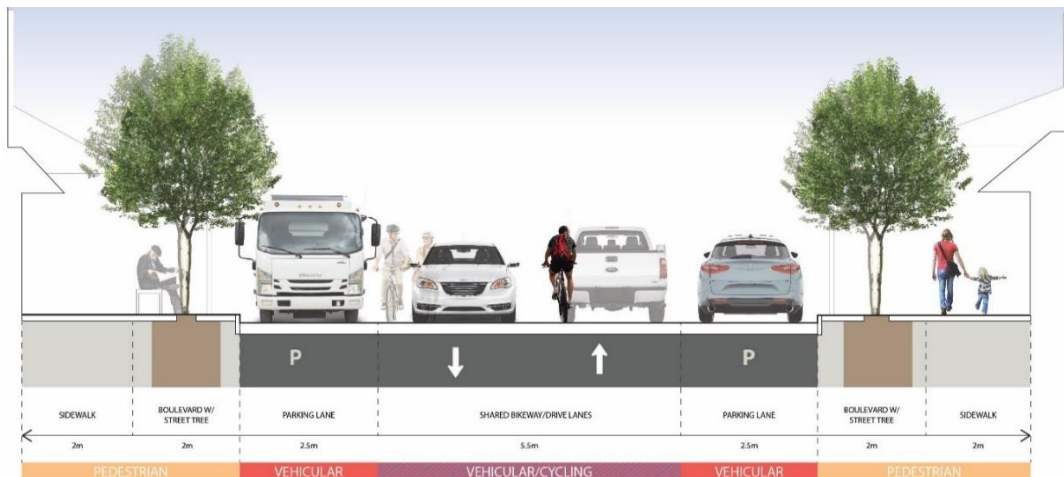
A shared street option has been identified that would see vehicles and cyclists in shared travel lanes. Traffic calming and diversion is required to ensure reduced traffic volumes and low vehicle speeds. This option allows for sufficient space to retain on-street parking on both sides, with sidewalks and narrow boulevards in most places.

Neighbourhood bikeways are more commonly pursued in residential areas, but are also applicable on downtown streets exhibiting low traffic volumes and speeds. The Hobson Avenue / 6th Street corridor in east Courtenay is an example of a neighbourhood bikeway.

Key Features

- Vehicles and cyclists share travel lanes between England Avenue and Cliffe Avenue.
- Reduced traffic volumes are required so that cyclists are comfortable sharing the lane with vehicles. A directional closure is required to prevent eastbound thru traffic at England Avenue and reduce eastbound traffic volumes. Traffic calming features to reduce vehicle travel speeds may also be pursued.
- Two-way protected bike lanes are shown between Fitzgerald Avenue and England Avenue for added safety where traffic volumes are higher, and east of Cliffe Avenue to connect to the Riverway Trail and future 6th Street Active Transportation Bridge. Specific cyclist design treatments required at Cliffe Avenue intersection to transition between cycling facility types.
- Parallel parking is retained on both sides, with only a modest loss in parking supply on the block between Fitzgerald Avenue and England Avenue (current angled).
- The existing public space in front of the Library is retained. Public washrooms are retained at England Avenue, EV chargers must be relocated.

Typical Cross-Section (Option 3a)



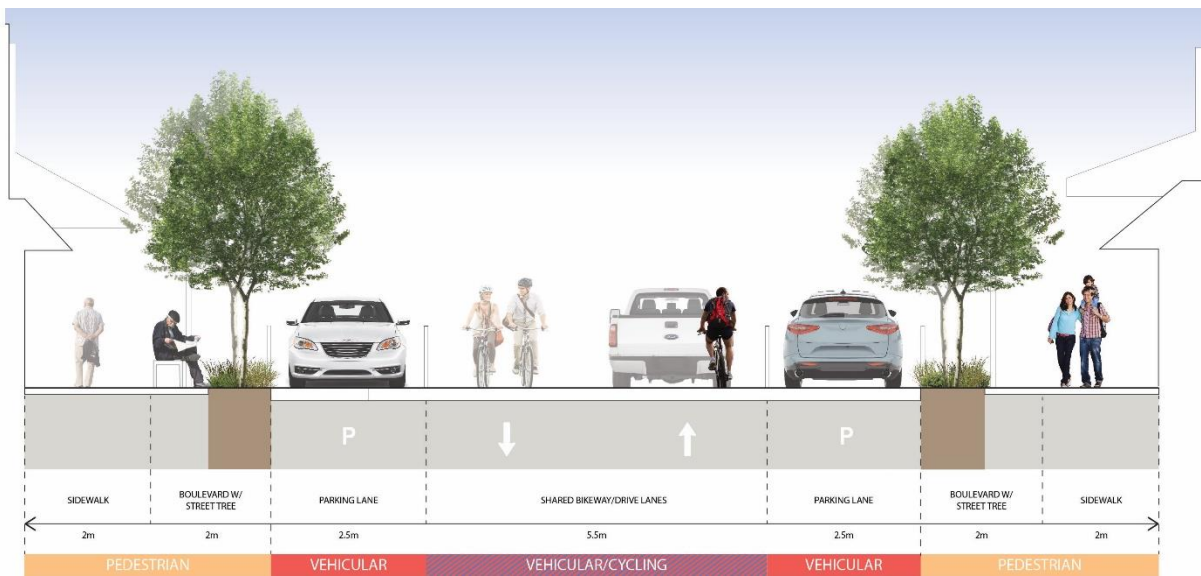
Enhancement Option 3b.

Woonerf Shared Street Option

A level cross section (*Woonerf*) design could be pursued for this neighbourhood bikeway option for the two blocks between England Avenue and Cliffe Avenue.

This is similar to shared street neighbourhood bikeway treatment identified above in terms of circulation and overall function but would involve a comprehensive streetscape reconstruction to bring the street and sidewalk to the same elevation and build in urban design and aesthetic treatments.

Typical Cross-Section (Option 3b)



Enhancement Option 4.

Multi-Use Promenade

Overview

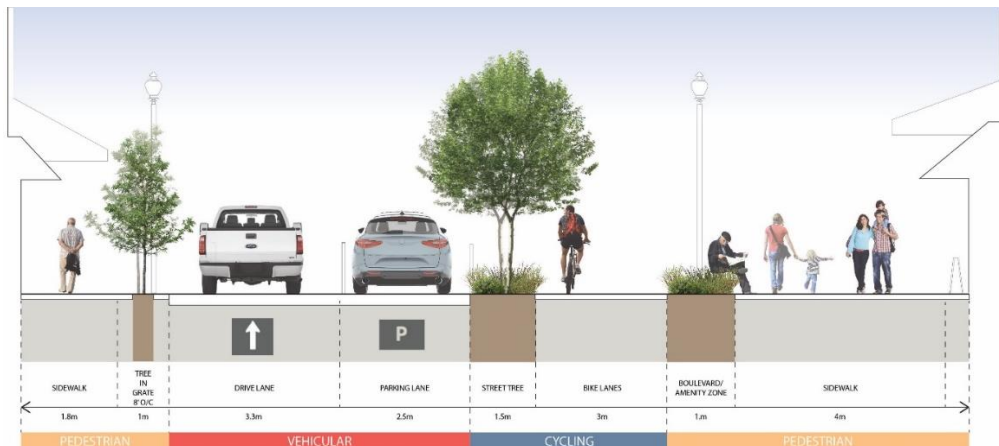
A multi-use promenade option has been identified that would reduce vehicle traffic to one direction (similar to Option 2) and prioritize space for pedestrians, cyclists and public gathering on the south side of 6th Street. The resulting public space would be significant and allow for ample space for public gathering and specific events, while also providing a direct connection to the Riverway Trail and future 6th Street Active Transportation Bridge.

This option results in a significant downgrade in the vehicle function of 6th Street, with both the reduction of one-way traffic and reduction of on-street parking to one side.

Key Features

- Significant public space to support public gathering and special events.
- Opportunities for a large number of street trees and stormwater management.
- Cyclists and pedestrians likely to require separation within the promenade space, particularly to address fast-moving eastbound cyclists (high speed due to grade).
- Vehicle traffic is reduced to one-way travel between England Avenue and Cliffe Avenue (two-way travel retained Fitzgerald to England Ave and Cliffe to Anderton). One-way circulation is prioritized in the eastbound direction (current patterns see approx. 1.5x more traffic in the eastbound direction).
- Parking is reduced to the south side only. Parking on the south side is located to provide direct access to the promenade.
- The northbound left-turn lane on Cliffe Avenue is removed, providing greater opportunity for streetscape and/or transit accommodation on Cliffe Avenue.
- This cross-section could be pursued with a curbless design (as shown below) that allows for improved function during street closures and special events.

Typical Cross-Section (Option 4)



Enhancement Option 5.

One-Way Circulation – Angled Parking

Overview

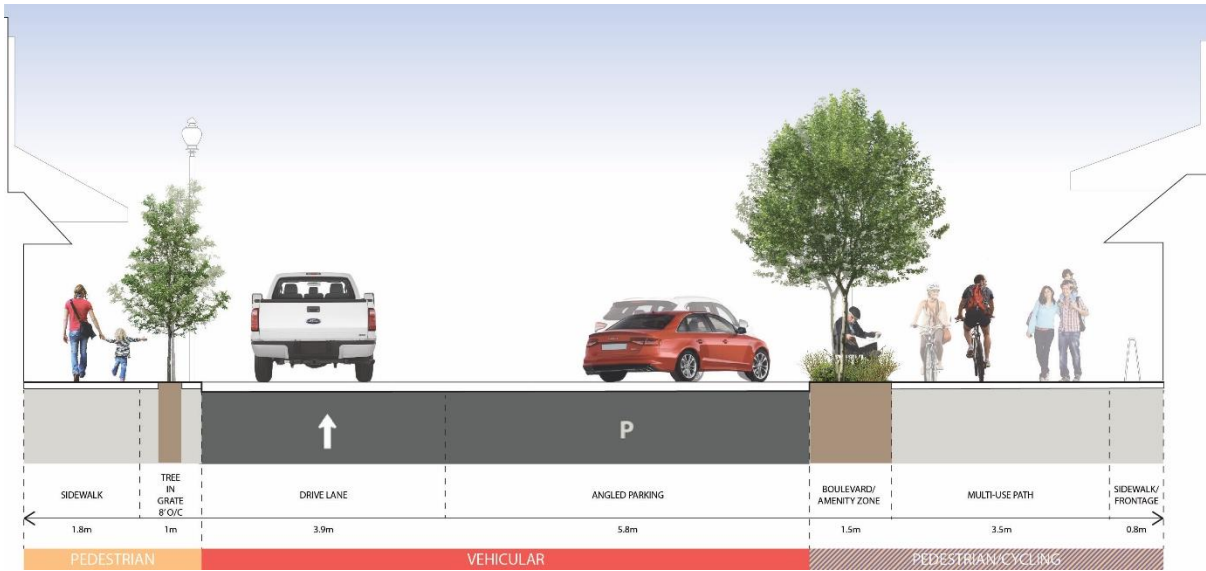
This option presents a compromise by reducing vehicle traffic to one direction (similar to Option 4) while prioritizing angled parking along the corridor. Extra space for pedestrians and cyclists is provided on the south side of 6th Street in the form of a multi-use pathway with boulevard space for street trees.

This option results in a significant downgrade in the vehicle function of 6th Street, with both the reduction of one-way traffic and slight reduction of on-street parking supply. Limited dedicated space for cyclists does not support commuter traffic toward the 6th Street Bridge. If a curbless design is pursued, there is significant space for specific events in cases where the street is closed with no parking or through travel.

Key Features

- Limited public space to support public gathering and special events (south side)
- Opportunities for functional street trees and/or space for stormwater management features.
- Potential conflict between cyclists and pedestrians due to insufficient space for physical separation within the multi-use pathway particularly for fast-moving eastbound cyclists (high speed due to grade).
- Vehicle traffic is reduced to one-way travel between England Avenue and Cliffe Avenue (two-way travel retained Fitzgerald to England Ave and Cliffe to Anderton). One-way circulation is prioritized in the eastbound direction (current patterns see approx. 1.5x more traffic in the eastbound direction).
- Parking is reduced to the south side only, in the form of angled parking. Location on the south side provides direct access to the multi-use pathway.
- The northbound left-turn lane on Cliffe Avenue is removed, providing greater opportunity for streetscape and/or transit accommodation on Cliffe Avenue.
- To achieve a level cross section without curb and gutter (i.e., *Woonerf*-style), a full street reconstruction would be required.
 - If existing curbs remain in place, construction could be limited to the south side of the street only, leaving the north side largely open and less impacted during construction.

Typical Cross-Section (Option 5)



4.5 CURBED VS CURBLESS DESIGN

Conventional urban street design includes a 90-degree concrete barrier curb at the street edge. This provides drainage function by way of a catch basin, as well as physical and vertical separation between the sidewalk and street.

Originating in the Netherlands and Belgium, the term *Woonerf* (translates as “living street”) refers to street design that prioritizes quality of life for people as opposed to solely efficient movement of vehicles. A defining feature of the *Woonerf* is the lack of continuous raised curb and gutter to separate vehicles from other road users. Under this curbless design drainage infrastructure is fully encapsulated below the road surface and travel lanes are delineated by physical barriers, material variations or other urban design elements. Examples include concrete banding, or removable bollards or planters. The curbless design approach is typically only applied on low volume, slow speed streets where pedestrian safety and creating public space is a priority.

Many of the enhancement options considered above could be pursued as a curbless design. This would provide for a stronger transition to the Duncan Commons concept and allow for an improved experience during temporary closures for special events. This option may have particular application for the section of 6th Street between England Avenue and Cliffe Avenue, and should be pursued in combination with treatments that reduce traffic volumes through this section (either traffic calming and/or reduction to one-way traffic).

A number of examples are provided below from communities such as Qualicum Beach, Coquitlam, Halifax, Seattle, Portland and Chicago.

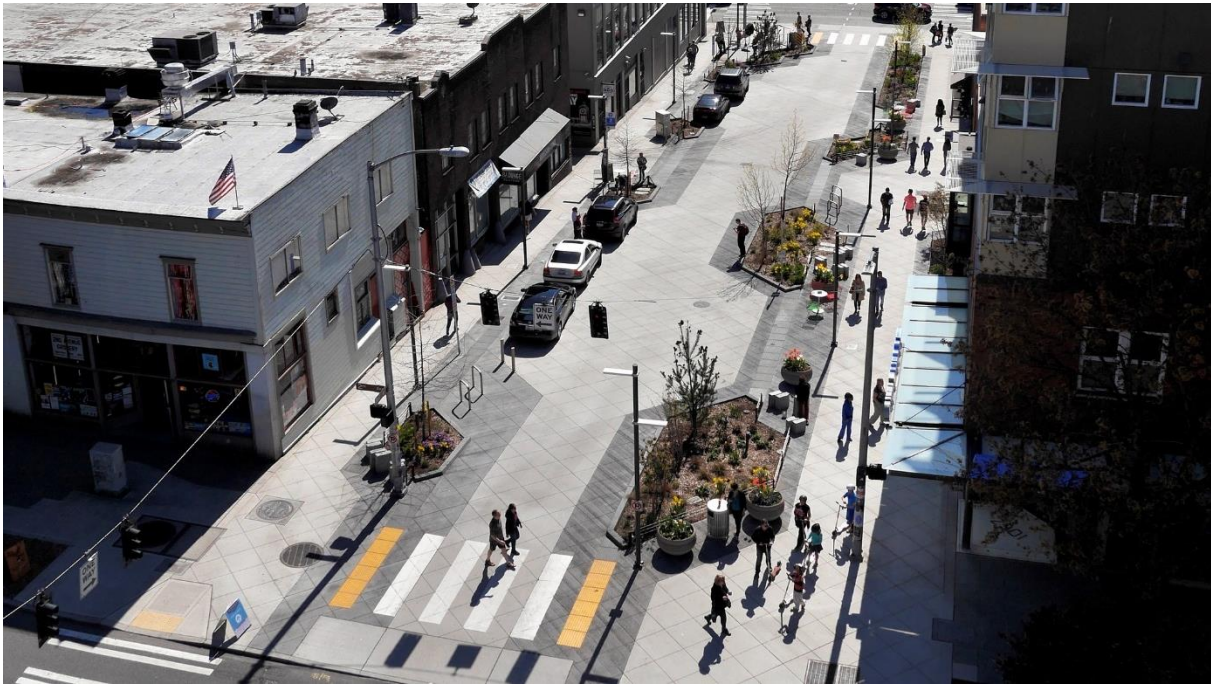


Woonerf currently under construction on 2nd Avenue in Qualicum Beach



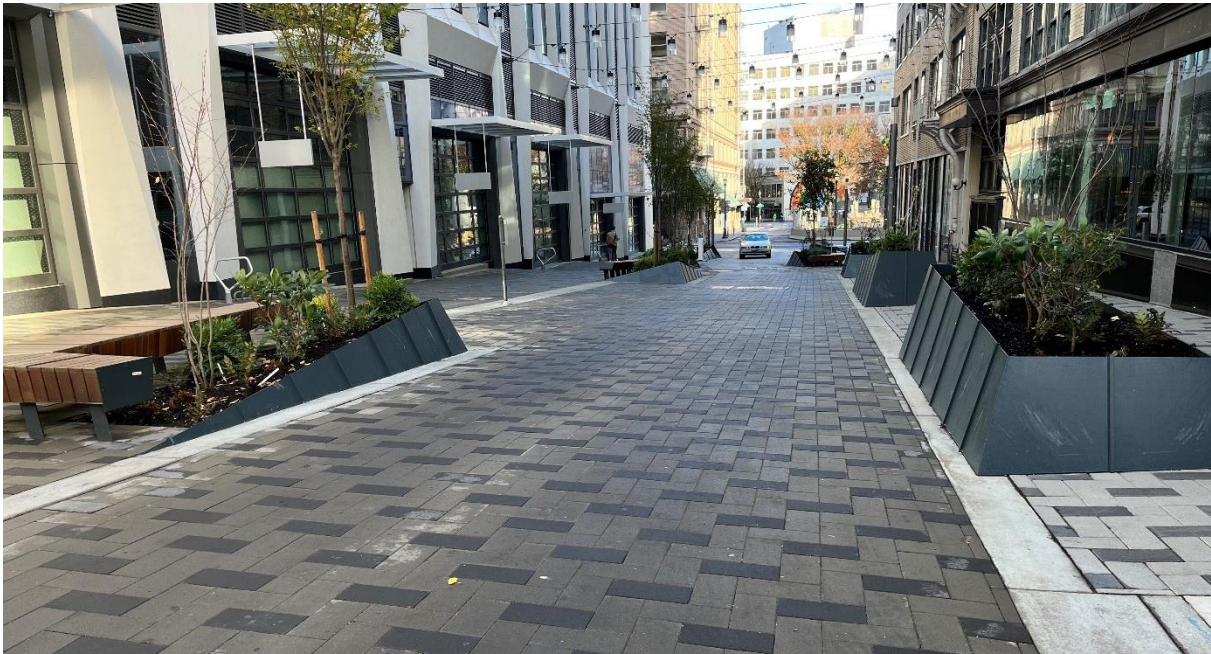
McAllister Avenue Shared Street, downtown Port Coquitlam, BC⁶

⁶ Image source: City of Port Coquitlam, access online at: <https://www.portcoquitlam.ca/business-development/planning/revitalizing-our-downtown/mcallister-avenue-reconstruction/>



Bell Street Park in Seattle, WA, a hybrid of park activities and street function⁷

⁷ Image source: World Landscape Architect, access online at:
<https://worldlandscapearchitect.com/wp-content/uploads/2018/10/Bell-Street-Park-Seattle-USA-MIG-SvR-8.jpg?v=3a1ed7090bfa>



Woonerf street in the Pearl District area, Portland OR



Argyle Street shared street, Halifax NS⁸

⁸ Image source: Fathom Studio, access online at:
<https://fathomstudio.ca/our-work/argyle-and-grafton-street-shared-street>



Argyle Shared Street Streetscape, Chicago IL⁹

⁹ Image source: Site Design Group, access online at: <https://www.site-design.com/argyle-streetscape/>

4.6 DESIGN CONSIDERATIONS

A series of specific design considerations were contemplated as each option was identified and are given consideration in the evaluation of options. These items are important in understanding how options were developed, what the important impacts are (positive and negative) and which supporting details require further consideration as design phases are pursued. The following are specific design considerations:

- The section of 6th Street between Fitzgerald Avenue and England Avenue is wider than the remainder of the corridor. The right-of-way is approximately 24m wide (approx. 6m wider than elsewhere) and angled parking is in-place on both sides. The design intent for the corridor and the typical cross-sections identified for each option require specific consideration for this western-most block.
 - For the purposes of this exercise, all options retain two-way vehicle traffic for this block as well as parking both sides (parallel or angled). This is critical to the evaluation of the options. See **Appendix A** for the schematic designs.
- Any option that contemplates a bi-directional cycling facility or multi-use facility (i.e., promenade) should focus on the south side of 6th Street to provide direct connection to the Riverway Trail and future 6th Street Active Transportation Bridge. Specific design and signal treatments may be required at the Cliffe Avenue intersection to create physical separation and/or time separation for cyclists.
- Options that result in cyclists sharing the travel lane with vehicles will require that traffic volumes are no more than 1,000 vehicles per day and travel speeds are not more than 30 km/h. Specific and targeted traffic calming features will be required to achieve desired traffic characteristics.
- Specific consideration is required for the design and placement of street trees. In options with continuous boulevards, street trees may be achieved in regular intervals. Specific technologies may be required to support the establishment of functional trees with appropriate soil volumes (i.e., Silva Cells or other similar products). For those without boulevards, opportunities to locate street trees in curb extensions and/or within the sidewalk space are to be identified.
- Specific consideration of street closure opportunities is required once a preferred option is identified. This may include opportunities to extend the Duncan Commons treatment through the 6th Street / Duncan Avenue intersection and/or closures of 6th Street between England Avenue and Cliffe Avenue to support special events. Closing the access to the Library parking lot from the south side of 6th Street should be considered for all options, as it will reduce the potential for conflict with active modes.

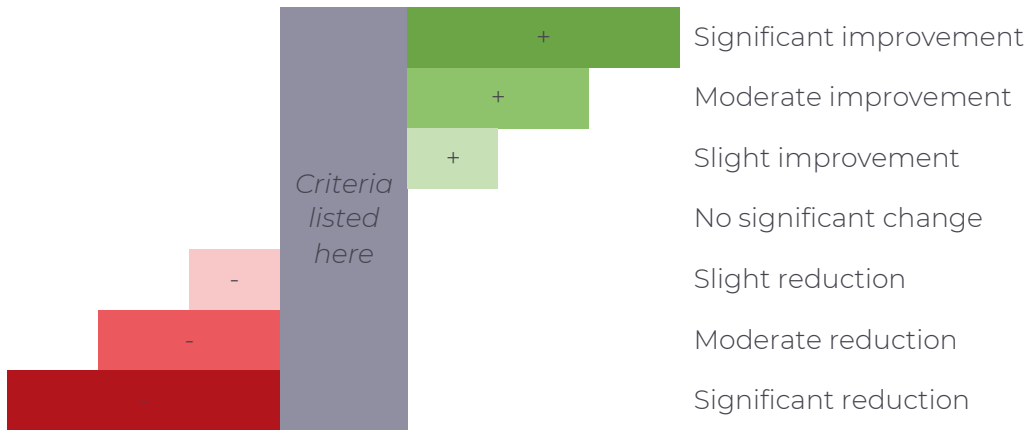
5.0 OPTIONS ASSESSMENT

The corridor enhancement options identified in **Section 4.0** have been assessed below to help determine the preferred option for the 6th Street corridor.

5.1 APPROACH

5.1.1 EVALUATION RATINGS

An evaluation rating is applied to each corridor enhancement option across a series of criterion. The evaluation rating is based on the level of service provided for each option as compared to current levels. Descriptions of each evaluation level are provided below:



5.1.2 ASSESSMENT CRITERIA

A series of standardized criteria are identified to be used to cross-compare the corridor options against one another.

	Walking Comfort + Safety	Safety and comfort for people walking considering sidewalk and boulevard width, and separation from vehicles and bikes.
	Cycling Comfort + Safety	Safety and comfort for people cycling considering consideration for facility types, motorist interactions, and network connections and intersections.
	Motor Vehicle Performance	Performance for general purpose traffic including intersection performance and changes in circulation and/or capacity.
	Parking Impact	Total impact on parking supply and impact on access to parking.
	Transit Performance	Impacts in providing access to planned transit exchange and/or changes to transit route / circulation.
	Placemaking / Open Space	Placemaking and open space benefits associated with active boulevards, open spaces, and active transportation facilities.
	Festivals / Special Events	Opportunities to support the festivals and special events envisioned in the OCP and Downtown Playbook.
	Environmental Performance	Environmental performance considered through urban forest and stormwater management opportunities.
	Construction Impact	Anticipated impact of construction on businesses, including construction length and magnitude of interruption.
	Capital Cost	Anticipated capital cost in consideration of new and/or repurposed infrastructure, and cost of enhancements.
	Lifecycle Cost	Anticipated resource and cost required to maintain infrastructure.

5.2 EVALUATION RESULT

A summary of the level of service provided for each option as compared to current levels is provided in **Table 2** below. Evaluation for each assessment criterion was based on the key features identified in **Section 4.0** and the schematic designs provided in **Appendix A**.

The enhancement options each represent tradeoffs between different priorities, aligned to one or multiple assessment criteria. Weightings have not been applied to the criteria. The intention is to provide a holistic overview, enabling decision-makers to compare against high-level direction and various guiding principles as described earlier in this report.

Results are considered in supporting the conclusion that has been described further in **Section 6.0**.

TABLE 2. EVALUATION SUMMARY COMPARED TO CURRENT LEVELS

	Option 1	Option 2	Option 3a	Option 3b	Option 4	Option 5
Walking Comfort + Safety	+	+	+	+	+	+
Cycling Comfort + Safety	+	+	+	+	+	+
Motor Vehicle Traffic Performance	-	~	-	-	+	+
Parking Impact	-	-	-	-	-	-
Transit Performance	~	~	~	~	~	~
Placemaking / Open Space	-	+	+	+	+	+
Festivals / Special Events	-	+	+	+	+	+
Environmental Performance	~	+	+	+	+	+
Construction Impact	-	-	-	-	-	-
Capital Cost	-	-	-	-	-	-
Lifecycle Cost	-	-	-	-	-	-

6.0 SUMMARY

The preceding review concluded that the 6th Street corridor is best considered in three (3) segments, as highlighted in **Figure 8**. Recommended directions for each section are described below.

FIGURE 8. 6th STREET CONFIGURATION WITH PREFERRED OPTION



A bi-directional protected bike lane configuration has been included with the 6th Street Active Transportation Bridge design that would connect the bridge to the Riverway Trail and Cliffe Avenue intersection. This treatment continues to be recommended as an outcome of this exercise and is consistent with the preferred options for the sections of 6th Street west of Cliffe Avenue.

The outcomes of the preceding options assessment suggest the design option that best meets the objectives of this study is the multi-use promenade (Option 4) for the sections of 6th Street west of Cliffe Avenue (referred to as Treatment 1 + 2 above). Key features of this option include a wide two-way cycling facility and sidewalk on the south side of 6th Street with ample landscape and public space. Parking is reduced to one side and circulation is changed to one-way to create space for the added amenities. The western-most block (Treatment 1 above) is much wider than the rest of the corridor and may accommodate the active transportation features applied to the rest of the corridor, while retaining two-way circulation and parking on both sides.

If the multi-use promenade option is determined to be too impactful in terms of changes in parking and circulation, the two-way protected bike lane option (Option 1) is the preferred alternative.

Key directions from this study were discussed with Council in July 2024. Take-aways from the discussion included a preference for options that include a two-way cycling facility between the future 6th Street Active Transportation Bridge and Fitzgerald Avenue and concern over options with significant parking loss and impacts during construction. Support was generally highest for Options 1 and 2.

A key outcome from the discussion and subsequent conversations with City staff was the desire to advance cycling improvements on 6th Street as the 6th Street Active Transportation Bridge is completed (anticipated 2026 / 2027). An interim treatment has been identified consistent with Option 1 (Two-Way Protected Bike Lane) that would see bi-directional bike lanes replacing on-street parking and curb extensions on the south side of 6th Street, with associated intersection upgrades at Cliffe Avenue and Fitzgerald Avenue. These improvements could be realized over the next few years with only modest cost and impacts, with the potential still for a more comprehensive streetscape and urban design revitalization pursued longer term.

A more detailed concept design and cost estimate should be advanced as a next step to allow the City to understand the full impact and costs associated with the proposed changes and be in a position to apply for grant funding. The concept design should address the following:

- Specify dimensions and design of travel lanes, bi-directional bike lanes and physical protection between travel lane and bike lane
- Impact on on-street parking on 6th Street and surrounding area
- Extent of the removal for existing curb extensions (est. 5 locations), including any landscape and tree loss (assumes no mature trees impacted)
- Impact on public space and seating area associated with curb extension / public space removal in front of library
- Impact on drainage associated with removal of existing curb extensions (5 locations)
- Required street light relocation (est. 3 street lights)
- Required curb ramp, crosswalk and sidewalk reconfiguration due to loss of curb extensions (England Ave, Fitzgerald Ave intersections)
- Confirm bicycle crossing treatments at Cliffe Avenue and Fitzgerald Avenue, including requirement for dedicated bicycle signal (Cliffe Ave) and cyclist activated treatment (Fitzgerald Ave)
- Study of impact on intersection performance at Cliffe Avenue resulting from removal of one eastbound travel lane and bicycle signal and dedicated signal phase for cyclists

6.1 NEXT STEPS

The following are recommended next steps:

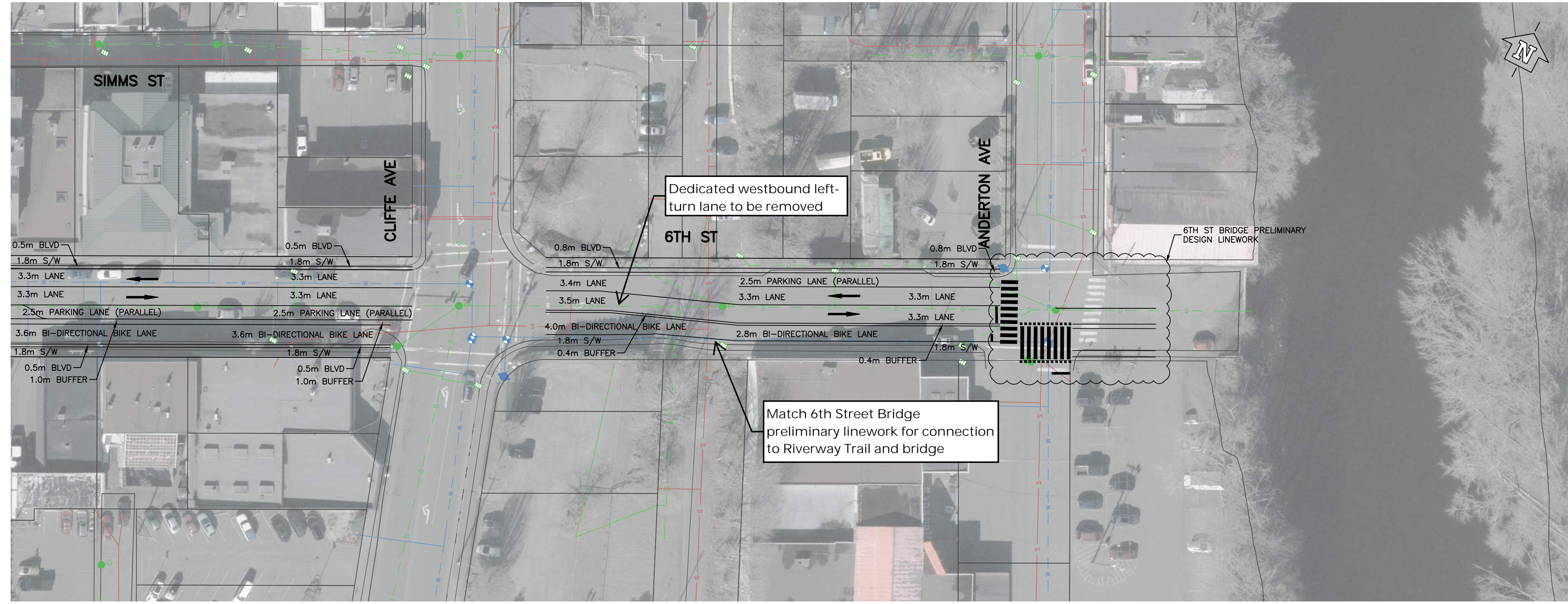
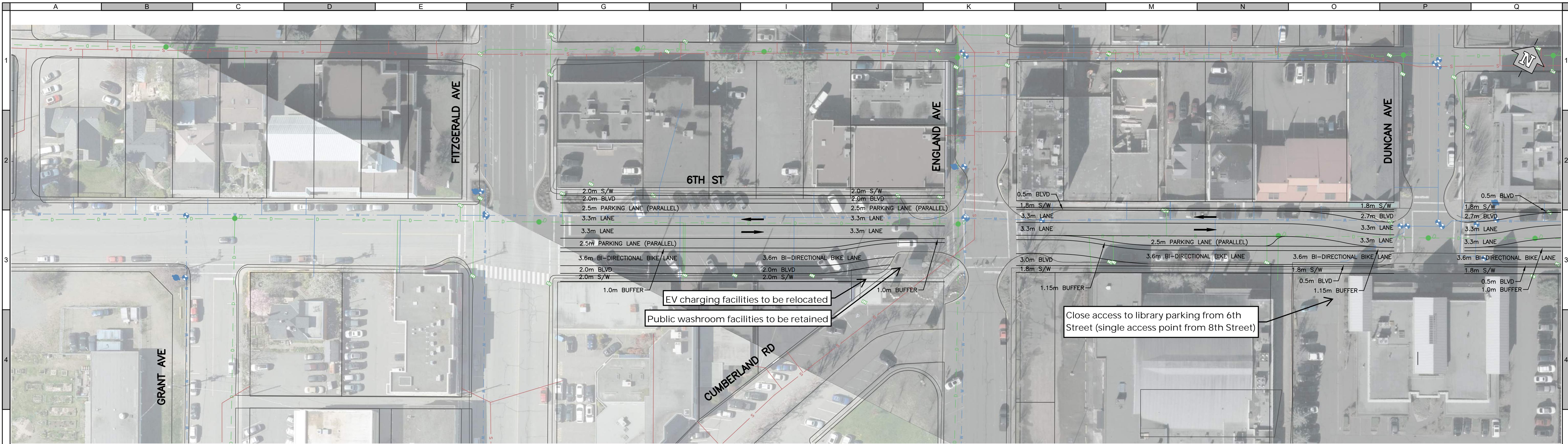
- Develop concept design and cost estimates for the preferred enhancement option (based on design testing contained in this report and key items identified on the previous page);
- Undertake a two-phased preliminary public engagement approach – first with the Downtown Courtenay Business Improvement Association (DCBIA), followed by the downtown business community, Courtenay residents, and other stakeholders;
- Undertake follow-up engagement with the downtown business community, DCBIA and directly impacted property / business owners;
- Secure funding to advance enhancement project, including possible external grant opportunities related to active transportation, economic development and/or downtown beautification; and
- Advance to detailed design, tendering and construction.

Note: consideration may be given to the opportunity to “pilot” the preferred enhancement option, in full or in part, prior to permanent construction. This could utilize rapid implementation measures (e.g., lower-cost materials, within available curb space, faster implementation time) and would enable further feedback from the downtown business community, residents, and other stakeholders.

APPENDIX A

SCHEMATIC DESIGNS

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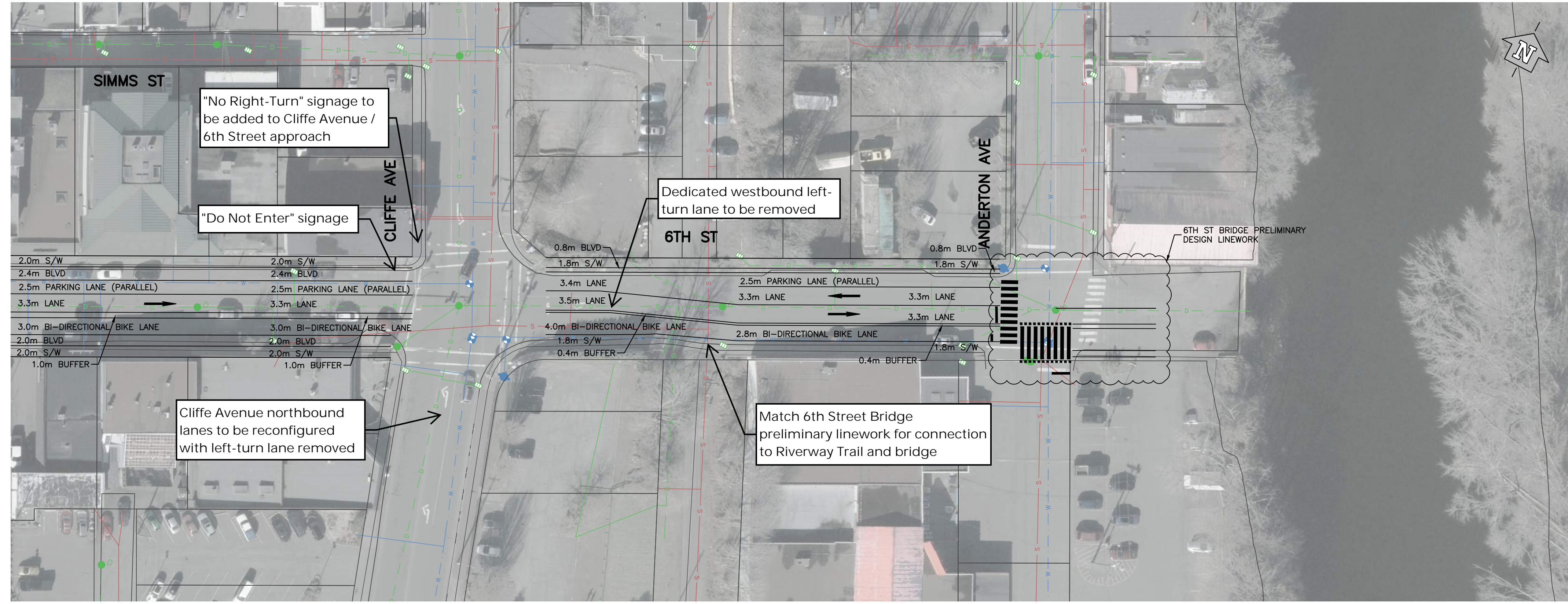
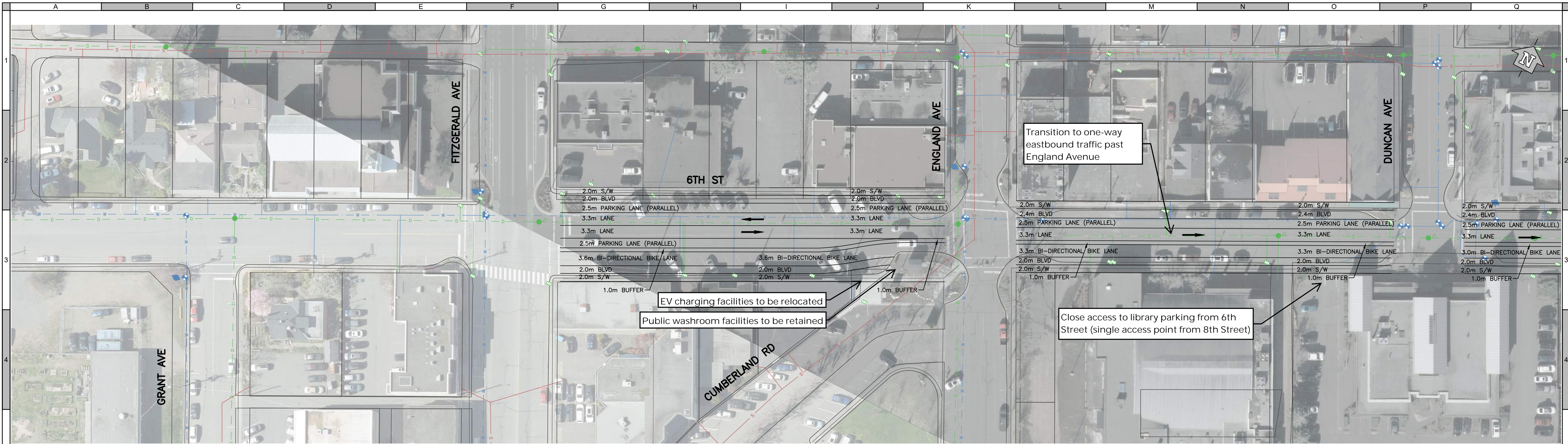
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6th Street Multi-Modal Corridor Enhancements
 Option 1
 Two-Way Protected Bike Lane

Sheet Number: 1 of 6
 Project Number: 3222.0085.01
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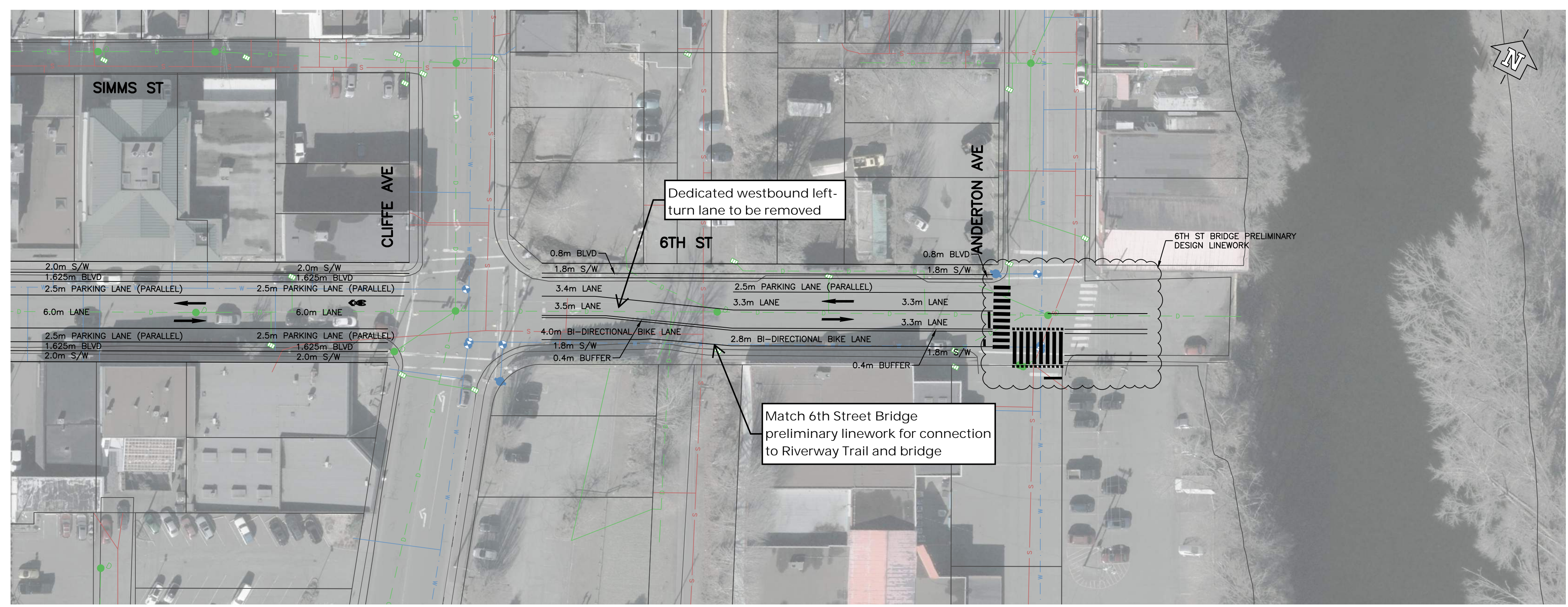
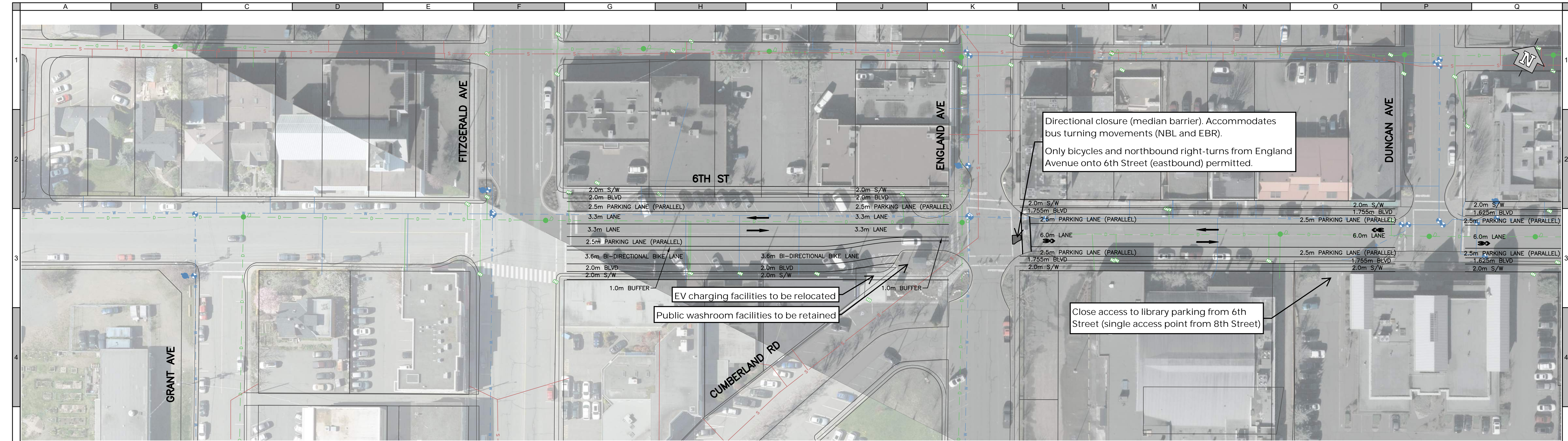
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6th Street Multi-Modal Corridor Enhancements
 Option 2
 One-Way Circulation

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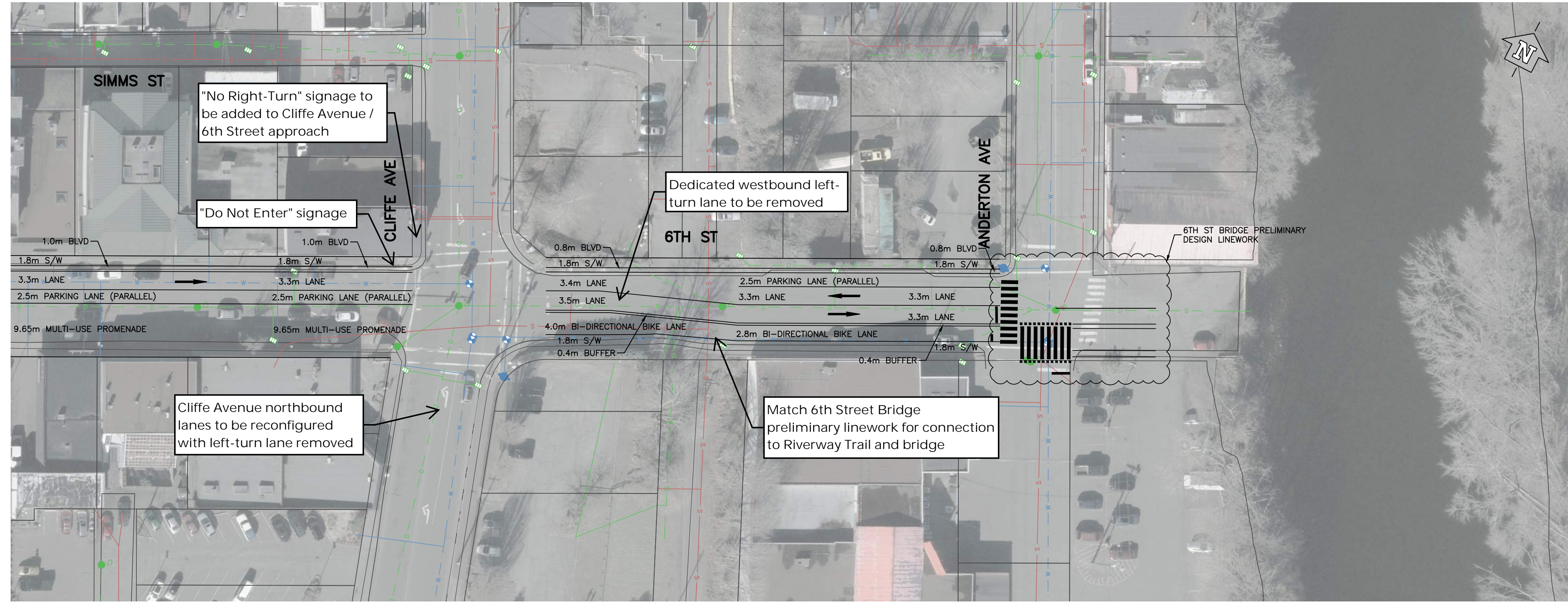
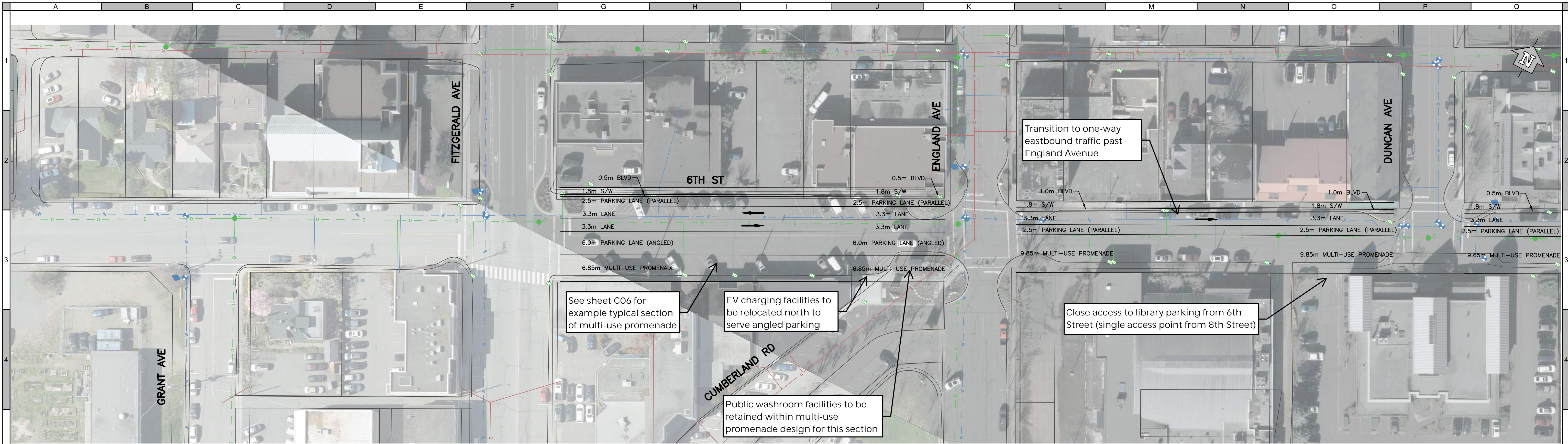
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6th Street Multi-Modal Corridor Enhancements
 Option 3
 Shared Street

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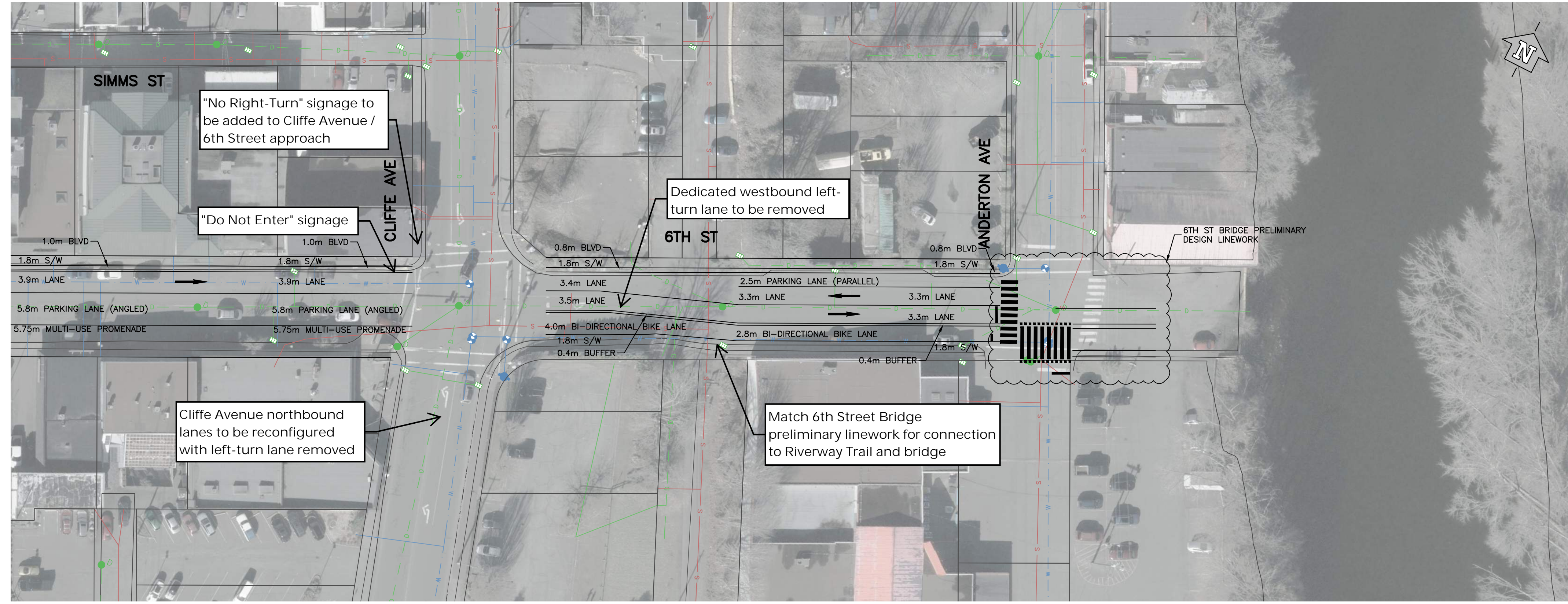
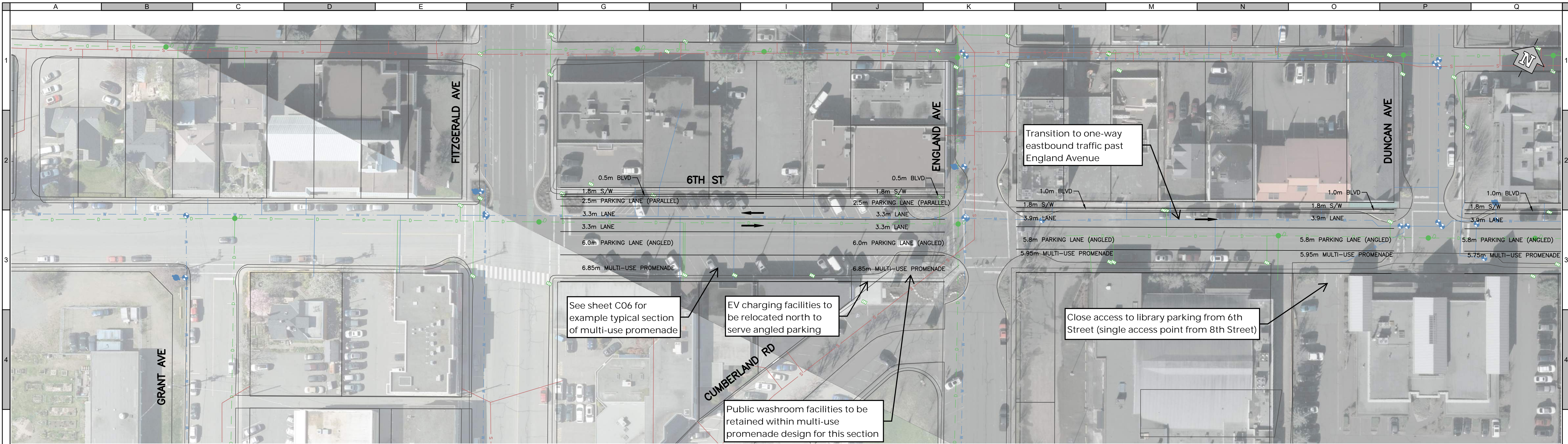
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Option 4 Multi-Use Promenade			
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6th Street Multi-Modal Corridor Enhancements
 Option 5
 One-way Circulation - Angled Parking

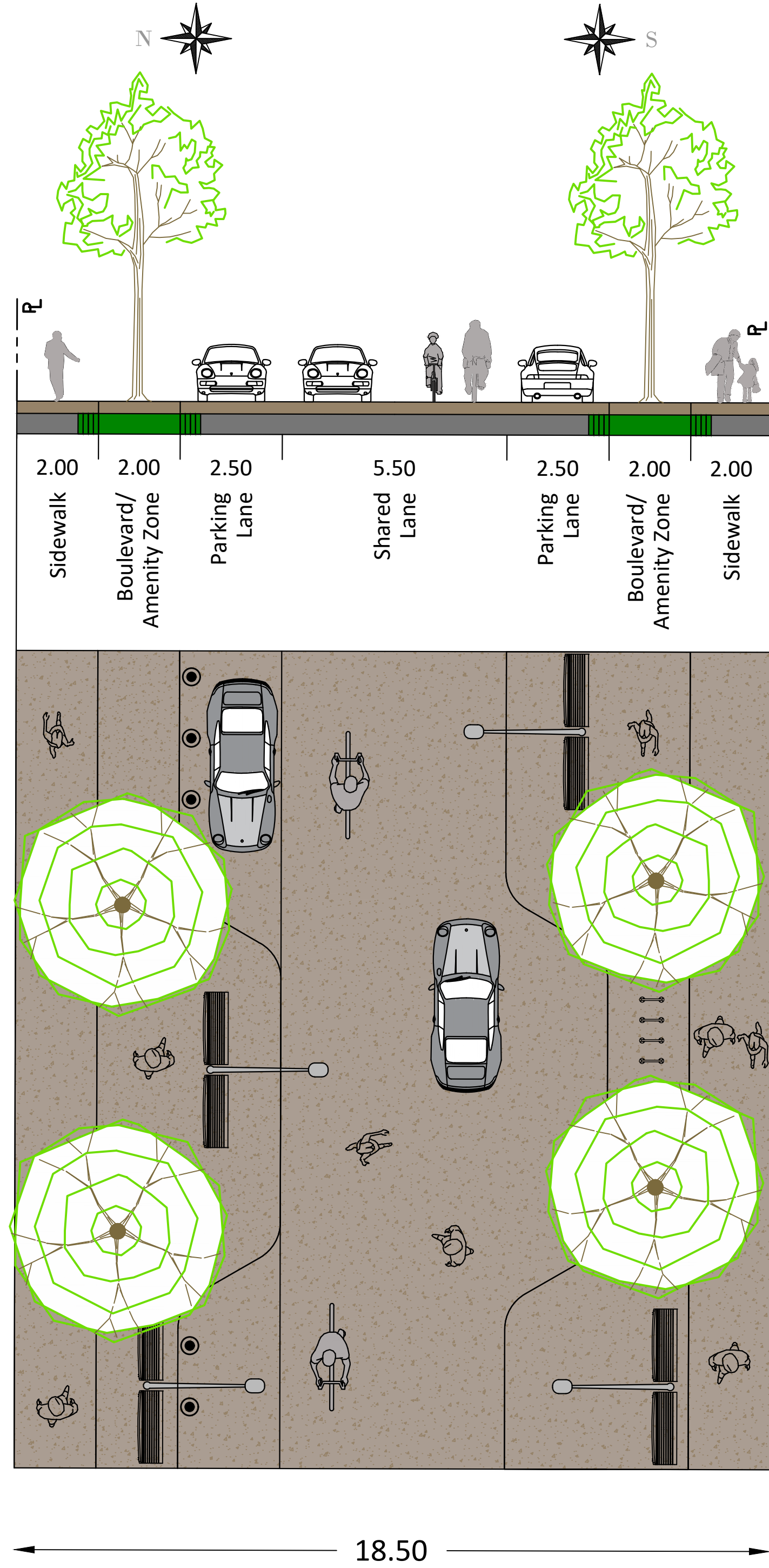
Sheet Number: 5 of 6
 Project Number: 3222.0085.01
 Drawing Number: C05
 Revision: -----

NOT FOR CONSTRUCTION

\\us1urban-systems.com\projects\Projects_VIC\3222\0085\01\1D-Design\CAD\20_PROD\SET\3222\008501 - TYPICAL SECTIONS.dwg, Multi-Use Promenade Sample Cross-Section, 2024-06-18 10:50 am PTam

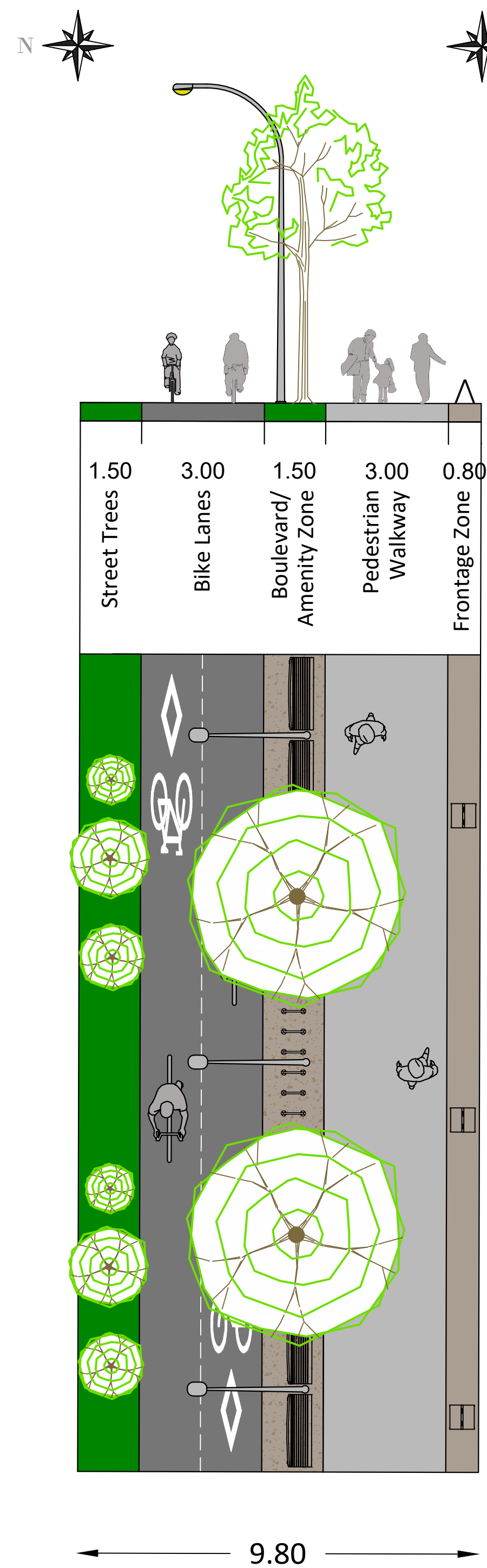
6th Street

Fitzgerald Ave. to Cliffe Ave.
OPTION 3B - SHARED STREET CROSS-SECTION



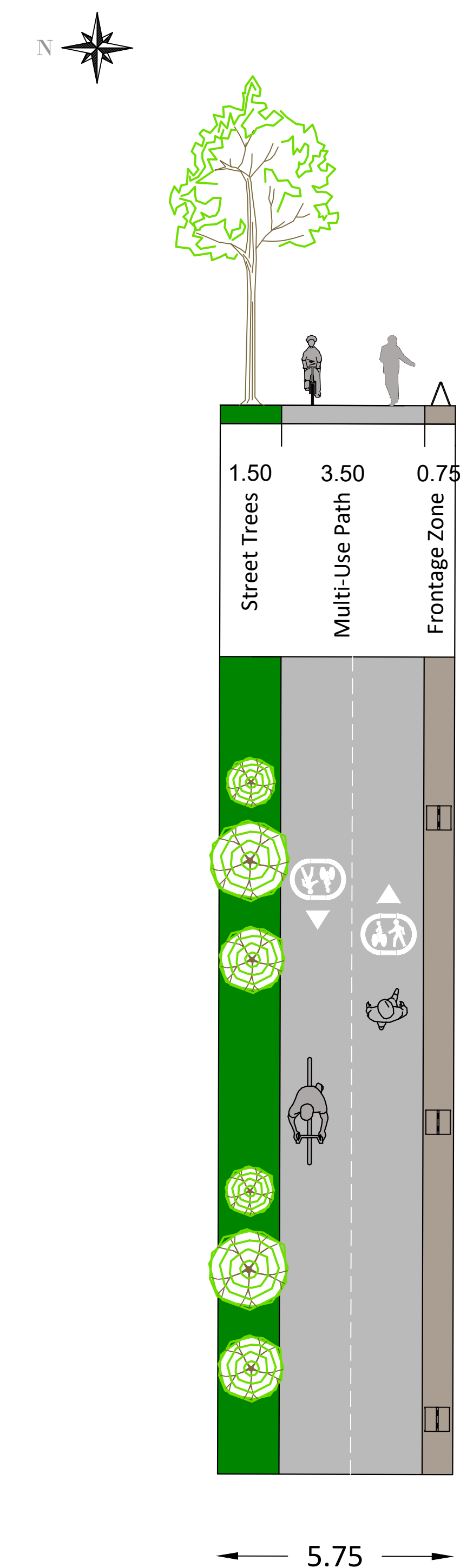
6th Street

Fitzgerald Ave. to Cliffe Ave.
OPTION 4 - MULTI-USE PROMENADE SAMPLE CROSS-SECTION



6th Street

Fitzgerald Ave. to Cliffe Ave.
OPTION 5 - ONE-WAY CIRCULATION - ANGLED PARKING



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SURVEY INFORMATION
Prepared by: -
Coordinate System: -
Compilation Date: -

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Professional Seals

#	Date	Issue / Revision	App
1	2023-12-21	ISSUED FOR DISCUSSION ONLY	DC
2	2024-06-12	ISSUED FOR DISCUSSION ONLY	DC



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Scale
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Quality Control by: D. CASEY
Designed by: M. THERRIEN
Drawn by: M. KELDER

6th Street Multi-Modal Corridor Enhancements
Curbless Sample Cross Sections

Sheet Number: 6 of 6
Project Number: 3222.0085.01
Drawing Number: C06
Revision: -

NOT FOR CONSTRUCTION



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 5335-20

From: Director of Operational Services

Date: April 2, 2025

Subject: 6th Street Parking Review – Parking Enhancement Option

PURPOSE:

The purpose of this report is to present Council with the results of a detailed analysis of both the current state and future opportunities for enhanced on-street parking throughout the 6th Street corridor.

EXECUTIVE SUMMARY:

With future 6th Street active transportation projects contemplated within the corridor, from the Courtenay River to Harmston Avenue, and a new downtown Transit exchange, along England Ave between 6th Street and 8th Street, a detailed parking review was completed. The results indicate that the impacts of these active transportation and transit initiatives on available parking can be reduced through strategic corridor enhancements and the implementation of an effective parking management program.

BACKGROUND:

In June 2024, Council was presented with a staff report that collected parking data for the downtown core area that would allow for future analysis and provide insight into parking behaviours and/or future needs. Results indicated times of peak parking and the duration of occupancy in each area throughout the day for weekdays and weekends. The report revealed that timed parking zones, including both on-street and off-street parking, are not achieving the intended availability of spaces due to a lack of enforcement.

On June 12, 2024, Council resolved:

“THAT Council receive the “Downtown Courtenay Parking Study” for information and that the study be used as a baseline data set to support future active transportation design standards, regulatory standards, parking enforcement standards, and the implementation of the Official Community Plan.”

DISCUSSION:

The 6th Street corridor is a vibrant and popular destination within the downtown core. The active transportation projects that are proposed along 6th Street will further enhance this destination feature and complement the current amenities. In anticipation of these improvements, staff selected a consultant to facilitate a review of the currently available parking and its functional use along 6th Street from Fitzgerald Avenue to the Courtenay River. Of the total 97 available parking spaces along 6th Street, occupancy ranges between 70-85% on a typical weekday (9:30 AM – 4 PM). This translates to an actual demand of 68 to 82 spaces. Furthermore, under the current conditions, 50-60 % of these spaces are occupied by overstay vehicles beyond the 2-hour threshold, resulting in a current daily demand of 38 to 49 spaces of the 97 available.

6th Street Parking Review – Parking Enhancement Option

The 6th Street active transportation corridor enhancements will prompt migration and inclusion of the Fitzgerald Avenue to Harmston Avenue corridor to the overall downtown environment. To support this, parking improvements are being proposed (as defined in Appendix I) to increase parking capacity from the current 12 parallel parking spaces to approximately 29 angle parking spaces, a gain of 17 spaces.

The contemplated active transportation improvements along the 6th Street corridor would result in the total loss of 49 spaces along the south side only, from the Courtenay River to Harmston Ave. With the addition of the 17 spaces and by unlocking up to 24 spaces through parking restriction enforcement, the net loss of parking could be as low as 8 parking spaces.

With the relocation of the downtown transit exchange from its current location on Cliffe Avenue at 4th Street to the proposed new location on England Avenue, between 6th Street and 8th Street (west side only), a parking offset is expected to result. Preliminary route planning indicates that transit bus staging will no longer be required on Cliffe Avenue, resulting in a regain of up to 8 parallel parking spaces along this corridor. The offsetting amount of angle parking space loss on England Avenue is estimated at 14, resulting in an overall net loss of 6 parking spaces.

These impending projects coupled with the recommended improvements, combine for a total projected loss of approximately 14 parking spaces within the downtown core; actual loss equates to 38 spaces without parking enforcement. Upon further investigation, the corridors adjacent to 6th Street between Fitzgerald Avenue and the Courtenay River do appear to have some capacity to absorb a nominal increase in parking and this capacity could be further increased through the use of effective parking enforcement tools.

Downtown Parking Management

The City prioritizes enforcing bylaws related to safety and environmental issues, as outlined in the City's Bylaw Compliance Strategy. Increasing demands on bylaw services—due to new regulations (e.g., smoking, air quality, short-term rentals etc.) and anticipated growth from provincial land-use changes—necessitate a Downtown Parking Management Program. A comprehensive program, with clearly stated objectives aligned with community and council priorities, can effectively address these increasing demands. Without this program, increased parking enforcement will strain limited resources and divert them from other essential bylaw services.

FINANCIAL IMPLICATIONS:

The interim parking enhancements option for 6th Street between Fitzgerald Avenue and Harmston Avenue could be implemented in a paint-only format and could be completed through the use of the City's 2025 operational maintenance budget at an estimated cost of ~\$5,000. A more fulsome enhancement option, including curb extensions and new sidewalks, would be subject to future capital works and budget approval.

STRATEGIC PRIORITIES REFERENCE:

Under the Council Strategic Priorities 2023-2026, Streets and Transportation (Page 7); This initiative addresses the following strategic priorities:

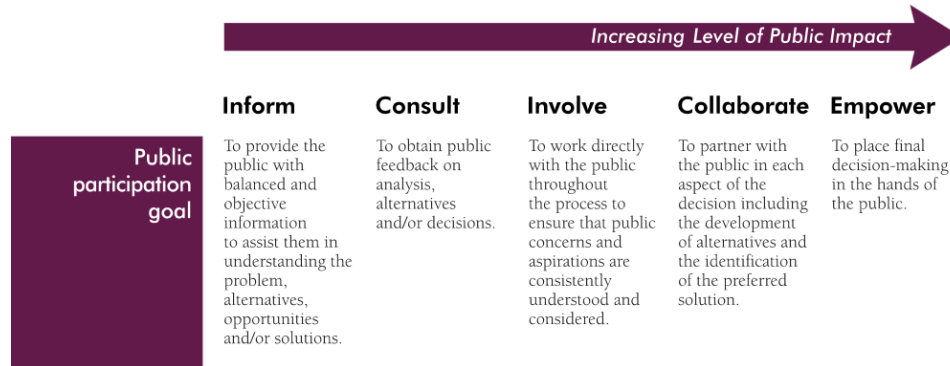
6th Street Parking Review – Parking Enhancement Option

- Streets and Transportation - Review City's approach to parking standards downtown: Parking restrictions and ticketing

PUBLIC ENGAGEMENT:

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

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



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OPTIONS:

1. THAT Council endorse parking enhancements along 6th Street corridor between Fitzgerald Avenue and Harmston Avenue and direct staff to implement angle parking on the north side of the corridor; and

THAT Council direct staff to report back on approaches for developing a Downtown Parking Management Program including enforcement options.

2. THAT Council endorse parking enhancements along 6th Street corridor between Fitzgerald Avenue and Harmston Avenue and direct staff to implement angle parking on the north side of the corridor; and

THAT Council endorse parking enforcement standards along 6th Street corridor from the Courtenay River to Harmston Avenue seeking to optimize parking utilization.

3. THAT Council provide alternate direction to staff.

ATTACHMENTS:

1. Appendix 1 - Parking Enhancements Map

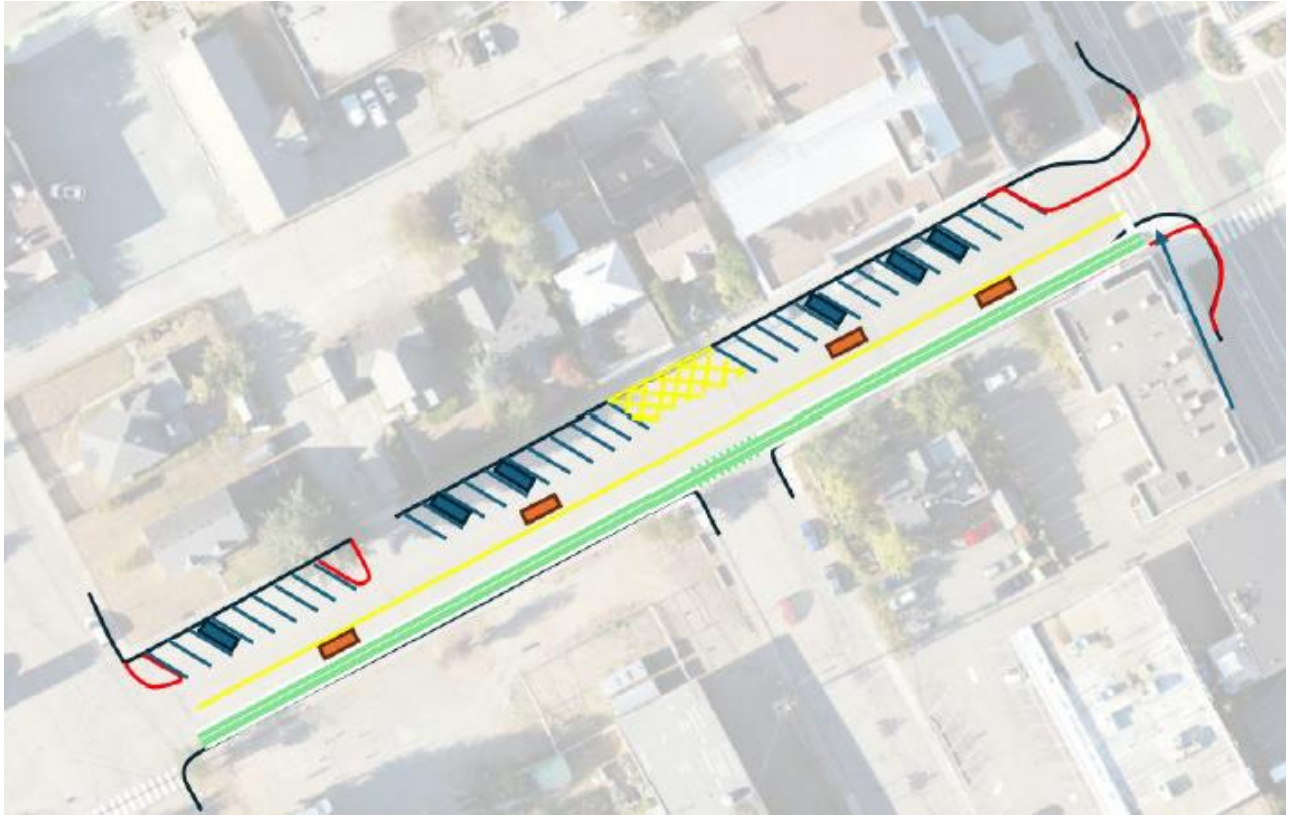
Prepared by: Matthew Brown, Manager of Transportation Services

Reviewed by: Kate O’Connell, Director of Corporate Services

Concurrence: Kyle Shaw, Director of Operational Services – Acting City Manager (CAO)

APPENDIX I – Parking Enhancements – 6th Street from Harmston Avenue to Fitzgerald Avenue

6th Street Parking Review – Parking Enhancement Option



**Image not to scale – number of actual parking spaces are subject to layout and industry design standards.*

Mr. Scott Hainsworth
Manager of Procurement, Risk and Real Estate | Financial Services
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

03 March 2025

Dear Scott,

I am writing to request a Letter of Support from the City of Courtenay for a new Airpark project for which an application will be submitted to the Government of BC under the 2025/26 BC Air Access Program (BCAAP).

The project for which the Airpark Association will be requesting BCAAP support is for crack-filling and asphalt upgrades to the airside operating areas of the Airpark, including the main ramp, runway, and taxiways. The approximate cost of the project, depending upon the scope approved by BCAAP, is \$40,000.00 to \$60,000.00. The Airpark will be responsible for 15-25% of the total project cost.

The Airpark Board of Directors is unanimous in its support for the project, and contingency funds have been set aside to cover the Airpark's share of the cost.

/ For your information, a copy of the Letter of Support provided by the City Council for our 2023/24 BCAAP Application is attached.

Ray
Raymond Henault
President
Courtenay Airpark Association

Phone: (250) 465-0086
E-mail: rhenault@hotmail.com

Attachment: Letter of Support provided by the City of Courtenay on 19 January, 2023 in support of Courtenay Airpark's 2023/24 BCAAP Application.

Mayor's Office
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7



Phone 250-334-444:
Fax 250-334-424
email: info@courtenay.ca

January 19, 2023

File No.: 0400-02

Ray Henault, President
Courtenay Airpark Association
#1 - 110 20th Street,
Courtenay, BC V9N 8B1
Sent via email only: rlenault@hotmail.com

Dear Ray Henault:

Re: Letter of Support - Courtenay Airpark Association BC Air Access Program Grant

On behalf of our City Council, I am pleased to write you in support of the Courtenay Airpark Association's application to the BC Air Access Program grant.

At its January 11, 2023 meeting, Courtenay Council passed the following resolution:

THAT Council direct staff to provide a letter of support to the Courtenay Airpark Association for the 2023 BC Air Access Program.

The City of Courtenay recognizes the importance of the services provided by the Courtenay Airpark, and is supportive of the application to replace the floatplane dock and pave a dedicated air ambulance helicopter pad. The proposed projects will ensure safe access to floatplane and air ambulance services for Courtenay and the surrounding communities.

Yours truly,

A handwritten signature in black ink, appearing to read 'Bob Wells'.

Bob Wells
Mayor
City of Courtenay

CC: Geoff Garbutt, City Manager (CAO)

駐溫哥華台北經濟文化辦事處
Taipei Economic & Cultural Office, Vancouver

SUITE 2200, 650 WEST GEORGIA STREET
VANCOUVER, B.C., CANADA V6B 4N7
TEL: (604)689-4111 FAX: (604)689-0101

February 25th, 2025

His Worship Bob Wells
Mayor
City of Courtenay

Dear Mayor Wells:

On behalf of the Government of Taipei City and New Taipei City, I would like to cordially invite you to attend the opening ceremony of the 10th edition of the World Masters Games in Taipei, Taiwan, on May 17, 2025. Hosted by the municipal governments of Taipei and New Taipei, the Games will serve as a major international athletic competition for mature athletes.

Forty years ago, Toronto brought the World Masters Games to life, with the conviction that everyone can pursue the sports they love at all age and skill levels. And now, Taiwan has the incredible honour of carrying this mantle forward. Both Taipei and New Taipei are ready to welcome athletes from around the world to showcase their passion and foster lasting friendships, regardless of gender, race or religion.

Given that Taipei and New Taipei are the largest metropolitan region in Taiwan, as well as key hubs for trade, investment, and cultural exchanges, my office is happy to coordinate with officials in these two cities and arrange additional meetings to maximize the most of your time in Taiwan. Revolving around trade promotion, investment attraction, educational cooperation and cultural collaboration, these meetings will provide an excellent platform for your city to explore ways to maintain and strengthen ties with the cities of Taipei and New Taipei.

Should you accept this invitation, the New Taipei City Government is pleased to provide complementary roundtrip airfare, accommodation for four nights and transportation for the duration of your stay in the Greater Taipei Area. Please RSVP through the QR code provided in the attached document. My colleague Jacob Hsia is ready to answer any questions that you may have, and he may be reached at nthsia@mofa.gov.tw.

I look forward to the opportunity to host you at this exciting international event and strengthen our partnership.

Sincerely yours,



Lihsin Angel Liu
Director General



Briefing Note

To: Council

File No.: 5400-10

From: Director of Operational Services

Date: April 2, 2025

Subject: 2025 Pedestrian, Cycling & Pavement Renewal Program (PCPR)

PURPOSE:

This briefing note provides an update on the 2025 Pedestrian, Cycling & Pavement Renewal Program (PCPR) project work.

BACKGROUND:

The City's transportation network amounts to more than 160km of roads, which enable the safe and efficient movement of goods and services as residents and visitors of all ages and abilities live, work and play. Program outputs are rehabilitated roads and sidewalks with bike lanes and parking as space allows, as defined by the City's 2019 Transportation Master & Cycling Network Plans. The fundamental intended outcome is a managed transportation network with a lens on equity for all users and modes of transportation.

DISCUSSION:

What roads are selected and how?

The City's streets are designed for different purposes from local neighbourhoods, collectors, and arterial thoroughfares. The 2025 PCPR Program is focused primarily on arterial and collector roads, with consideration for local roads in need of repair. Inputs to select these roads begin with technical condition assessments of the asphalt surface and are then further refined with condition information on underground buried infrastructure alongside the City's plans for growth and development with community input.

Where are construction projects happening & when will they be completed?

Work in Courtenay includes several projects for 2025, shown on the map in Appendix 1:

1. Wentworth Road – between Island Highway North and Caledon Crescent.
2. Headquarters Road – between Old Island Highway and City Limits.
3. 8th Street – between Cliffe Ave and England Ave.
4. Cumberland Road – between Fitzgerald Ave and Grieve Ave.
5. Cumberland Road – between the Piercy Creek trail and Arden Road

Work will begin this spring on Wentworth Road, followed by Headquarters Road, 8th Street, and Cumberland Road. Based on budget and timing additional local roads can be included as paving projects. The projected completion date for the paving projects is expected in the fall of 2025.

2025 Pedestrian, Cycling & Pavement Renewal Program (PCPR)

As part of the PCPR project work corresponding Cycling Network Plan (CNP) improvements are incorporated where practicable. In 2025, CNP work will be included as part of the paving projects on Headquarters Road and Cumberland Road, shown in Appendix 2, with CNP cross-sections shown in Appendix 3.

As the construction schedule is developed toward achieving overall project goals, heavy consideration is given to maximizing value for money. Project completion however remains contingent on good weather and contractor availability.

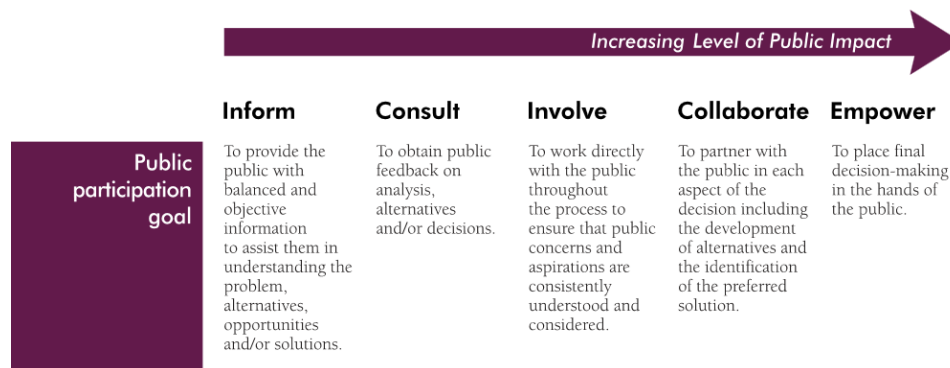
STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Streets and Transportation - Update cycling network plan and implementation strategy

PUBLIC ENGAGEMENT:

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



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RECOMMENDATION: THAT Council receive the **2025 Pedestrian, Cycling & Pavement Renewal Program (PCPR)** briefing note.

APPENDIX:

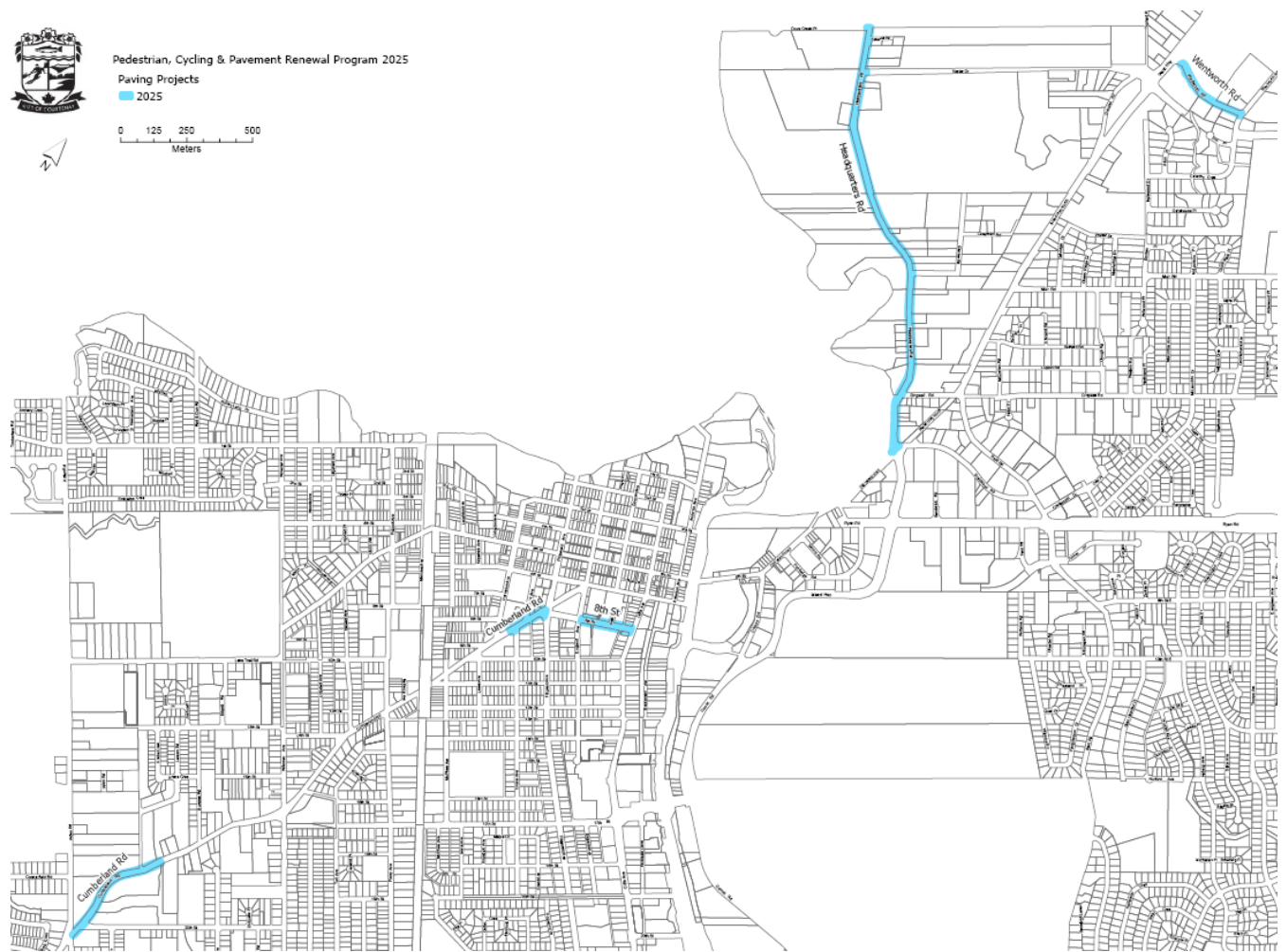
1. PCPR Map – 2025 Implementation
2. CNP Interim Plan – Corresponding Works
3. CNP Interim Cross-Section

Prepared by: Chris Thompson, Manager of Public Works Services

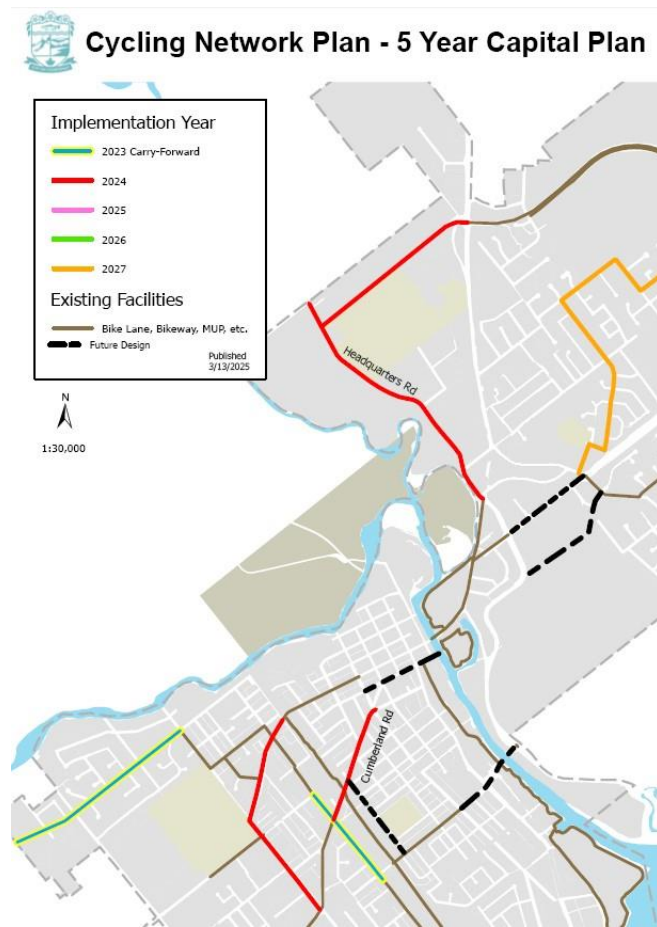
Reviewed by: Kyle Shaw, Director of Operational Services

Concurrence: Chris Davidson, Director of Infrastructure and Environmental Engineering – Acting City Manager (CAO)

Appendix 1: PCPR Map – 2025 Implementation



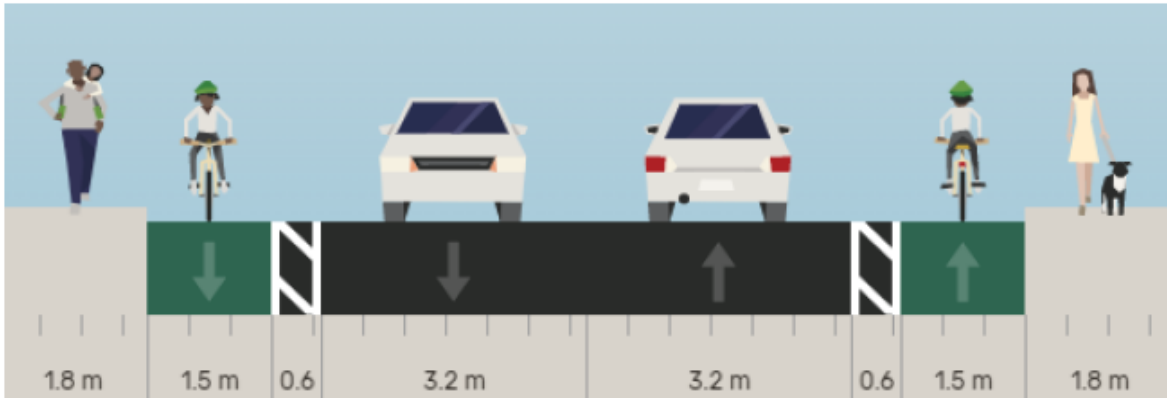
Appendix 2: CNP Interim Plan – Corresponding Works



Appendix 3: CNP Interim Cross-Section

D: Painted Buffered Bike Lanes, No Parking

Roads with 9.4m – 11m pavement





The Corporation of the City of Courtenay

Briefing Note

To: Council
From: Director of Operational Services
Subject: Cycling Network Plan – 2025 Implementation

File No.: 5640-07
Date: April 2, 2025

ISSUE:

The purpose of this briefing note is to provide Council with information on the planned 2025 capital works relative to the implementation of the City's Cycling Network Plan.

BACKGROUND:

Since the completion of the Connecting Courtenay: Cycling Network Plan (CNP) in 2019, the City of Courtenay has significantly invested in advancing active transportation (AT) and road safety priorities. The AT program is supported with grant opportunities and partnerships to offset funding requirements for various infrastructure projects. Total grant funding for the City's AT program received or pending through grant funding programs amounts to over \$6.10 million.

The implementation of the CNP continues to progress as recommended. This briefing note highlights the City's five-year projects and approved implementation plan to advance projects with more than 54 lane-km of all ages and abilities active transportation infrastructure. Highlights include:

- 23.4 lane-km construction projects of neighbourhood bikeways with speed reductions to 40 km/h
- 16.3 lane-km construction projects of buffered painted bike lanes
- 1.3 lane-km construction projects of painted parking protected bike lanes
- 13.8 lane-km of design projects including more than 11 lane-km of protected bike lanes
- 1 pedestrian bridge design project

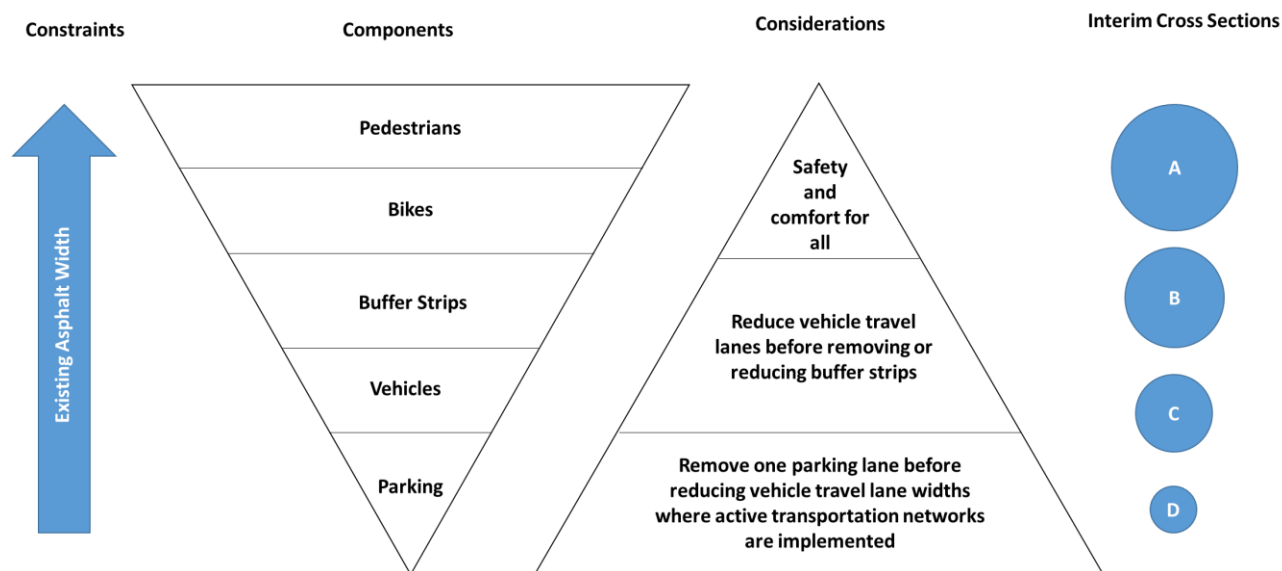
DISCUSSION:

The City of Courtenay has built a strong foundation upon which to further develop active transportation (AT) options for residents and visitors. This includes policies in support of AT, such as the new OCP, network planning, and an expanding network of bicycle facilities for people of all ages and abilities, and increased funding to implement the CNP through capital projects that deliver AT infrastructure.

To minimize costs and risks while delivering desired levels of service, the type of AT project was developed for each infrastructure project with the framework below to design in accordance with context.

This framework considers constraints from the existing asphalt width, the prioritization of components for inclusion, and considerations of various trade-off for the order in which modifications will be made where there are space constraints on existing roadways. Outputs from design activities generated four interim cross-sections for implementing the CNP within the available right-of-way.

Figure 1: Active Transportation Design Framework



The remaining three years of the 5-year CNP implementation capital plan is estimated to require \$608,000 in capital construction expenditures with the corresponding increase to operations and maintenance expenditures estimated to be \$55,000 (from \$12,000 to \$24,000 per year, based on project types and timing). These expenditures are summarized for each of the corresponding years in the capital plan.

Capital funding for the 2025 projects as listed in **Table 1** are included in the approved 2025 financial plan. The continuation of the capital investment relative to the remaining two years (2026-2027) of 5-year CNP capital plan will be subject to council’s review during the regular budget approval process.

Table 1: Proposed Five Year CNP Capital Plan Construction and Maintenance Costs

Year	Construction Cost (Annual)	Operations and Maintenance Costs (Annual Increase)
2025	\$201,000	\$24,000
2026	\$196,000	\$19,000
2027	\$211,000	\$12,000
Total	\$608,000	\$55,000

The capital program for the 2025 projects as listed in **Table 2** includes the 2024 design projects that are now carry forward for construction.

Table 2: 2025 CNP Capital Plan Projects

Location	Road Classification	Length (m)	Facility Type	Year	Interim Cross-section			
					A	B	C	D
Headquarters	Arterial Minor	1500	Buffered Painted Bike Lane	2025				
Vanier Drive	Arterial Major	1120	Buffered Painted Bike Lane	2025				
Crown Isle Drive	Collector - Residential	3900	Bike Symbols with Sharrows	2025				
Crown Isle Blvd.	Collector - Industrial / Commercial	1200	Buffered Painted Bike Lane	2025				

RECOMMENDATION: THAT Council receive the **Cycling Network Plan – 2025 Implementation** briefing note.

ATTACHMENTS:

1. CNP – 5 Year Implementation Map
2. CNP – Interim Cross-Sections

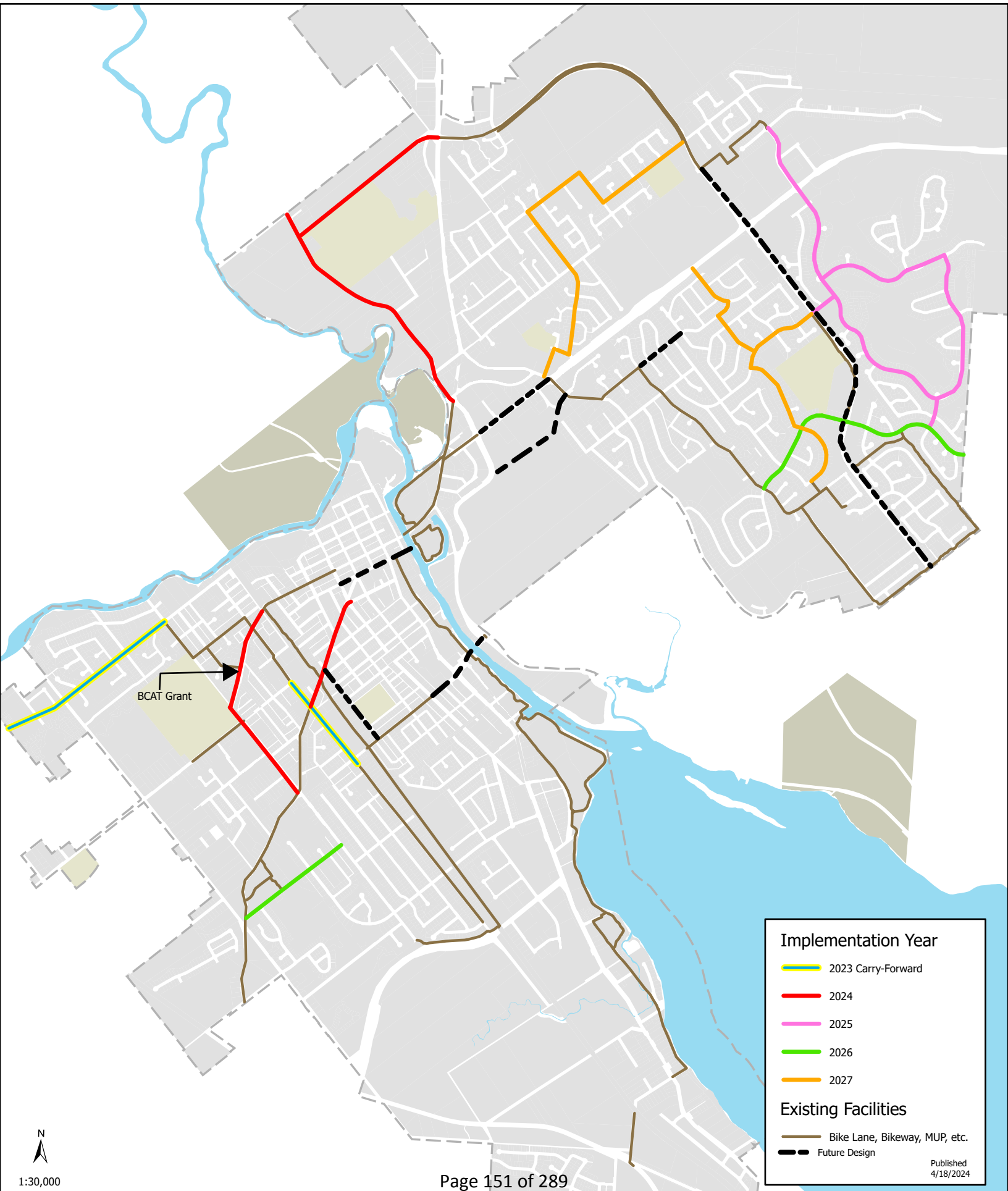
Prepared by: Matthew Brown, Manager of Transportation Services

Reviewed by: Kyle Shaw, Director of Operational Services

Concurrence: Chris Davidson, Director of Infrastructure and Environmental Engineering – Acting City Manager (CAO)



Cycling Network Plan - 5 Year Capital Plan



BCAT Grant

Implementation Year

- 2023 Carry-Forward
- 2024
- 2025
- 2026
- 2027

Existing Facilities

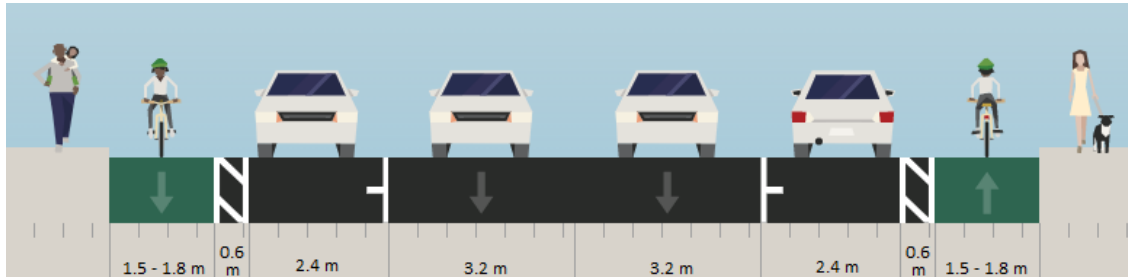
- Bike Lane, Bikeway, MUP, etc.
- - - Future Design

Published
4/18/2024



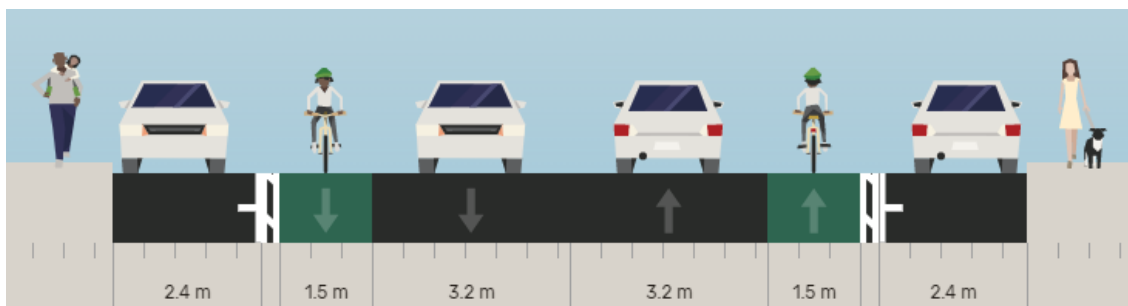
A: Parking Protected Bike Lanes

Roads with more than 15.4m pavement without dedicated left turn bays



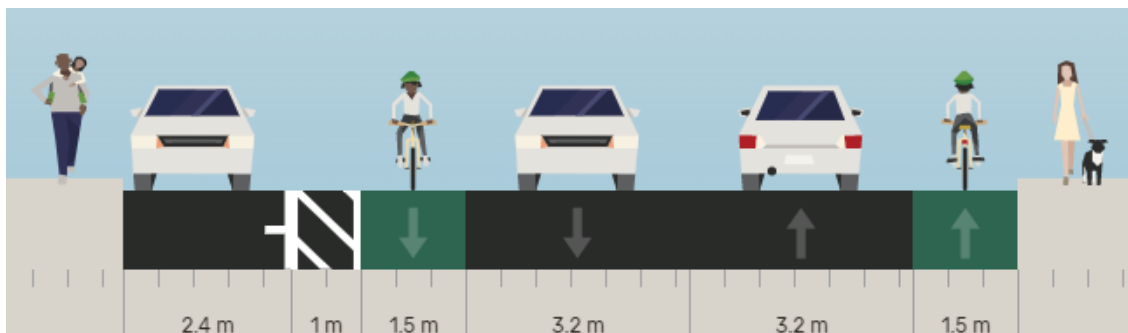
B: Painted Bike Lanes, Parking Both Sides

Roads with 14.2m – 15m pavement



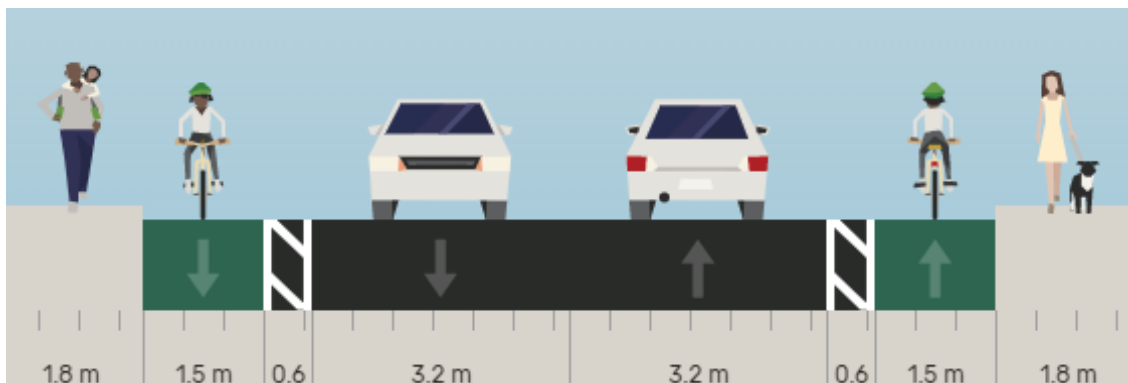
C: Painted Bike Lanes, Parking One Side Only

Roads with 11.8m – 13.2m pavement



D: Painted Buffered Bike Lanes, No Parking

Roads with 9.4m – 11m pavement





The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 5335-20

From: Director of Operations

Date: April 2, 2025

Subject: Traffic Regulation Amendment Bylaw 1926 (for speed reduction)

PURPOSE:

To consider amendments to Traffic Regulations Bylaw No. 1926, 1996, required to enforce reduced speed limits throughout the City.

BACKGROUND:

Reducing speed limits provides many benefits, including reducing vehicle operating speeds, improving road safety, and improving neighbourhood liveability. Reduced speed limits can have safety benefits in terms of fewer collisions and less severe collisions which in turn improves comfort for those traveling on foot, bike, or with mobility aids. Currently the B.C. Motor Vehicle Act (MVA) sets a default speed limit of 50 km/h on municipal streets when a different speed limit has not been posted by signs.

In 2023 the City launched a Crown Isle Speed Limit Reduction Pilot Project. Generally speaking, the Crown Isle Speed Limit Reduction Pilot Project was successful following one year of data. Awareness of the pilot project was very high with 96% of respondents being aware that their community was participating in the Crown Isle Speed Limit Reduction Pilot Project. The realized benefits from the pilot project are focused most predominantly on the community perception of traffic safety with limited impacts to speed and traffic reductions. A total of 38%-46% of respondents to the satisfaction survey indicated they feel safer today than before. The 85th percentile speeds for roads in the pilot project were observed to fall between 2% and 7% compared to speeds before the pilot project.

With the success of the pilot project, October 25, 2023, Council resolved:

“THAT Council direct staff to retain the 40km/h speed reduction for the trial area located within the Crown Isle neighbourhood and;

THAT staff be directed to expand the speed reduction program to include all residential neighbourhoods within the City of Courtenay’s jurisdictional boundary, with the exclusion of all roads classified as either arterial and industrial or designated as a truck route, as time and resources allow and;

FURTHER THAT staff be directed to prioritize the implementation of an expanded speed reduction program with installation focused on the Safe Active Schools Program and the Cycling Network Plan.”

Traffic Regulation Amendment Bylaw 1926 (for speed reduction)

DISCUSSION:

With council's direction, staff launched the 5-year Implementation Plan for the new 40km/hr Speed Reduction Program and public notifications. Implementation has been very successful, with staff optimising resources and will have the project completed by summer 2027. To accommodate this success and deliver the projects intent of speed reduction, enforcement of the new speed reduction program is required.

POLICY ANALYSIS:

Municipalities have the authority to regulate the use and enforcement of traffic on roads through Bylaw under the context of the "parent" provincial legislation, primarily the MVA. Reducing speed limits below those set by the MVA can be achieved under the City's current authority anywhere within its boundaries through the use of signage on each individual street provided that signage is posted on every block. This requirement would necessitate the installation of an abundance of new signs throughout the defined area.

Staff investigated models to implement the necessary speed reduction bylaw amendments to the Traffic Regulation Bylaw through a bylaw review of other participating municipalities across British Columbia. This can be accomplished in several ways, including the addition of the provision of 40km/hr speed signs throughout the intended road segment, including a road by road descriptor in the subject bylaw or the inclusion of a map of the imposed locations. Upon consideration to our complex transportation network, staff recommended the speed reduction language be added into the bylaw, accompanied by reduction signage and a map for guidance.

To permanently amend the default speed from 50km/hr to 40km/hr, an amendment to the Traffic Regulation Bylaw No. 1926, 1996 (attached to the report) is required. The language under a new section 27.1 and the map titled Appendix D detail the recommended regulations.

STRATEGIC PRIORITIES REFERENCE:

Under the Council Strategic Priorities 2023-2026, Streets and Transportation (Page 7);

This initiative addresses the following strategic priorities:

- Streets and Transportation - Develop traffic calming plans, related policies, and specific implementation when and where, speed limits, school zones, cycling education/awareness

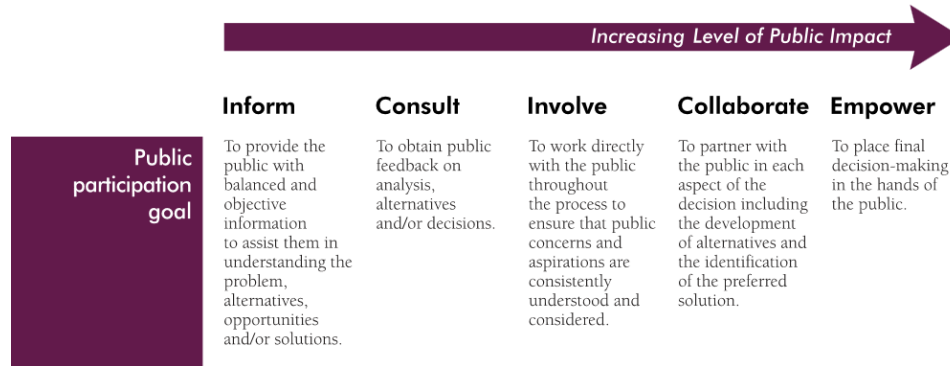
PUBLIC ENGAGEMENT:

In September of 2024, the City launched the first phase of reduced speeds from 50km/h to 40km/h, by posting new 40 km/h regulator speed signs on roads within a 500-metre radius around all School District No. 71 schools in the City. A media release was initiated as well as a dedicated webpage was developed for those interested in finding out more about this important initiative and it includes an [Interactive City Map](#) or [40km/h Roadways Map \[PDF - 3 MB\]](#) depicting current and future phased speed limit reductions.

Staff will inform the public of the changes to the bylaw based on the IAP2 Spectrum of Public Participation by updating the information on the City's website. Additionally, this information will be included in a Bylaw

Traffic Regulation Amendment Bylaw 1926 (for speed reduction)

Good Neighbour brochure for vehicle operators which is anticipated to be available for public distribution later this year.



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OPTIONS

1. THAT Council give first, second and third reading to “Traffic Regulation – Amendment Bylaw No. 3172, 2025”.
2. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Schedule D – 40km Speed Zones
2. Traffic Regulation – Amendment Bylaw No, 3172, 2025
3. Traffic Regulation Bylaw 1926, 1996

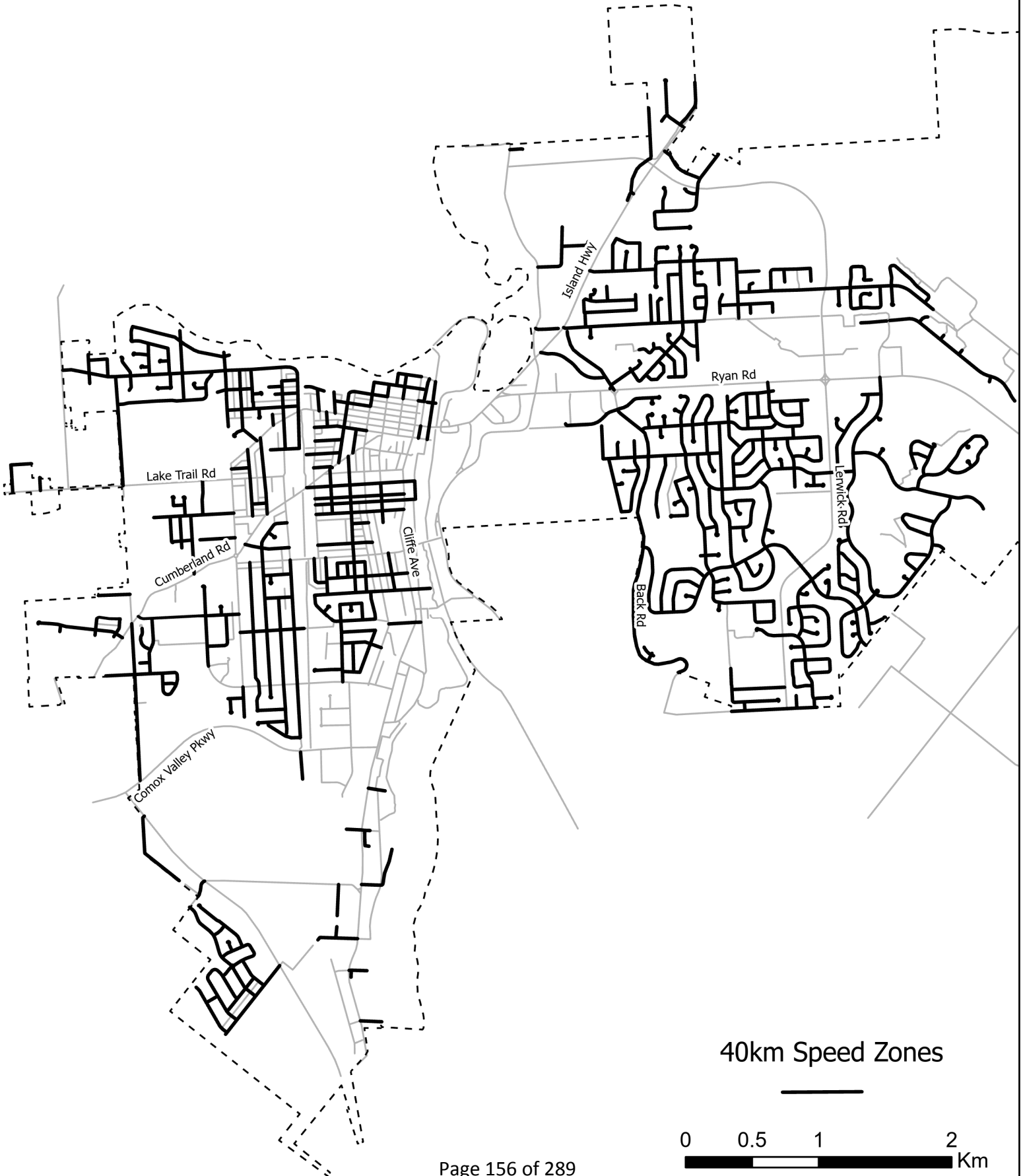
Prepared by: Matthew Brown, Manager of Transportation Services

Reviewed by: Kyle Shaw, Director of Operational Services
 Kate O’Connell, Director of Corporate Services

Concurrence: Chris Davidson, Director of Infrastructure and Environmental Engineering – Acting City Manager (CAO)

Schedule D

Speed Reduction Program





The Corporation of the City of Courtenay

Bylaw No. 3172

A bylaw to establish speed reduction zones in the City of Courtenay

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

Citation

1. This Bylaw shall be cited as “Traffic Regulation – Amendment Bylaw No. 3172, 2025”.

Amendment

2. That “Traffic Regulation Bylaw No. 1926, 1996” is amended as follows:
 - a) That a new section 27.1 be added to Division V – Vehicle Traffic, A. Moving Traffic, that reads:

Speed Reduction Program

- 27.1 (a) A person must not drive a motor vehicle in excess of the maximum rate of speed prescribed in Schedule “D” to the Bylaw for the street, lane or the part of a roadway listed in Schedule “D” under that rate of speed.
 - (b) The maximum rates of speed prescribed in Schedule “D” apply to all motor vehicles except where a type of motor vehicle is specified in Schedule “D” in respect of a specified roadway or part of a roadway.
 - (c) The Director of Operations must cause signs to be erected or placed on roadways or the parts of them designated in Schedule “D” for the purpose of indicating the speed limits prescribed under this section and Schedule “D”.
- b) That a Schedule “D” in the form attached hereto be added.

Severability

3. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

Read a first time this [day] day of [month], [year]

Read a second time this [day] day of [month], [year]

Read a third time this [day] day of [month], [year]

Adopted this [day] day of [month], [year]

Mayor Bob Wells

Corporate Officer Adriana Proton

CITY OF COURTENAY

BYLAW REFERENCE FORM

BYLAW TITLE

“Traffic Regulation Bylaw No. 1926, 1996”

REASON FOR BYLAW

To consolidate Traffic Control Bylaw No. 1403 to bring it up to date with current legislation and to revise the fees.

STATUTORY AUTHORITY FOR BYLAW

Motor Vehicle Act

OTHER APPROVALS REQUIRED

STAFF COMMENTS AND/OR REPORTS

See attached breakdown of fines.

OTHER PROCEDURES REQUIRED

September 27, 1996

D. Pelletier
Staff Member

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 1926

A bylaw to regulate traffic within the municipal boundaries of the City of Courtenay

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

- 1. This bylaw may be cited as the "Traffic Regulation Bylaw No. 1926, 1996".
- 2. This bylaw is divided into the following divisions:

DIVISION I	.....	Interpretation
DIVISION II	.....	General Regulations
DIVISION III	.....	Traffic Control Devices
DIVISION IV	.....	Pedestrian Traffic
DIVISION V	.....	Vehicle Traffic
DIVISION VI	.....	Bicycle Traffic
DIVISION VII	.....	Highway Use Permits
DIVISION VIII	.....	Offence, Penalties and Enforcement
DIVISION IX	.....	Voluntary Settlement
DIVISION X	.....	Miscellaneous

DIVISION I - Interpretation

- 3. Definitions in the Motor Vehicle Act apply within this bylaw.
- 4. In this bylaw:
 - (a) **Administrator** - means the Administrator of the City and includes anyone authorized by Council to act on behalf of the Administrator.
 - (b) **City** - means the municipal area comprised within the boundaries of The Corporation of the City of Courtenay, or The Corporation of the City of Courtenay, as the context requires.
 - (c) **Council** - means the municipal council of the City.
 - (d) **Curb Line** - means the edge of a sidewalk or boulevard adjoining a roadway.

- (e) **Director** - means the Director of Operational Services of the City and includes anyone authorized by Council to act on behalf of the Director.
- (f) **Lane** - means a highway not exceeding 8 metres in width, which provides a secondary means of vehicle access to one or more parcels of land.
- (g) **Parade** - means any procession or body of 15 or more persons or four or more vehicles standing or moving together on any highway, but excludes funeral processions.
- (h) **Permit** - means a document in writing issued pursuant to this bylaw.
- (i) **Private Road or Driveway** - means every road or driveway not owned or possessed by the Crown or the City.
- (j) **Responsible Official** - means any person required by the terms of their employment, official duties or designation by Council to be responsible for the administration or enforcement of any provision of this bylaw.
- (k) **Roadway** - means that portion of a highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder.
- (l) **Streetline** - means the boundary line between any highway and any property which is not a highway.
- (m) **Traffic Officer** - means any official or employee of the City whose designated duties include the control of traffic or parking within the City, and includes peace officers and Bylaw Enforcement Officers, and every officer and member of the Fire Department of the City while attending upon any fire or emergency in the course of their duty.

DIVISION II - General Regulations

Traffic Officers

- 5. (a) All Traffic Officers, other than officers and members of the Fire Department of the City, are authorized to do all things necessary to control traffic in pursuance of this bylaw at all times and to ensure that the requirements of this bylaw are being carried out.
- (b) All Traffic Officers are authorized to do such things as may be considered necessary to control traffic during any emergency requiring the attendance of emergency equipment.

- (c) No person shall refuse to comply with any lawful direction made by any Traffic Officer.
- (d) No person shall hinder, delay or obstruct in any manner, directly or indirectly, a Traffic Officer carrying out duties in accordance with this bylaw.
- (e) Every driver or operator of a vehicle and pedestrian shall stop and state correctly their name and address when requested to do so by a Traffic Officer.

Emergency Vehicles and Fire Hoses

- 6. No person driving or operating any vehicle, except such vehicles as are conveying authorized persons who have duties to perform in connection with a fire, or other emergency, shall follow closer than 152 metres to any emergency vehicle, or drive or stop any vehicle within a radius of 152 metres of any fire or other emergency scene, or drive a vehicle over or across any fire hose, unless so directed by a Traffic Officer

Parades

- 7. (a) No person shall take part in any Parade unless a Permit for that parade has been issued by the Administrator or the Director.
- (b) An application for a Parade Permit shall identify the proposed route, dates, times and the number of vehicles and persons expected to participate.
- (c) A Parade Permit may be refused where the proposed Parade would create a hazard or would interfere with ordinary traffic.
- (d) No person or organization shall be entitled to more than one Parade Permit in any calendar year.

Snow and Ice Removal - Downtown Commercial Area

- 8. (a) Every owner or occupier of land within the Central Business District - Commercial One Zone (C1) under the zoning bylaw of the City shall remove all snow, ice, or rubbish from the sidewalks and footpaths bordering on the land.
- (b) Snow and ice shall be removed pursuant to paragraph (a) prior to 12:00 o'clock noon on every day and no rubbish shall be allowed to remain upon sidewalks and footpaths at any time.

- (c) In default of the removal of snow, ice or rubbish as required by this bylaw the Director is authorized to carry out such removal at the expense of the person in default and the costs for so doing (including all expenses incidental thereto) with interest at the rate of seven percent per annum if unpaid on the thirty-first of December in any year, shall be added to and form part of the taxes payable in respect of the land as taxes in arrears.

DIVISION III - Traffic Control Devices

- 9. The provisions of this Division do not apply to arterial highways.
- 10. All traffic control devices placed by the City prior to adoption of this bylaw are deemed to be authorized and placed in accordance with this bylaw.
- 11. The Director is authorized to order the placing of additional traffic control devices, excluding parking meters, in order to exercise the powers of the City under this bylaw and to give effect to the provisions of this bylaw, including traffic control devices:
 - (a) to regulate, control or prohibit pedestrian traffic, and vehicle traffic on highways;
 - (b) to regulate, control or prohibit the stopping of vehicles;
 - (c) for the regulation, control or prohibition of standing or parking of vehicles;
 - (d) to set apart and allot portions of highways adjacent to federal, provincial or municipal public buildings for the exclusive use of officials and officers engaged therein for the parking of vehicles and the regulation of such parking;
 - (e) to regulate or prohibit pedestrian traffic on highways other than at crosswalks;
 - (f) to regulate, control or prohibit persons using roller skates, sleighs, skates, skateboards, skis or other similar means of conveyance on a highway;
 - (g) at intersections and in advance of intersections as required to prohibit certain movements;
 - (h) on highways upon which the traffic is required to travel in one direction only;
 - (i) at the end of one-way roadways to prevent traffic entering the restricted area;
 - (j) at the transition from one-way to two-way roadways to indicate that normal travel is restricted to the right hand side of the roadway;

- (k) at the beginning of a zone through which restricted sight distance makes overtaking and passing hazardous;
- (l) within and at the end of median strips and traffic islands;
- (m) at locations where, due to adjacent commercial facilities, it is desirable to reserve space for loading and unloading vehicles;
- (n) in locations where truck traffic is prohibited or restricted;
- (o) at locations where, due to seasonal weakening of road surfaces, obsolescence of bridges or pavement or roadway repairs, loads in excess of those prescribed on the sign constitute a hazard to traffic or may cause excessive damage to the highway;
- (p) at locations where, due to limitations of sight distances, road surfaces, traffic flows or frequency of intersections, speeds in excess of those prescribed on the signs constitute a hazard to traffic or may cause excessive damage to the highway;
- (q) at locations where a bus or other transit vehicle stops to pick up passengers and it is desirable to restrict stopping, standing and parking to such vehicles;
- (r) at locations where a free flow of traffic is required for the roadway;
- (s) at locations where it is required to give advance information of the presence of a school adjacent to a roadway, a school crosswalk or a school maximum speed zone;
- (t) at locations where it is required to give advance information of a playground adjacent to a roadway, or its maximum speed zone;
- (u) at locations where pedestrian traffic crosses a roadway and at locations other than at intersections, such as at schools, playgrounds and public buildings where it is required to control pedestrian traffic;
- (v) in locations where it is permissible to angle park or parallel park;
- (w) designating the location of traffic lanes for traffic on paved streets;
- (x) at locations where it is advisable to warn traffic of hazardous conditions, either on or adjacent to the roadway or prohibit traffic from using the roadway;
- (y) at locations where, due to frequent use by the public, it is desirable to reserve a place for taxicabs only to stop, stand or park to pick up fares;

- (z) at locations approaching crosswalks, school and park zones indicating that passing is prohibited; and
 - (aa) at locations allowing for parking for disabled persons only.
12. The Director may rescind, revoke, amend or vary an order made by the Director under Section 11.
 13. Orders made by the Director under Sections 11 and 12 of this bylaw shall be in writing and a copy of each order shall be filed with the City Clerk.
 14. Temporary traffic control devices may from time to time as required, be placed by a Traffic Control Officer or upon authority of the Director without an order under Section 11 or 12, in the interest of public safety, but no temporary traffic control devices shall be placed for any period exceeding 28 consecutive days.
 15. No person shall establish, place, maintain, or display upon or in view of any highway, any traffic control device or other device which purports to be or resembles any traffic control device, or any device which attempts to divert the movement of traffic or the parking of vehicles within the City, except under the authority of this bylaw.
 16. No person shall obliterate, deface, damage, injure, move, obstruct or otherwise interfere with any traffic control device placed or maintained within the City pursuant to this bylaw.
 17. Every person shall comply with the directions of every traffic control device, except as otherwise authorized pursuant to this bylaw.

DIVISION IV - Pedestrian Traffic

18. At any intersection where crosswalks are marked, pedestrians shall use such crosswalks in crossing the highway.
19. Every pedestrian crossing a highway, at any point other than within a marked crosswalk, shall yield the right-of-way to all vehicles on the highway.
20. Pedestrians shall move, whenever practicable, upon the right half of crosswalks.
21. No person shall stand on or adjacent to a highway for the purpose of soliciting a ride from the driver of any vehicle.
22. On the approach of an emergency vehicle, pedestrians shall proceed or return to the nearest sidewalk or boulevard and remain there until that vehicle has passed.

23. No pedestrian shall leave a curb or other place adjacent to a roadway and move into the path of a vehicle which is approaching so that it is not possible for the driver of the motor vehicle to yield the right-of-way.
24. No person who has alighted from a bus which has stopped shall start to cross to the opposite side of the highway until the bus has moved away from its stopping place, unless such crossing is made in compliance with traffic control signals or at the direction of a Traffic Officer.
25. No person shall form a part of a group of persons congregated on a roadway or sidewalk in such manner as to obstruct the free passage of pedestrians or vehicles.
26. No person shall do anything which causes persons to congregate in a group upon any highway in such a manner as to obstruct the free passage of pedestrians or vehicles, or in such a manner that the persons so congregated might be in danger of injury from traffic.

DIVISION V - Vehicle Traffic

A. Moving Traffic

Slow Moving Motor Vehicles

27. The driver of any motor vehicle which is travelling more than 10 km/hr under the maximum permitted speed shall drive adjacent to the right hand curb line of the highway, except when approaching an intersection for purposes of making a left hand turn.

Driving on Sidewalks

28. The driver of any motor vehicle, or rider or driver of any animal, shall not drive such motor vehicle or ride or drive such animal upon any sidewalk or boulevard except on a driveway crossing provided for such purposes.

Emerging from Lanes

29. The driver of any motor vehicle emerging from any lane, driveway or building shall stop immediately prior to driving on or across any sidewalk or boulevard and shall yield the right-of-way to any pedestrian approaching along the sidewalk or boulevard.

Noise Making Devices

30. No person shall operate any loudspeaker or other noisemaking device on a motor vehicle for any advertising or other purpose, except as a warning to drivers and pedestrians.

Clinging to Moving Motor Vehicle

31. No person riding any bicycle, tricycle, coaster, skis, roller skates, roller blades, skateboard, toy motor vehicle or sleigh, shall cling to any motor vehicle in motion.

Overtaking or Passing

32. No person operating a motor vehicle upon any highway within the City shall overtake and pass, or attempt to overtake and pass another motor vehicle proceeding in the same direction upon any curve or when approaching the crest of any grade where there is not a clear view of such highway ahead for a distance of 244 metres along such highway, or when such overtaking and passing cannot be done with safety.

Hospital and Quiet Zones

33. Whenever a traffic control device is erected indicating a quiet zone, no person operating a motor vehicle within such zone shall sound the horn or other warning device of the motor vehicle except in an emergency.

Limitation on Backing

34. The driver of a motor vehicle shall not back into an intersection or over a crosswalk and shall not in any event back a motor vehicle unless such movement can be made in safety.

Passenger's Conduct

35. No person riding in or on any motor vehicle shall do any act which will interfere with the driver's proper control of such motor vehicle.

Refuse on Streets

36. No person shall throw, drop, deposit or leave, or let fall from or out of any motor vehicle or conveyance, any bottle or bottles, glass, crockery, nails, wood, sawdust, or refuse, or any other object or material, on or upon any highway and any person who has thrown, dropped, deposited or left any such objects or material shall forthwith remove the same from such street.



School Crossings

37. When any portion of a highway has been designated as a school crossing by a traffic control device, the driver of every motor vehicle shall between the hours of 8:00 a.m. and 5:00 p.m. obey the direction indicated on such traffic control device.

Reverse Turns

38. No driver of any motor vehicle shall turn such motor vehicle so as to proceed in the opposite direction:
- (a) on any through street;
 - (b) within an intersection at any corner of which a "Stop" sign has been placed, or where a traffic control signal has been installed;
 - (c) at any other intersection unless such movement can be made in safety, without backing up, and without interfering with other traffic;
 - (d) on any street between intersecting streets; or
 - (e) at any lane intersection.

Funeral or Authorized Procession

39. (a) No driver of a motor vehicle shall drive between the motor vehicles comprising a funeral or authorized procession while it is in motion, except at intersections where traffic is being controlled by Traffic Officers.
- (b) Funeral processions shall be identified as such by each motor vehicle therein having its headlights illuminated or by the display of a pennant or other identifying insignia.

One-Way Streets

40. No driver shall operate a motor vehicle on a one-way street except in the direction indicated by a traffic control device.

Flanges and Similar Equipment

41. No person shall operate any motor vehicle having wheels, tire, or treads constructed or equipped with projecting spikes, cleats, ribs, clamps, flanges, lugs or other attachments or projections which extend beyond the tread or traction surface of the wheel, tire or track, upon any highway in the City.

Speed In Lanes

42. No person shall operate a motor vehicle upon any lane within the City at a greater rate of speed than 20 kilometres per hour.

B. Stationary Traffic

Parking Prohibitions

43. Except when necessary to comply with the law or the directions of a Traffic Control, peace officer or a traffic control device, no person shall stop, stand or park a vehicle:
- (a) on any sidewalk or boulevard;
 - (b) within 6 metres of a flashing beacon, stop sign or other traffic control device located at the side of a roadway;
 - (c) within any street intersection, except as permitted by a traffic control device;
 - (d) within 5 metres of any fire hydrant, measured from a point on the curb line which is closest to the fire hydrant;
 - (e) in front of and within 2 metres of any non-commercial private or public driveway, or in front of and within 5 metres of any commercial driveway or lane;
 - (f) alongside or opposite any street excavation or obstruction when stopping, standing or parking in that location obstructs traffic;
 - (g) upon or within 6 metres of any crosswalk, except as permitted by a traffic control device;
 - (h) on the roadway side of any motor vehicle stopped or parked at the edge or curb of any roadway;
 - (i) within 6 metres either side of the entrance to or exit from a firehall;

- (j) within 6 metres of an entrance to any school property, on any day when school is in session;
- (k) within 6 metres of any entrance to or exit from any playground or park;
- (l) within 6 metres of the main entrance or exterior vestibule of any hotel or theatre unless otherwise marked by a traffic control device;
- (m) in any lane for a period of time longer than is necessary for the expeditious loading or unloading of passengers or materials, so as to prevent the free movement of motor vehicle traffic;
- (n) on any bridge, or other elevated structure on a highway, except as permitted by a traffic control device;
- (o) on any portion of a highway indicated by traffic control device as reserved for any class of motor vehicle, other than a motor vehicle coming within such class;
- (p) within 15 metres of the nearest rail of a railroad crossing;
- (q) on any highway for the principal purpose of advertising, washing, maintaining, repairing, wrecking or storing a motor vehicle (except repairs necessitated by an emergency), or for the purpose of displaying such motor vehicle for sale, or for the purpose of selling any commodities or articles;
- (r) on the paved portion of any highway without curbs where the pavement is 6 metres or less in width;
- (s) on any portion of a highway for a longer period of time than that indicated on any traffic control device which is applicable to that portion of the highway;
- (t) on any portion of a highway where the curb or edge of the roadway is painted yellow, except in a signed loading and unloading zone;
- (u) where parking spaces for vehicles are designated by lines on a highway, except wholly within the parking space provided;
- (v) whether attended or unattended, not being an emergency vehicle, in a fire lane; or
- (w) contrary to any traffic control device.

44. Where a traffic control device is placed on a City parking lot indicating that the time allowed for parking a vehicle is limited, no person shall park a vehicle for a period longer than the time indicated.
45. When a traffic control device is displayed on any highway or City parking lot indicating that the length of time allowed for parking a vehicle thereon is limited, no person who has parked a vehicle on such highway or lot shall again park a vehicle on such highway, (unless there is an intersection between the two parking spaces) or lot during the next sixty minutes following the expiry of such limited time.
46. No person shall stop or park a vehicle on any portion of a highway, or parking lot operated by the City, in a space designated for parking of vehicles operated by disabled persons unless the operator of the vehicle is a physically disabled person and a disabled person's parking sticker which is visible and legible from outside the vehicle is affixed to the vehicle.

Parallel Parking

47. No person shall park a motor vehicle on any highway not designated for angle parking, other than parallel to and within 30 centimetres of the curb.

Angle Parking

48. Upon a highway which has been marked or signed for angle parking, the driver of a motor vehicle shall park such motor vehicle at the angle to the curb indicated by such marks and within 50 cm of the curb. Where angle parking is indicated by signs only, the angle of parking shall be 45 degrees, and no person shall park a motor vehicle where the length of such motor vehicle and any trailer attached thereto exceed 6 metres.

Cul-de-sac Parking

49. No person shall stand, stop or park a vehicle in a cul-de-sac other than parallel with the outside curb of any cul-de-sac.

Safety Requirements

50. No person having control or charge of a motor vehicle shall permit it to stand unattended without first stopping the engine, locking the ignition, and removing the key, and, when standing upon any perceptible grade, without turning the front wheels to the curb or side or roadway.

Oversize Motor Vehicles

51. No person shall park any vehicle having an overall length, including load and any trailer, of more than 6 metres on a highway in the C1- Central Commercial Zone under the City's zoning bylaw, except for the purpose of loading or unloading materials or passengers.

Passenger Zones and Loading Zones

52. (1) Zones for the loading and unloading of passengers or materials may be established at such places in or on any highway as may from time to time be designated by order of the Director.
- (2) The passenger and loading zones as constituted on the date of adoption of this bylaw are deemed to be authorized passenger and loading zones established under this bylaw.
- (3) Traffic control devices indicating or marking passenger and loading zones shall be erected or placed under the direction of the Director, and it shall be unlawful for any person to stop, stand or park a motor vehicle for any period of time longer than is necessary for the expeditious loading and unloading of passengers or materials, to a maximum of 15 minutes unless otherwise stated.
- (4) The Director is authorized to locate and establish:
- (a) loading zones adjacent to the main entrance to any hotel;
 - (b) passenger zones adjacent to the main entrance to any theatre.
- (5) No person shall stop a motor vehicle in any passenger zone or loading zone except while actually engaged in the loading or unloading of passengers or materials.

Parking on Streets

53. No person shall leave or park any motor vehicle, trailer or boat at any one location on any highway within the City for any continuous period exceeding 24 hours.

Night Parking

54. No commercial vehicle, boat, trailer, camper or motor home shall be parked or left standing on any highway within the City after 7:00 p.m. and before 7:00 a.m. of any day.

55. All vehicles not referred to in Section 55 of this bylaw which are parked or left standing on any highway within the City after sunset and before sunrise of any day shall be clearly marked with adequate reflectors or other warning devices sufficient to warn approaching traffic of their presence on such highway.

Reserved Paid Parking Lot

56. All vehicles parking in the City's Reserved Monthly Paid Parking Lot must display current permits/decals at all times.

Contractor's Parking Permits

57. All contractors working in the C-1 Central Commercial Zone and using public parking within that zone must have the proper permit/decal displayed.

Parking Exemptions

58. (a) The provisions of this bylaw regulating the parking of motor vehicles shall not apply to any emergency vehicle while attending at any emergency call, but this exemption shall not excuse the driver of any such motor vehicle from exercising due and proper care for the safety of other traffic.
- (b) The provisions of this bylaw prohibiting stopping or parking shall not apply to:
- (i) municipal or provincial utility motor vehicles;
 - (ii) motor vehicles of a public utility corporation;
 - (iii) tow trucks;

while the operators of such motor vehicles are actually engaged in work requiring the vehicles to be stopped or parking in contravention of any of such provisions.

Obstruction by Motor Vehicles

59. No vehicle shall be left standing or parked:
- (a) in violation of this bylaw; or
 - (b) in a position that causes it to interfere with firefighting; or
 - (c) in a position that causes it to interfere with the normal flow of traffic on the highway; or

- (d) in a position that causes it to interfere with the construction, improvement, maintenance, snow removal, alteration, extension, widening, marking, or repair of a highway.

Removal, Detention and Impounding of Vehicles

- 60. Any vehicle which is standing or parked contrary to any provision of this bylaw or which is otherwise unlawfully occupying a portion of a highway or public place may be removed, detained and impounded by a Traffic Officer or the Director, or by a contractor acting in accordance with the directions of the City.
- 61. The fees, costs and expenses set out in Schedule "C" to this bylaw for the removal, detention and impoundment of a vehicle removed under this Division shall be paid by the registered owner of the vehicle or their agent prior to the release of the vehicle.
- 62. Any chattel, obstruction or vehicle removed, detained or impounded under this bylaw may be recovered by the owner between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, by paying the fees, costs and expenses set out in Schedule "C" at the office of the Treasurer of the City and presenting the receipt obtained, plus proof of ownership, at the Public Works yard or other place of storage, or by paying the contractor for the City at his place of business.
- 63. If a vehicle, chattel or obstruction is removed, detained or impounded, and not claimed by its owner within thirty days from date of seizure, written notice shall be mailed to the registered owner at his address as shown on the records of the Registrar of Motor Vehicles advising of the seizure, and the sum payable to release the vehicle, chattel or obstruction and the date of advertising for sale by public auction, if unclaimed.
- 64. Any vehicle, chattel or obstruction not claimed by owner within thirty days from the date of mailing of notice may be sold at a public auction, which auction shall be advertised at least once in a newspaper circulated in the City.
- 65. The proceeds of sale by public auction shall be applied first to the cost of the sale, second to the fees, cost and expenses of the City or its contractor as set out above and the balance shall be held for the owner. If the balance remains unclaimed at the end of the calendar year, such balance shall be paid into the general revenue of the City.
- 66. Notwithstanding any other provision of this bylaw, where any garbage, rubbish or abandoned unlicensed motor vehicle with an apparent value of less than \$300.00 is left on any highway, such articles may be removed to a garbage dump and disposed of therein.

DIVISION VI - Bicycle Traffic

Riding on Sidewalks and Pedestrian Paths

67. No person shall ride a bicycle upon the sidewalk of any street or bridge, or upon any pedestrian path in a public park except as otherwise posted.

Parking Stands

68. The Director may designate parts of highways for the parking of bicycles and cause racks or stands to be placed in such areas. In areas where such racks or stands are available, all bicycles shall be parked in such rack or stand and no person shall park a bicycle on a sidewalk within 30 metres of a bicycle rack or stand.

DIVISION VII - Highway Use Permits

69. This Division does not apply to arterial highways.

Permits

70. Except as authorized by a permit issued by the Director pursuant to the provisions of this bylaw, no person shall:
- (a) dig up, break up or remove any part of a highway, or cut down or remove trees or timber growing on a highway, or excavate in or under a highway;
 - (b) cause damage to, cut down or remove trees, grass, shrubs, plants, bushes and hedges, fences, signs, or other things erected by the City on a highway;
 - (c) change the level of a highway, or stop the flow of water through any drain, sewer or culvert on or through a highway;
 - (d) place, construct or maintain a loading platform, skids, rails, mechanical devices, buildings, signs or any other structure or thing on a highway;
 - (e) construct or maintain a ditch, sewer or drain, the effluent from which causes damage, fouling, injury or nuisance to any portion of a highway;
 - (f) mark or imprint or deface in any manner whatsoever a highway or structure thereon;

- (g) erect or maintain any sign, advertisement or guide post on or over any highway or alter, repair, tear down or remove any sign, advertisement or guide post erected or maintained on any highway;
- (h) ride, drive, lead, move or propel any vehicles or animal in excess of 270 kg over or across a boulevard including any curb, sidewalk or ditch unless such has been constructed or improved to form a suitable crossing, except when in use to improve or maintain the boulevard; nor
- (i) construct a boulevard crossing, including a curb, ditch or sidewalk crossing.

Conditions of Director's Permission

- 71. The Director may issue a permit in the form prescribed in Schedule "D" to this bylaw to do those things otherwise prohibited by this Division, subject to payment of an application fee of \$100.00 and subject to such other applicable conditions in this bylaw.
- 72. The applicant shall provide, in triplicate, satisfactory plans and specifications of the work to be undertaken and when such are supplied and approved by the Director and the necessary permit issued, the work shall conform in every way to the plans and specifications so provided.
- 73. The applicant shall provide evidence satisfactory to the Director that the applicant is insured against all claims for damages for personal injury and property damage which may arise out of the performance of the work covered by the permit, in an amount not less than \$5,000,000.00 for each occurrence and if the cost of the work as estimated by the Director exceeds \$50,000.00, the City shall be added to the policy as co-insured.
- 74. The applicant shall provide evidence satisfactory to the Director that all materials, labour, and equipment which are needed to complete the work with reasonable dispatch are available.
- 75. As a prerequisite to the issuance of a permit under this section, the applicant shall, if required by the Director, deposit with the City a sum of money, or irrevocable letter of credit from a chartered Bank of Canada in the amount of \$500.00, to secure payment of the cost of repairing any damage done to the highway and the fulfilment of the obligations imposed by the permit within the time specified by the permit.
- 76. Where a deposit has been made in accordance with this section, and upon satisfactory completion of the work within the time specified, the deposit shall be refunded to the applicant, less an inspection fee of \$100.00.

- 77. Failure by the permit holder to repair damage or fulfil the obligations that have been imposed under the terms and conditions of the permit, or pay maintenance, shall result in the application of the amount of the deposit of letter of credit to offset such damage or unfulfilled obligations or maintenance and should there be an insufficiency of security, the holder of the permit shall pay the balance forthwith upon invoice of the City.
- 78. Any person doing work on or in any highway shall provide and place appropriate barricades, lights and other safety devices required to protect the public.
- 79. If any permanent works are installed by the applicant, the applicant shall provide the Director, following completion of the work, with a plan showing the works, drawn to scale satisfactory to the Director, showing the location, size and description of the works and the date of installation. The plan shall be supplied prior to the return or refund of any security posted as a condition of the Permit.

DIVISION VIII - Offence, Penalties and Enforcement

- 80. Any person who contravenes any of the provisions of this bylaw commits an offence punishable upon summary conviction and is liable to a fine of not more than \$2,000.00 or to imprisonment for not more than six months, or to both.
- 81. The minimum fines for an offence against the following sections of this bylaw are as follows:

Section	Minimum Fine
43(s),44, 52(3)	\$65.00
5(e), 30, 36, 38 43[except ss.(s)], 45 47, 48, 49, 53, 54	\$75.00
46, 57	\$110.00
5(d)	\$200.00

82. Multiple Ticketing for Overtime Parking

Where a driver has parked a vehicle in a parking space in violation of the provisions of this bylaw, a separate offence shall be deemed to be committed upon the expiry of each period of time during which the vehicle could have been lawfully parked as indicated by a traffic control device.

DIVISION IX - Voluntary Settlement

83. Any person who receives notice of an alleged violation by that person of a section of this bylaw referred to in the following table may avoid further enforcement action by the City, by paying the settlement amounts described below within the time limited:

Settlement Amounts

Section	If Paid in the First 14 Calendar Days	If Paid After 14 Calendar Days, but Before Summons Rasied	If Paid After Summons Raised
43(s), 44, 52(3)	\$10.00	\$20.00	\$60.00
Sections 5(e), 30, 36, 38, 39, 43 [except subsection (s)],45 47, 48, 49, 53, 54	\$25.00	\$50.00	\$70.00
46	\$50.00	\$80.00	\$110.00

DIVISION X - Miscellaneous

84. Schedules "A" through "C" form part of this bylaw.

85. "Traffic Regulation Bylaw, No.1403" and amendments thereto is repealed and replaced by this bylaw.

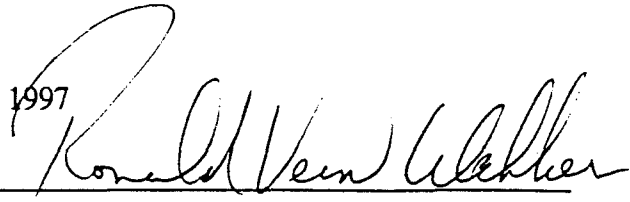
Read a first time this 16th day of December, 1996

Read a second time this 16th day of December, 1996

Read third time this16th day of December, 1996

Finally passed and adopted this 6th day of January, 1997

Certified a true and correct copy of "Traffic Regulation Bylaw, No. 1926, 1996", finally passed and adopted the 6th day of January, 1997, by the Municipal Council of the Corporation of the City of Courtenay.



 Mayor



 Clerk

 City Clerk

SCHEDULE "A"
PARKING RESTRICTIONS

4th Street	From Cliffe Avenue west from the Post Office on the north side to the entrance of Credit Union parking lot--15 minute parking---200 block.
4th Street	From Credit Union parking lot to Fitzgerald Avenue north side---2 hour parking---200, 300, & 400 blocks.
5th Street	Cliffe Avenue to Harmston Avenue--north and south sides--2 hour parking 200, 300, 400, & 500 blocks.
6th Street	Cliffe Avenue to Fitzgerald Avenue--north and south side--1 hour parking 200, 300, & 400 blocks.
6th Street	On the north side of 6th street from Fitzgerald Avenue to the lane that runs between Harmston Avenue and Fitzgerald Avenue---2 hour parking--500 block.
6th Street	From Fitzgerald Avenue to Grant Avenue-south side--2 hour parking--500 block.
8th Street	Cliffe Avenue to Fitzgerald Avenue--north and south side--2 hour parking 200, 300, & 400 blocks.
8th Street	From Cliffe Avenue west to the lane behind B.C.Tel--north side--10 minute parking--200 block.
10th Street	Cliffe Avenue to Fitzgerald Avenue--north and south side--1 hour parking 200, 300, & 400 blocks.
10th Street	England Avenue west side to lane that runs between England Avenue and Fitzgerald Avenue north side---15 minute parking--Buns Master.
11th Street	From Cliffe Avenue to England Avenue --south side--2 hour parking--200 block.
Anderton Ave.	5th Street to 6th Street--east and west sides--2 hour parking--500 block.
Cliffe Ave.	From 3rd Street to 4th Street east side--2 hour parking--300 block.
Cliffe Ave.	From 4th Street to 5th Street--east and west sides--2 hour parking--400 block.

Page 2-Schedule "A"

Duncan Ave. From 3rd Street to 4th Street--west side and east side--2 hour parking--300 block.

Duncan Ave. From 4th Street to 5th Street--west side--2 hour parking--400 block.

Duncan Ave. From 5th Street south to lane between 5th and 6th Street--west side--2 hour parking--500 block.

Duncan Ave. From 6th Street north to lane between 5th and 6th Street--west side--Fire Department parking only--500 block.

England Ave. 4th Street to 6th Street--west side--2 hour parking--400 & 500 blocks.

England Ave. 6th Street to 8th Street--east and west side--2 hour parking--600 & 700 blocks.

England Ave. From 8th Street to 10th Street--west side--2 hour parking--900 block.

Fitzgerald Ave. From 4th Street to 10th Street--west and east side--2 hour parking--400, 500, 600, 700, 800, & 900 blocks.

Grant Ave. From 6th Street to Cumberland Road--east side--2 hour parking--600 & 700 block.

Old Comox Logging Right-of-Way From 5th Street south for 80 feet--east side--2 hour parking.

Simms Square Located between England Avenue and Fitzgerald Avenue--400 block--old Cumberland Road--north and south side--2 hour parking.

City Lot #1 Corner of Duncan Avenue and 4th Street--2 hour parking.

City Lot #2 Off Cliffe Avenue between 5th Street and 6th Street--2 hour parking.

City Lot #3 Off Cliffe Avenue between 6th Street and 8th Street--east side--2 hour Parking.

City Lot #4 Off south side of 6th Street between Duncan Avenue and England Avenue --3 hour parking--Dairyland parking lot.

City Lot #5 Beside City Hall south side off Cliffe Avenue--1 hour parking.

Page 2-Schedule "A"

Civic Lot From 5th Street north side to the north side of Sid Williams Civic Theatre
--2 hour parking.

Library Lot Located at eng of 4th Street off Cliffe Avenue east side--2 hour parking--
100 block.

SCHEDULE "B"
TOWING CHARGES

The following fee, costs and expenses shall be paid by the owner of the chattel, obstruction, or vehicle removed, detained or impounded by the City of Courtenay.

1. REMOVAL OF ANY VEHICLE UP TO AND INCLUDING A 3-TONNE TRUCK SIZE TO STORAGE:
 - a) Flat Rate (first 6 kilometres).....\$37.35
 - b) Rate per kilometre over flat rate charge above.....\$2.00

2. REMOVAL OF ANY VEHICLE LONGER THAN 3-TONNE INCLUDING SEMI-TRAILER UNITS:
 - a) Flat Rate (first 6 kilometres).....\$103.15
 - b) Rate per kilometre over flat rate charge above..... \$2.90

3. STORAGE OF ANY VEHICLE UP TO 3-TONNE TRUCK SIZE IN CONTRACTOR'S YARD:

Rate per day.....\$7.00

4. REMOVAL OF ANY ABANDONED VEHICLE OR TRAILER UP TO 8 METRES IN LENGTH TO SITE AS DIRECTED:

Flat Rate.....\$37.35

5. EXTRA COST FOR DOLLY TOW FOR ANY VEHICLE IN ITEM #1 OR #4 ABOVE:

Flat Rate.....\$15.00

**SCHEDULE "C"
APPENDIX I**

DATE: _____

PERMIT NO. _____

**CITY OF COURTENAY
PUBLIC WORK DIVISION
PERMISSION TO CONSTRUCT WORKS WITHIN CITY LIMITS**

The Works Comprising

are hereby approved insofar as they relate to the use of City Lands, or to other matters under the jurisdiction of the City of Courtenay, and permission to construct, use and maintain the said works is hereby granted to:

The said approval and permission to construct, use and maintain works is however, at all times subject to the following standard conditions, special instructions and attachments.

Public Works Division
City Hall
830 Cliffe Ave.
Courtenay, B. C.

Special Instructions and Attachments: _____

This permit shall commence on _____ and

shall expire on _____

Application Fee (\$100.00)

Director of Operational Services

SCHEDULE "C"
APPENDIX II

DATE _____

PERMIT NO. _____

CITY OF COURTENAY
PUBLIC WORKS DIVISION
STREET EXCAVATION AND CONSTRUCTION APPLICATION

1. Applicant's Name	2. Business Address & Telephone Number	
<hr/>		
3. Starting Date	4. Completion Date	5. Name of Street
<hr/>		
6. Nearest Intersecting Street to Excavation	7. Street Numbers of Abutting Properties	
width	depth	length
8. Size of Excavation	9. Distance of Excavation from Curb or Pavement Edge (feet)	
<hr/>		
10. Purpose of Excavation and Construction		

I/We hereby agree to be bound by the provisions of City of Courtenay Traffic Regulation Bylaw and amendments, if any, specifications, and regulations of the City governing excavations in or under municipal streets and to such special conditions, restrictions, and regulations as may be imposed by the Superintendent of Public Works

See conditions and regulations attached hereto

Applicant's Signature

PERMIT FEE: \$100.00

SCHEDULE "C"
APPENDIX II

DATE _____

PERMIT NO. _____

CITY OF COURTENAY
PUBLIC WORKS DIVISION
STREET EXCAVATION AND CONSTRUCTION APPLICATION

FOR DEPARTMENT USE ONLY

-
11. Plans Approved By _____ 12. Date Application Approved _____
13. Deposit and Refund Information:
- amount deposited _____
- receipt no. _____
- inspection fee _____
- amount refunded _____
14. Insurance Needed Yes _____ No _____
15. Date of Refund _____ 16. Restoration Date _____
17. _____
- | Reason Permit Revoked | By Whom | Date |
|-----------------------|---------|------|
|-----------------------|---------|------|
18. As-Builts Needed Yes _____ No _____ Date Received _____
19. Final Inspection Approval Yes _____ No _____ Date _____

The applicant is hereby authorized to make an excavation in or under the above named street at the location designated; provided however, all work is performed in accordance with the attached conditions and regulations, the applicant's plans, the City's Bylaws, specifications, and regulations governing street excavations, and the following special conditions:

or such special conditions as may be imposed during the performance of the authorized works

Director of Operational Services

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 1962

A bylaw to amend Traffic Regulation Bylaw
No. 1926, 1996

The Municipal Council of The Corporation of the City of Courtenay, in open meeting assembled, enacts the following amendments to "Traffic Regulation Bylaw No. 1926, 1996:

1. Section 2 (Which lists and describes the Bylaw Divisions) be amended to add page numbers.
2. Sections 44, 61, 62 and 71 of "Traffic Regulation Bylaw No. 1926, 1996" is hereby deleted and substituted therefore by the following:
 44. Where a traffic control device is placed on a City parking lot or street indicating that the time allowed for parking a vehicle is limited, no person shall park a vehicle for a period longer than the time indicated as set out in Schedule 'A' to this bylaw.
 61. The fees, costs and expenses set out in Schedule "B" to this bylaw for the removal, detention and impoundment of a vehicle removed under this Division shall be paid by the registered owner of the vehicle or their agent prior to the release of the vehicle.
 62. Any chattel, obstruction or vehicle removed, detained or impounded under this bylaw may be recovered by the owner between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, except holidays, by paying the fees, costs and expenses set out in Schedule "B" at the office of the Treasurer of the City and presenting the receipt obtained, plus proof of ownership, at the Public Works Yard or other place of storage, or by paying the contractor of the City at his place of business.
 71. The Director may issue a permit in the form prescribed in Schedule "C" to this bylaw to do those things otherwise prohibited by this Division, subject to payment of an application fee of \$100.00 and subject to such other applicable conditions in this bylaw.
2. This bylaw shall take effect upon final adoption hereof.
3. This bylaw may be cited as "Traffic Regulation Amendment Bylaw No. 1962, 1997".

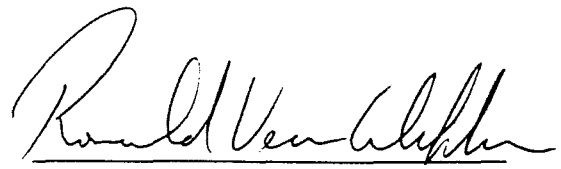
Read a first time this 17th day of March, 1997

Read a second time this 17th day of March 1997

Read third time this 17th day of March 1997

Finally passed and adopted this 7th day of April, 1997

Certified a true and correct copy of "Traffic Regulation Amendment Bylaw No. 1962, 1997", finally passed and adopted the 7th day of April, 1997, by the Municipal Council of the Corporation of the City of Courtenay.



Mayor



Clerk

City Clerk

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2078

A bylaw to amend Traffic
Regulation Bylaw No. 1926, 1996

The Municipal Council of The Corporation of the City of Courtenay, in open meeting assembled, enacts the following amendments to "Traffic Regulation Bylaw No. 1926, 1996:

1. Division I - Interpretation, Section 4 (m) "Traffic Officer" of "Traffic Regulation Bylaw No. 1926, 1996" is hereby deleted and is substituted therefore by the following:
 - (m) **Traffic Officer** - means any official, employee or **contractor** of the City whose designated duties include the control of traffic or parking within the City, and includes peace officers and Bylaw Enforcement Officers, and every officer and member of the Fire Department of the City while attending upon any fire or emergency in the course of their duty.
2. This bylaw shall take effect upon final adoption hereof.
3. This bylaw may be cited as "Traffic Regulation Amendment Bylaw No. 2078, 1998".

Read a first time this 2nd day of December, 1998

Read a second time this 2nd day of December, 1998

Read third time this 2nd day of December, 1998

Finally passed and adopted this 21st day of December, 1998



Mayor



Clerk

Certified a true and correct copy of "Traffic Regulation Amendment Bylaw No. 2078, 1998", finally passed and adopted the 21st day of December, 1998, by the Municipal Council of the Corporation of the City of Courtenay.

City Clerk



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 0250-20/3900-2937

From: Director of Development Services

Date: April 2, 2025

Subject: First Reading of Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025

PURPOSE:

For Council to consider first reading of “Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025” to amend *Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018* to allow for projects currently under construction to be eligible for Revitalization Tax Exemption and to direct staff to provide public notice of “Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025” as per Section 227 of the *Community Charter*.

BACKGROUND:

At the September 11, 2024 regular Council meeting, Council adopted the following resolution:

THAT Council provide interpretation clarity within Bylaw No. 2937 of the definition ‘project’ and of eligibility clause 4.1 (g) in order to allow for projects currently under construction to be eligible for Revitalization Tax Exemption, and direct staff to make amendments to Bylaw No. 2937 to reflect thereto;

*Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018, Section 2 Definitions “project” as “a revitalization project on a Parcel involving the construction of a new improvement or alteration of an existing improvement, which meets the requirements of this bylaw, **and the construction of which is begun after** an application for a Tax Exemption has been submitted to, and approved by Council”. Additionally, as per Section 4.1 (g) “any construction undertaken prior to application shall not be considered by Council for Tax Exemption”.*

DISCUSSION:

At the September 11, 2024, regular Council meeting, Council entered into a Revitalization Tax Exemption Agreement with a development project that was under construction and provided direction to Staff to amend the Revitalization Tax Exemption Bylaw No. 2937 in order to allow for works under construction to be eligible for Revitalization Tax Exemption (RTE).

Staff have reviewed and discussed Revitalization Tax Exemption (RTE) programs of other communities (Campbell River, Kelowna, Kamloops) and propose targeted amendments that support Council’s resolution. A more comprehensive review of Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018 will occur following the Downtown Vitalization Local Area Plan process and in accordance with the policies contained within that Plan.

The proposed bylaw amendments are summarized below and the track-changed bylaw amendments are in Attachment No. 1:

1. Amending Section 2 definitions

- To add the definition “Improvement” for interpretation clarity, as the term is used throughout the Bylaw, to mean:
 - i. “Improvement” will have the same meaning as set out in the Assessment Act.
- Amending the definition of “Project” to remove the defining requirement that construction has begun after application for Tax Exemption, and making clear that Council or a delegate is to approve the Tax Exemption, to read as follows:
 - i. “Project” means a revitalization project on a Parcel involving the construction of a new improvement or alteration of an existing improvement, which meets the requirements of this bylaw and is approved by Council or its delegate.”

2. Amending Section 4 Eligibility Criteria

- Add a sub-section with a notwithstanding clause to allow for application for RTE to be submitted and approved after building permit issuance in the event of extenuating circumstances. Currently sub-section 4.1. (g) requires that any construction of a project undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration. Staff are proposing to add sub-section 4.1. (h) to apply for consideration by Council after a building permit is issued. The new proposed section reads:
 - i. “4.1. (h) Notwithstanding sub-section (g), an application for a Tax Exemption may be submitted after building permit issuance in the event that extenuating circumstances exist. All other provisions of this bylaw still apply. Such applications must be accompanied by a letter to the Director of Development Services detailing and substantiating the extenuating circumstances that prevented application submission prior to a building permit issuance and a quantity surveyor report by a Professional Quantity Surveyor or equivalent to the satisfaction of the Director of Development Services or delegate estimating the total construction value at the time of a complete application being accepted by the City for the remaining improvements.”
- Add a sub-section 4.1. (i) to clarify that an RTE application is not eligible after Occupancy Permit (Final Building Inspection).
- Add an application requirement to include a quantity surveyor report by a Professional Quantity Surveyor (construction cost consultant/cost estimator) assessing the value of construction at the time of application being submitted and assessing the total remaining improvements.

3. Amending Section 7 Application Process

- Amending sub-section 7. (a) by making clear that an RTE application is to be applied for prior to a building permit, and that the proposed notwithstanding clause within Section 4.1. (h) allows for consideration of an exemption to this application requirement:
 - i. “An Owner shall submit a completed application form provided by the City as amended from time to time (with all supporting documentation and the \$200 application fee) to the City prior to a building permit issuance.”
- Adding sub-section 7. (b) stipulating with more clarity the following application submissions shall be included:
 - i. “Covering letter with a brief description of the Project, including an estimate of the construction value of the project, details of the floor area of the project by land use

type(s), the number of residential units (if applicable), and an estimated date of obtaining an occupancy permit;”

- Adding sub-section 7. (c) to permit more flexibility of allowing an RTE application to be applied for prior to even the issuance of a Development Permit by submitting the following information:
 - i. “An application for a Parcel that does not have an approved Development Permit must include a concept plan with information on the proposed use of the Parcel, details on the floor area, the number of residential units (if applicable), and conceptual renders of the form and character;”

4. Amending Schedule B Revitalization Tax Agreement template

- By removing in the agreement, the clause that renders ineligible any construction of a new improvement or alteration of an existing improvement undertaken prior to the application for a Revitalization Tax Exemption.

POLICY ANALYSIS:

Community Charter Section 226 provides authority for local governments through their Councils to authorize municipal tax exemption to land or improvements in accordance with an adopted revitalization program bylaw. The legislation stipulates that the bylaw governing the revitalization program must among other things include a description of the reasons for and the objectives of the program and a description of how the program is intended to accomplish the objectives.

Council adopted *Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018* on September 4, 2018. Bylaw No. 2937 cites the objectives of the program and how the program is intended to achieve said objectives with the following clauses:

3.3 The downtown revitalization tax exemption program is established under this Bylaw in order to promote the revitalization of Downtown Courtenay through:

- a) The development and redevelopment of buildings used for residential purposes to increase the population density in downtown Courtenay to support commercial success:
- b) The development and redevelopment of commercial buildings to create a vibrant downtown that attracts new investment opportunities and supports increased residential viability;
- c) To reinforce and strengthen downtown Courtenay as the commercial heart of the Comox Valley.

3.4 The revitalization tax exemption program is intended to accomplish the objectives referred to in Section 3.3 by providing Owners with an economic incentive in the form of a tax exemption to undertake the development of new improvements.

FINANCIAL IMPLICATIONS:

Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2973, 2018 and the proposed amendments thereto delay new tax revenue from the increased assessed value resulting from new development. Two distinct areas of tax exemption are included in Bylaw No. 2973, with specific tax exemption criteria included for each area and different uses within each area. These tax exemption criteria that determine the amount of exemption will remain the same with the proposed amendments. Attachment No. 2 includes the original *Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2973, 2018*.

Section 226 of the Community Charter requires that a revitalization program bylaw may be adopted only after the council has considered the bylaw in conjunction with the objectives and policies set out under section 165 (3.1) (c) [*use of permissive tax exemptions*] in its financial plan.

STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Buildings and Landscape - Support investment and redevelopment in downtown core: Review and evaluate Downtown development incentives e.g. fast tracking/density bonuses/DCC

PUBLIC ENGAGEMENT:

Public consultation took place during the development of the Downtown Courtenay Revitalization Tax Exemption Bylaw and public notice was provided in accordance with Section 227 of the *Community Charter*.

Public notice must be given on the proposed amendments in accordance with Section 227 of the *Community Charter* which will take the form of published notices in two consecutive issues of the local newspaper and posting to the City's website and social media sites.

A more fulsome review of the Downtown Courtenay Revitalization Tax Exemption Bylaw and development incentives in support of Council's strategic priority will occur as part of the concurrent Downtown Vitalization Local Area Plan process which includes an approved communication and engagement plan.

OPTIONS:

1. THAT Council give first reading to "Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025"; and
THAT Council direct staff to provide notice of "Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025" in accordance with Section 227 of the *Community Charter*.
2. THAT Council provide alternate direction to staff.

ATTACHMENTS:

1. Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025
2. Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018

Prepared by: Nancy Gothard, RPP MCIP, Manager of Community and Sustainability Planning

Reviewed by: Marianne Wade, RPP MCIP, Director of Development Services
Adam Langenmaier, BBA, CPA, CA, Director of Finance

Concurrence: Kyle Shaw, Director of Operational Services – Acting City Manager (CAO)



The Corporation of the City of Courtenay

Bylaw No. 3175

A bylaw to amend Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018

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

Citation

1. This Bylaw shall be cited as “Downtown Courtenay Revitalization Tax Exemption - Amendment Bylaw No. 3175, 2025”.

Amendment

2. “Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018” is amended as follows:

- a) AMENDING SECTION 2. DEFINITIONS by:

- i. ADDING the following definition to Section 2.1 after the word “Council”:

“Improvement” will have the same meaning as set out in the Assessment Act.

- ii. DELETING the following definition from Section 2.1:

~~“Project” means a revitalization project on a Parcel involving the construction of a new improvement or alteration of an existing improvement, which meets the requirements of this bylaw, and the construction of which is begun after an application for a Tax Exemption has been submitted to, and approved by, Council;~~

and

REPLACING with:

“Project” means a revitalization project on a Parcel involving the construction of a new improvement or alteration of an existing improvement, which meets the requirements of this bylaw and is approved by Council or its delegate;

- b) AMENDING SECTION 4. ELIGIBILITY CRITERIA by:

- i. ADDING the following sub-sections 4.1. h) and i) after sub-section 4.1. g):

h) Notwithstanding sub-section g), an application for a Tax Exemption may be submitted after building permit issuance in the event that extenuating circumstances exist. All other provisions of this bylaw still apply. Such applications must be accompanied by a letter to the Director of Development Services detailing and substantiating the extenuating circumstances that prevented application

submission prior to a building permit issuance and a quantity surveyor report by a Professional Quantity Surveyor or equivalent to the satisfaction of the Director of Development Services or delegate estimating the total construction value at time of a complete application being accepted by the City for the remaining improvements.

and

i) If a building has received Occupancy Permit (Final Inspection) it does not qualify for Tax Exemption.

ii. RENUMBERING consecutively the remaining sub-sections within SECTION 4.

c) AMENDING SECTION 7. APPLICATION PROCESS by:

i. DELETING the following sub-section a)

~~a) An Owner shall submit a completed application form provided by the City as amended from time to time (with all supporting documentation and the \$200 application fee) to the City concurrently with a building permit application.~~

and

REPLACING WITH:

a) An Owner shall submit a completed application form provided by the City as amended from time to time (with all supporting documentation and the \$200 application fee) to the City prior to a building permit issuance.

ii. ADDING the following sub-sections 7. b) and c) after 7. a):

b) Application shall include a covering letter with a brief description of the Project, including an estimate of the construction value of the project, details of the floor area of the project by land use type(s), the number of residential units (if applicable), and an estimated date of obtaining an occupancy permit;

and

c) An application for a Parcel that does not have an approved Development Permit must include a concept plan with information on the proposed use of the Parcel, details on the floor area, the number of residential units (if applicable), and conceptual renders of the form and character;

iii. RENUMBERING consecutively the remaining sub-sections within SECTION 7.

d) AMENDING SCHEDULE "B" Revitalization Tax Exemption Agreement by:

i. DELETING the following section 21:

~~21. Any construction of a new improvement or alteration of an existing improvement as~~

~~of this bylaw undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration.~~

and

- ii. RENUMBERING consecutively the remaining sub-sections within SCHEDULE "B".

- 3. This bylaw is effective as of the date of its adoption.

Severability

- 4. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

Read a first time this [dd]th day of [month], 20[yy]

Read a second time this [dd]th day of [month], 20[yy]

Notice published pursuant to Section 227 of the *Community Charter* on the [dd]th day of [month], 20[yy] and the [dd]th day of [month], 20[yy].

Read a third time this [dd]th day of [month], 20[yy]

Adopted this [dd]th day of [month], 20[yy]

Mayor Bob Wells

Corporate Officer

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO.2937

Downtown Courtenay Revitalization Tax Exemption Bylaw

WHEREAS Council may by bylaw establish a revitalization tax exemption program under section 226 [revitalization tax exemption] of the *Community Charter*;

AND WHEREAS Council wishes to establish a revitalization tax exemption program in order to encourage redevelopment and revitalization of those areas, identified in Schedule "A";

AND WHEREAS Council has identified in its strategic priorities that revitalizing downtown is critical to the City's economic future;

AND WHEREAS the City has adopted a "Downtown Courtenay Playbook" that specifically identified the establishment of a Revitalization Tax Exemption Bylaw as a means to stimulate downtown development projects;

AND WHEREAS Council has given notice of its intention to adopt this bylaw in accordance with section 227 of the *Community Charter* and considered this bylaw in conjunction with the objectives and policies set out in section 165(3.1)(c) of the *Community Charter* in the City's financial plan.

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

1. CITATION

1.1. This bylaw may be cited for all purposes as "**Downtown Courtenay Revitalization Tax Exemption Bylaw No. 2937, 2018**".

2. DEFINITIONS

2.1. In this bylaw:

"Agreement" means a Revitalization Tax Exemption Agreement between the owner of a Parcel and the City, substantially in the format of and with the content of Schedule "B" which is attached to and forms part of this bylaw;

"Assessed Value" means the BC Assessment Authority land and improvements assessed value of the parcel subject to an Agreement for the purposes of calculating property taxes;

"City" means the City of Courtenay;

"Council" means the Council of the City of Courtenay;

"Municipal property taxes" means the property taxes imposed on new buildings or eligible improvements on eligible lands shown on Schedule "A" and as prescribed in the *Community Charter*, this does not include taxes levied by the City on behalf of Schools, Library, MFA, Regional Districts, Hospital or BC Assessment Authority;

"Owner" means the owner as registered on the Certificate of Title as of the tax exemption application date;

"Project" means a revitalization project on a Parcel involving the construction of a new improvement or alteration of an existing improvement, which meets the requirements of this bylaw, and the construction of which is begun after an application for a Tax Exemption has been submitted to, and approved by, Council;

"Property" means the legally described land and improvements to which a Revitalization Tax Exemption is applied for and as legally described in the Agreement;

"Revitalization Amount" means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the property resulting from the construction or alterations of a project;

"Revitalization Area" means one of the areas outlined on Schedule "A", which is attached to and forms part of this Bylaw;

"Revitalization tax exemption agreement" means an agreement between the owner of a property and the City, substantially in the format of and with the content of Schedule "B" which is attached to and forms part of this bylaw;

"Tax Exemption" means a revitalization tax exemption pursuant to this bylaw;

"Tax Exemption Certificate" means a revitalization tax exemption certificate issue by the City pursuant to this bylaw, the relevant Agreement, and the provisions of section 226 of the Community Charter, in the form of Schedule "C", which is attached to and forms part of this bylaw.

3. DOWNTOWN REVITALIZATION TAX EXEMPTION PROGRAM

3.1 There is hereby established a revitalization tax exemption program under section 226 of the Community Charter for the granting of *Tax Exemptions* and the issuance of *Tax Exemption Certificates*.

3.2 The terms and conditions upon which a *Tax Exemption* may be granted and a *Tax Exemption Certificate* may be issued are as set out in this Bylaw, in the Agreement and in the *Tax Exemption Certificate*.

3.3 The downtown revitalization tax exemption program is established under this Bylaw in order to promote the revitalization of Downtown Courtenay through:

- a) The development and redevelopment of buildings used for residential purposes to increase the population density in downtown Courtenay to support commercial success;
- b) The development and redevelopment of commercial buildings to create a vibrant downtown that attracts new investment opportunities and supports increased residential viability;
- c) To reinforce and strengthen downtown Courtenay as the commercial heart of the Comox Valley.

3.4 The revitalization tax exemption program is intended to accomplish the objectives referred to in Section 3.3 by providing Owners with an economic incentive in the form of a tax exemption to undertake the development of new improvements.

4. ELIGIBILITY CRITERIA

4.1 In order for a *project* to be considered by Council for a *Tax Exemption* it must meet the following criteria:

- a) For commercial *projects*, the *project* must involve construction that results in floor space being added to an existing building or in a new building being constructed on the *property*;
- b) The construction value for commercial *projects*, as determined based on the building permit(s) issued, must be \$200,000.00 or greater;
- c) Residential *projects* in Downtown Revitalization Area 2 must include four (4) residential units or more;
- d) the land use into which the *project* is intended to fit must be one of the uses permitted in the applicable zone for the *property*, as set out in City of Courtenay Zoning Bylaw 2500, 2007, as amended from time to time, and the *project* must meet all other applicable City policies and bylaws;

- e) the *owner* of the *property* must enter into an Agreement with the City;
- f) the *property* must be located in one of the Revitalization Areas shown on Schedule "A" attached hereto and forming part of the Bylaw;
- g) Any construction of a *project* undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration;
- h) *Properties* currently receiving a municipal tax exemption shall not be considered by Council for a Tax Exemption.
- i) *Projects* involving *properties* with any unpaid property taxes in arrears shall not be considered by Council for a Tax Exemption.
- j) The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the increase in the *assessed value* of the improvements on the property between;
 - i. The calendar year before the *project* began; and
 - ii. The calendar year in which the *project* is completed.

5. DOWNTOWN REVITALIZATION AREA 1

5.1 The amount of the tax exemption is:

- a) 100% of the *Revitalization Amount* on the *property* for Commercial, Residential or Mixed-Use development.

5.2 The term of the tax exemption is

- a) 5 years for a *project* that is a commercial, residential or mixed-use building
- b) 8 years for a *project* that is a residential, or mixed-use building where the Owner enters into a Housing Agreement pursuant to s. 483 of the *Local Government Act* to:
 - i) Secure 10% of the residential units (minimum 1 unit) as affordable housing units; and
 - ii) Restricts the rents, lease, sale or share prices that may be charged for the units at 30% below market rates.

6. DOWNTOWN REVITALIZATION AREA 2

6.1 The amount of the tax exemption is:

- a) 100% of the *Revitalization Amount* on the *property* for Residential Development containing four (4) or more dwelling units;
- b) 50% of the *Revitalization Amount* on the *property* for Commercial developments

6.2 The term of the tax exemption is:

- a) 5 Years for a *project* that is a commercial, residential or mixed-use development
- b) 8 years for a *project* that is a residential, or mixed-use building where the Owner enters into a Housing Agreement pursuant to s. 483 of the *Local Government Act* to:
 - i) Secure 10% of the residential units (minimum 1 unit) as affordable housing units; and
 - ii) Restricts the rents, lease, sale or share prices that may be charged for the units at 30% below market rates.

7. APPLICATION PROCESS

Council may, by resolution, authorize a municipal property tax exemption pursuant to this bylaw in the manner prescribed herein:

- a) An Owner shall submit a completed application form provided by the City as amended from time to time (with all supporting documentation and the \$200 application fee) to the City concurrently with a building permit application.
- b) Upon issuance of an authorizing resolution by Council, the Owner and the City shall enter into a *revitalization tax exemption agreement* in a form provided by the City as amended from time to time.
- c) Upon execution of the *revitalization tax exemption agreement* between the owner and the City, a *tax exemption certificate* shall be issued and applied to the subject property.

8. RECAPTURE OF EXEMPTED TAXES

If a *property* that has benefited from a *tax exemption* under the Revitalization Tax Exemption Program established by this bylaw ceases to meet all the conditions of the *Tax Exemption Certificate*, then the *Tax Exemption Certificate* shall be cancelled and all the taxes which were exempted in respect of that *property* shall be repaid, plus interest, as if the taxes had never been exempted, and the City shall add those taxes to the roll for that property.

Read a first time this 16th day of July, 2018

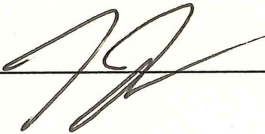
Read a second time this 16th day of July, 2018

Notice published pursuant to Section 227 of the *Community Charter* on the 7th day of August and the 9th day of August, 2018.

Read a third time this 20th day of August, 2018

Finally passed and adopted this 4th day of September, 2018

Mayor



Corporate Officer



Downtown Courtenay Revitalization Tax Exemption Areas Schedule A to Bylaw 2937



SCHEDULE "B"

Revitalization Tax Exemption Agreement

THIS AGREEMENT dated for reference the ___ day of _____, 20__ is

BETWEEN:

XXXX
(the "Owner")

AND:

THE CITY OF COURTENAY
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7
(the "City")

GIVEN THAT:

- A. The Owner is the registered owner in fee simple of lands in the City of Courtenay at *[civic address]* legally described as *[legal description]* (the "Parcel");
- B. Council has established a revitalization tax exemption program and has included within the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937 the designation of areas which include the Parcel as a revitalization area; and
- C. The Owner proposes to construct new improvements *[or alter existing improvements]* on the Parcel as described in Appendix "A" attached to and forming part of this agreement (the "Project") and has applied to the City to take part in the revitalization tax exemption program in respect of the Project and the City has agreed to accept the Project under the program;

THIS AGREEMENT is evidence that in consideration of the promises exchanged below, the Owner and the City covenant and agree each with the other as follows:

- 1. **The Project** – the Owner will use its best efforts to ensure that the Project is constructed, maintained, operated and used in a fashion that will be consistent with and will foster the objectives of the revitalization tax exemption program, as outlined in the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937. Without limiting the generality of the foregoing, the Owner covenants to use its best efforts to ensure that the Project will:
 - a)
 - b)
- 2. **Operation and Maintenance of the Project** – throughout the term of this agreement, the

Owner shall operate, repair and maintain the Project and will keep the Project in a state of good repair as a prudent owner would do.

3. **Revitalization Amount** – In this agreement, “**Revitalization Amount**” means the municipal portion of property tax calculated in relation to the increase in the assessed value of improvements on the Parcel resulting from the construction of the Project as described in section 1;
4. **Revitalization Tax Exemption** – subject to fulfilment of the conditions set out in this agreement and in “Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937”, the City shall issue a revitalization tax exemption certificate (the “Tax Exemption Certificate”) to the British Columbia Assessment Authority entitling the Owner to a property tax exemption in respect of the property taxes due (not including local service taxes) in relation to the Revitalization Amount on the Parcel (the “Tax Exemption”) for the calendar year(s) set out in this agreement.
5. **Conditions** – the following conditions shall be fulfilled before the City will issue a Tax Exemption Certificate to the Owner in respect of the Project:
 - a) The Owner must obtain a building permit from the City for the Project on or before _____, 20__;
 - b) The Owner must complete or cause to be completed construction of the Project in a good and workmanlike fashion and in strict compliance with the building permit and the plans and specifications attached hereto as Appendix “A”.
 - c) The Owner must submit a copy of the Occupancy Permit and Revitalization Tax Exemption Agreement to the City of Courtenay’s Finance Department before the City will issue the Tax Exemption Certificate.
 - d) The completed Project must substantially satisfy the performance criteria set out in Appendix “B” hereto, as determined by the City’s Urban Planning Manager or designate, in their sole discretion, acting reasonably.

6. **Calculation of Calculation of Revitalization Tax Exemption** – the amount of the Tax Exemption shall be equal to *[choose one from below and insert applicable wording]*:
- a) For “Downtown Revitalization Area 1”, 100% of the Revitalization Amount on the Parcel;
 - b) For “Downtown Revitalization Area 2,”
 - i. 100% of the Revitalization Amount on the parcel for Residential Development containing four (4) or more dwelling units;
 - ii. 50% of the Revitalization Amount on the parcel for Commercial developments
7. **Term of Tax Exemption** – provided the requirements of this agreement, and of the Downtown Courtenay Revitalization Tax Exemption Program Bylaw No. 2937, are met the Tax Exemption shall be for the taxation years _____ to _____, inclusive.
8. **Compliance with Laws** – the Owner shall construct the Project and, at all times during the term of the Tax Exemption or any renewal term, use and occupy the Parcel and the Project in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the foregoing, all federal, provincial, or municipal laws or statutes or bylaws, including all the rules regulations policies guidelines criteria or the like made under or pursuant to any such laws.
9. **Effect of Stratification** – if the Owner stratifies the Parcel under the Strata Property Act, then the Tax Exemption shall be prorated among the strata lots in accordance with the unit entitlement of each strata lot for:
- a. the current and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office before May 1; or
 - b. for the next calendar year and each subsequent tax year during the currency of this agreement if the strata plan is accepted for registration at the Land Title Office after May 1.
10. **Cancellation** – the City may in its sole discretion cancel the Tax Exemption Certificate at any time:
- a. on the written request of the Owner; or
 - b. effective immediately upon delivery of a notice of cancellation to the Owner if at any time any of the conditions in the Tax Exemption Certificate are not met.
 - c. If the Owner is subject to a housing agreement with the City and is not in compliance with the operating agreement.

If such cancellation occurs, the Owner of the Parcel for which the Tax Exemption Certificate was issued will remit to the City an amount equal to the value of any Tax Exemption received after the cancellation of the Tax Exemption Certificate.

11. **No Refund** – for greater certainty, under no circumstances will the Owner be entitled under the City’s revitalization tax exemption program to any cash credit, any carry forward tax exemption credit or any refund for any property taxes paid.
12. **Notices** – any notice or other writing required or permitted to be given hereunder or for the purposes hereof to any party shall be sufficiently given if delivered by hand or posted on the Parcel, or if sent by prepaid registered mail (Express Post) or if transmitted by facsimile to such party:

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

THE CITY OF COURTENAY
830 Cliffe Avenue
Courtenay, B.C.
V9N 2J7

Attention:

Fax:

b. in the case of a notice to the Owner, at:

[Insert name and address of owner]

Attention:

Fax:

Or at such other address as the party to whom such notice or other writing is to be given shall have last notified the party giving the same.

13. **No Assignment** – the Owner shall not assign its interest in this agreement except to a subsequent owner in fee simple of the Parcel.
14. **Severance** – if any portion of this agreement is held invalid by a court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this agreement.
15. **Interpretation** – wherever the singular or masculine is used in this agreement, the same shall be construed as meaning the plural, the feminine or body corporate where the context or the parties thereto so require.

16. **Further Assurances** – the parties hereto shall execute and do all such further deeds, acts, things and assurances that may be reasonably required to carry out the intent of this agreement.
17. **Waiver** – waiver by the City of a default by the Owner shall be in writing and shall not be deemed to be a waiver of any subsequent or other default.
18. **Powers Preserved** – this agreement does not:
 - a. Affect or limit the discretion, rights or powers of the City under any enactment or at common law, including in relation to the use or subdivision of the Parcel;
 - b. Affect or limit any enactment relating to the use or subdivision of the Parcel; or
 - c. Relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Parcel and without limitation shall not confer directly or indirectly any exemption or right of set-off from development cost charges, connection charges, application fees, user fees or other rates, levies or charges payable under any bylaw of the City.
19. **Reference** – every reference to each party is deemed to include the heirs, executors, administrators, personal representatives, successors, assigns, servants, employees, agents, contractors, officers, licensees and invitees of such party, wherever the context so requires or allows.
20. **Enurement** – this agreement shall ensure to the benefit of and be binding upon the parties hereto and their respective successors and permitted assigns.
21. Any construction of a new improvement or alteration of an existing improvement as of this bylaw undertaken prior to the application for a Revitalization Tax Exemption will not be eligible for consideration
22. The maximum Revitalization Tax Exemption authorized under this Bylaw must not exceed the Revitalization Amount on the Property between:
 - a. the calendar year before the construction or alteration began, as outlined under Section 1 of this agreement; and
 - b. the calendar year in which the construction or alteration, as outlined under Section 1 of this agreement, is completed.
23. The Property's assessed value of improvements must not be reduced below the amount assessed in the calendar year prior to construction or alteration, as a result of the Revitalization Tax Exemption.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the day and year first above written.

Executed by the CITY OF COURTENAY by

Its authorized signatories:

Mayor

City Clerk

Executed by _____ by its

Authorized signatories:

Name:

Name:

Appendix "A": Plans and Specifications

Appendix "B": Performance Criteria

SCHEDULE "C"
Tax Exemption Certificate

Date of Issuance: _____ Certificate Number: _____

Term: _____ Date of Expiry: _____

Legal Description: _____

Property Address: _____

Property Roll Number: _____

Increase in Assessed Value: The increase in assessed value the property tax exemption is based on is: **[insert amount of increase resulting from improvements]**

This certificate certifies that the property is subject to a Revitalization Tax Exemption, for each of the taxation years 20__ to 20__ inclusive, equal to **[enter percent of reduction]**% of the Increase in Assessed Value multiplied by the municipal rate of tax in effect for **[enter tax class]**.

1. This Certificate is subject to the condition that:

a) The Owner continuously meet all of its covenants and obligations under the Revitalization Tax Exemption Agreement between the Owner and the City dated _____

b) All of the conditions under the Agreement for receipt of a tax exemption continue to be met; and

c) The Agreement is not subject to early termination.

2. If the Certificate is cancelled during a year in which the Owner has received an exemption from taxes, a recapture amount is payable calculated as equal to a percentage of the amount of the exemption with the percentage derived from the period of the taxation year remaining from the date of cancellation.

Effective Date: This certificate does not apply to taxation in a calendar year unless it is issued on or before October 31 of the preceding year.

Issued by: _____
Chief Financial Officer



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 6480-20-2403

3360-20-2409

From: Director of Development Services

Date: April 2, 2025

Subject: Amend Development Permit Area 1 and 2 for Small-Scale Multi-Unit Housing

PURPOSE:

For Council to receive the report from the public engagement process and consider giving first and second readings to:

- **Official Community Plan - Amendment Bylaw No. 3177, 2025** to amend *Official Community Plan Bylaw No. 3070, 2022* to amend Development Permit Areas 1 and 2 for small-scale, multi-unit housing; and,
- **Zoning Amendment Bylaw No. 3176, 2025** to *Zoning Bylaw No. 2005, 2007* to amend Development Permit Area 1 and 2 small-scale multi-unit housing, to implement Bill 44-Housing Statutes Amendment Act, 2023 and related policies to streamline development permitting, while continuing to meet community needs.

BACKGROUND:

At the November 13, 2025 regular meeting of Council, Council received the report Development Permit Area Amendments for Small-Scale Multi-Unit Housing Consultation Plan (Attachment 1) and approved the Plan by passing the following resolution:

“THAT Council, receive the report on the Consultation Plan for DPA amendments for Small-scale Multi-unit Housing and endorse the Consultation Plan for the proposed Development Permit Areas: DPA-1 and DPA-2 as outlined in Attachment 1 of the report; AND

THAT pursuant to section 475 and 476 Local Government Act, Council will provide opportunities it considers appropriate for consultation with persons and parties it considers will be affected, including the general public and the local development industry, and pursuant to section 476 Local Government Act, prior to considering amendments to City of Courtenay Official Community Plan Bylaw No 3070, 2022.”

Between February and March 2025, staff implemented the approved Consultation Plan. This included a variety of engagement activities, including interactive project webpage, in-person meetings, public surveys, and social and print media. What follows is a report on the proposed changes to the bylaws informed by the consultation process and the next steps in the approvals process.

Legislative Consideration

Part 14, Division 7 – Development Permits of the *Local Government Act* provides local governments with the authority to designate special areas of interest by bylaw, known as development permit areas. Under 488 (1), there are eleven different purposes; the following inform the justification, objectives and guidelines of DPA 1 and DPA 2:

- (e) establishment of objectives for the form and character of intensive residential development; ONLY for DPA -1;
- (f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development; ONLY for DPA-2;
- (a) protection of the natural environment, its ecosystems and biological diversity;
- (h) establishment of objectives to promote energy conservation;
- (i) establishment of objectives to promote water conservation;
- (j) establishment of objectives to promote the reduction of greenhouse gas emissions;

Section 457.1 states a power under section 488 [designation of development areas] must not be exercised in a manner that unreasonably prohibits or restricts the use or density of use required to be permitted in section 481.3 [zoning bylaws and small-scale multi-family housing].

To assist local governments in the implementation of this legislation, the “Provincial Policy Manual & Site Standards, SSMUH”, was released in 2024. The Provincial Manual generally discourages form and character development permit areas for fewer than six units; however, it continues to acknowledge local governments have discretion over what density of housing qualifies as “intensive residential” under *Local Government Act* s. 488(1)(e). Thus, local governments may choose to retain or adopt a DPA for fewer than six units.

The Provincial Manual highlights DPA requirements that may negatively impact SSMUH viability (neighbourhood character, location of entrances, building height, building massing, parking and waste management, and landscaping) and principles for effective DPA use (clarity and specificity, staff delegation, avoiding design panels/commissions, and permissive requirements that recognize spatial and financial constraints). Considering this direction through the lens of the Official Community Plan (OCP), staff propose a balanced approach; one that meets the legislative requirements and streamlines the permitting process, while continuing to respond to the community goals and objectives expressed in the OCP.

DISCUSSION:

Proposed Changes to Official Community Plan Bylaw No. 3070, 2022 and Zoning Bylaw No. 2500, 2007

DPA-1: Form and Character DPA for Commercial, Industrial, Mixed-use Developments & Multi-family with Three or More Units:

The main change for DPA-1 is moving the threshold for residential development applicability to five or more units from three or more units so that three- and four-unit developments (which are permitted in the R-SSMUH zone) do not require DPA-1 development permits. Developments with three or four units are subject to DPA-2, whose guidelines are amended to provide more flexibility aligned with the provincial policy. Other changes are to provide clarity and consistency in language and administrative in nature, including:

- name is simplified to “DPA-1: Commercial, Industrial, Large-Scale Residential and Mixed Use” throughout the applicable sections of the OCP and zoning bylaws,
- justification and objectives sections are updated to reflect the removal of smaller residential developments, and

- language clarified and formatting fixed and reference added to the Old Orchard & Terminal Addition. Although these neighbourhoods primarily comprise lots zoned R-SSMUH which do not permit more than four dwelling units per lot, there are some lots in Old Orchard with higher-density zoning and there are existing DPA-1 guidelines specifically for the neighbourhood. Any guidelines should work toward meeting stated objectives with justification and this appears to have been an oversight in the existing text.

Through the engagement, there was general support for the proposed changes to DPA-1. See Attachment 2: What We Heard Report.

The proposed Official Community Plan - Amendment Bylaw No. 3177, 2025 and proposed Zoning - Amendment Bylaw No. 3176, 2025 are attached to the report.

DPA-2: Intensive Residential Form and Character DPA for Duplexes, Detached Secondary Residences, Heritage Neighbourhoods, Bare Land Stratas, and Mobile Home Parks:

A more extensive update of DPA-2 was completed to align with the provincial direction to provide more flexibility with updates to the justification and objective sections to clarify language and consistency. The following changes are proposed for DPA-2 and summarized in Table 1:

- The name reflects the changes and is simplified to “DPA-2: Small-Scale Multi-Unit Residential” throughout the applicable sections of the OCP and zoning bylaws.
- Duplexes and accessory dwelling units (ADUs) no longer require form and character development permits for properties with fewer than three dwelling units. This is the case in other communities like Campbell River and areas of Cumberland, and elsewhere in BC in response to provincial direction. Public feedback on this proposed change is mixed; generally, more in favour of requiring development permits for larger developments, see Attachment 2: What We Heard Report.
- Single-detached dwellings in heritage neighbourhoods no longer require form and character development permits, although heritage areas in DPA-1 and DPA-2 continue to be recognized. Public feedback favours requiring development permits for development in these areas rather than elsewhere. However, development permit areas are limited to residential form and character guidelines for “multi-family” or “intensive” residential developments, per the *Local Government Act* s.488 (e, f). There are other planning tools for heritage protection, which are anticipated to be explored through the update of the OCP.
- Guidelines updated to reduce potential spatial or financial constraints (such as garages facing away from the street which likely requires additional driveway area and reduces the buildable area for housing), and to provide more flexibility in design and siting, while retaining safety and sustainability factors.

Table 1: Summary of Proposed Changes for DPA-2 by Sub-heading/Topic Areas:

Site Planning	i. Incorporated best practices for gently increasing density into existing neighbourhoods. Support design standards that promote siting and building design that are compatible with existing area, promote connectivity, preserve privacy and incorporate sustainability considerations. ii. Building design that are compatible with existing area, promote connectivity, preserve privacy and incorporate sustainability considerations.
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Public Realm and Streetscape	<ul style="list-style-type: none"> i. Section generally unchanged and now allows for more flexibility for location of entrances aligned with provincial policy. ii. Explicit fencing/landscaping for privacy language is added to replace landscape buffer removal from R-SSMUH zone. iii. Added guideline for entrances and exits to parking areas to be located and designed to reduce potential modal conflicts, maintain visual sight lines and limit impact to the transportation network.
Building Design	More permissive language to encourage high quality, creative design and energy efficient buildings
Landscaping	<ul style="list-style-type: none"> i. Some elements added from DPA-1 with more flexible language. ii. Some text amendments to clarify language.
Mobile Home Parks	<ul style="list-style-type: none"> i. Removed special guidelines for bare-land stratas. ii. Some text amendments to clarify language.
Old Orchard and Terminal Addition Neighbourhoods	<ul style="list-style-type: none"> i. Removed “For Primary and Secondary Residences in” from section heading. ii. Removed redundant elements addressed in other sections. iii. Added more flexible language regarding roof slope, architectural interest.
40 Houses Neighbourhood	<ul style="list-style-type: none"> i. Removed “For Primary and Secondary Residences in” from section heading. ii. Removed redundant elements addressed in other sections. iii. More permissive language regarding building height, spatial relationships, massing.

Through the engagement feedback from the respondent groups the proposed changes are considered balanced and were generally supported by both the development industry and residents, who participated via in-person meetings and/or the public survey. (See What We Heard Report attachment 2)

Additional Proposed Change to OCP and Zoning Bylaw:

An important change is exempting one or two dwellings from requiring form and character DPA as follows:

- Section, Exemptions for Form & Character Development Permits: Proposed residential development with a total of one or two dwelling units”.

The following text is removed to align with provincial legislation, Section 457.1 of the *Local Government Act*. Local Governments are unable to limit density via a DPA by restricting the number of storeys where the maximum permitted height is 11 m.

- “One (1) storey residential in the 40 Houses” is removed from the Built Form list, and
- “Create a new zone in the Zoning Bylaw to reflect the traditional height, massing, and siting” is removed from 40 Houses Neighbourhood Policies in Part B, Managing Growth, Specific Land Use of the OCP.

Administrative changes

Table D-6 in the OCP and corresponding Table 1 in the Schedule A to the zoning bylaw are updated to reflect above mentioned changes to DPA names. Also, within the combined DPA-1/2 Purpose summary, language is

added noting intensive residential and multi-residential development form and character, as well as protection of the natural environment, and language is removed about farming for properties adjacent to agricultural lands (which pertains to DPA-3).

The title and contents page of Schedule A to the zoning bylaw is updated to reference the *Zoning Bylaw No. 2500, 2007* it is a schedule rather than the amendment bylaw that brought it into force and DPA-1 and DPA-2 names are updated.

Proposed Bylaw Amendments:

Official Community Plan - Amendment Bylaw No. 3177, 2025 (attachment 4) and *Zoning Amendment Bylaw No. 3176, 2025* (attachment 5) to this report.

POLICY ANALYSIS:

The proposed bylaw amendments for DPA-1 and DPA-2 would continue to support the realization of the following OCP policies:

- Land Use Policy LU 3 - Support and encourage infill housing choices across the city through distribution of new residential growth in existing neighbourhoods outside of – and in support of – primary and secondary growth centres and in accordance with the land use designations contained within this Plan.
- Urban Residential Policy No. 1 - Support gentle infill that encourages greater housing choices and tenure types.
- Streets and Transportation Objective 6 - The amount of land dedicated to parking is minimized.
- Building and Landscape Policy BL 8 - Utilize Development Permit Area guidelines for the purposes of:
 - a. Energy and water conservation by encouraging all new buildings to exceed energy, emissions, and water conservation targets described on page 109.
 - b. Incorporating biodiversity and sensitive rainwater management practices within landscapes; and
 - c. Ensuring that the form and character of new developments complement surrounding neighbourhood and showcase Indigenous designs.
- Affordable Housing Policy AH 22 - Conduct a development process review in order to recommend improvements to the current approval process, including fee structure, customer service, and improve clarity and transparency of OCP requirements and expectations.
- Affordable Housing Policy AH 22 - Conduct a development process review in order to recommend improvements to the current approval process, including fee structure, customer service, and improve clarity and transparency of OCP requirements and expectations.

FINANCIAL IMPLICATIONS:

The approved consultation process aligns with the legislative requirements for the adoption of an OCP bylaw and advances the Planning Division's work program. The associated staff time and budget are included in the Planning Division's work plan and 2025-2029 Financial Plan. There are no other financial implications to the 2025 - 2029 financial plan associated with the adoption of these bylaws. Grant funding received from UBCM is being utilized for consultants required to assist in staff capacity requirements to align Bill 44 with the OCP and Zoning Bylaw.

Section 477 (3) in the *Local Government Act* requires local government to consider its financial plan and any applicable municipal or regional district waste management plan after first reading and before public hearing. Following first reading, the OCP and Zoning Bylaw amendments will be referred to the City's Financial Services and the CVRD Liquid Waste Services. Given the comments already received from the CVRD, it is anticipated the amendments will not conflict (See Correspondance from CVRD Attachment 3).

ADMINISTRATIVE IMPLICATIONS:

Development Services staff conducted the necessary research and analysis in the preparation of the draft changes and implemented the approved Consultation Plan. Staff from the Communications Division provided support in the development of the project webpage, information boards, social and print media notifications.

STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Buildings and Landscape - Review and update land use regulations and bylaws for consistency with OCP
- Good Governance - Review and streamline development process and set targets for application processing times
- Good Governance - Establish an OCP Implementation Townhall Forum

PUBLIC ENGAGEMENT:

Sections 475(1) and 476 in the *Local Government Act* state that during the development of an amendment to the OCP the proposing local government must provide one or more opportunities it considers appropriate for the consultation with persons, organizations and authorities it considers will be affected. This requirement has been satisfied through the successful implementation of the Consultation Plan as outlined in this report and the What We Heard Report.

Beginning in February 2025 staff implemented several engagement activities, including interactive webpage, in-person meetings, public survey and social and print media. The engagement activities generated various insights from participants used to enhance the revised DPA -1 and DPA -2.

In addition, notification of the proposed changes along with an invitation to comment and/or meet was communicated to the Town of Comox, Village of Cumberland, Comox Valley Regional District (CVRD), Island Health, School District No. 71 and Kómoks First Nation. The CVRD provided a written response (Attachment 3) confirming the proposed changes do not conflict with the direction provided by the Regional Growth Strategy and was overall supported by the proposed changes.

The successful completion of these activities demonstrates the legislative requirements have been satisfied as well as the City's strategic priorities for good governance – increasing community engagement. Full details of the process and outcomes are provided in the What We Heard Report (see Attachment 2).

OPTIONS:

1. THAT Council receive the report titled "What We Heard Report - Development Permit Area Amendments for Small-Scale Multi-Unit Housing".

2. THAT Council give first and second readings to “Official Community Plan - Amendment Bylaw No. 3177, 2025 (form & character development permit area, SSMUH)”.
3. THAT Council give first and second readings to “Zoning - Amendment Bylaw No. 3176, 2025 (form & character development permit area, SSMUH)”; and
THAT Council direct staff to provide notice for a Public Hearing on Wednesday, April 30, 2025.
4. THAT Council provide alternative direction to staff through resolution.
5. THAT Council not proceed.

ATTACHMENTS:

1. Staff Report to Council, dated November 13, 2025
2. What We Heard Report, dated April 2, 2025
3. Correspondance from CVRD, dated March 13, 2025
4. OCP - Amendment Bylaw No. 3177
5. Zoning - Amendment Bylaw No. 3176

Prepared by: Mike Grimsrud, RPP, MCIP, Planner III

Reviewed by: Jamai Schile, MCIP, RPP, Manager of Development Planning
Marianne Wade, MCIP, PRR, Director of Development Services

Concurrence: Kyle Shaw, Director of Operational Services – Acting City Manager (CAO)



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 6480-20-2403

3360-20-2409

From: Director of Development Services

Date: November 13, 2024

Subject: Development Permit Area Amendments for Small-scale Multi-unit Housing – Consultation Plan

PURPOSE:

For Council to receive the report and endorse the Consultation Plan for the proposed OCP amendments to the justification and objectives of DPA)-2 (Intensive Residential Form and Character DPA for Duplexes, Detached Secondary Residences, Heritage Neighbourhoods, Bare Land Strata's, and Mobile Home Parks) and DPA-1 (Form and Character DPA for Commercial, Industrial, Mixed-use Developments & Multi-family with Three or More Units) to address provincial legislation regarding Small-scale Multi-unit Housing (SSMUH).

BACKGROUND:

The Province enacted Bill 44 (*Housing Statutes (Residential Development) Amendment Act*) in 2023, which required, among other things, that municipalities permit up to four dwellings on urban residential lots. To support this work, a Provincial Policy Manual & Site Standards document was released in order to guide the zone's details. The City responded to this requirement by adopting the R-SSMUH zone that permits up to four dwellings per 300 m² lot.

The policy manual additionally provides policy direction on complementary municipal tools, such as DPAs. It generally discourages form and character DPAs for smaller developments (up to six units) but acknowledges that local governments have discretion over what density of housing qualifies as "intensive residential" under the Local Government Act (LGA), s.488(1)(e) and thereby may choose to retain or adopt this type of DPA for fewer than six units.

DPA-2 Intensive Residential Form and Character Development Permit Area currently applies to developments with dwelling units of fewer than six dwelling units including units such as: duplexes, detached secondary residence, and within heritage neighbourhoods, as well as and bare land strata's and mobile home developments of any size. Staff are proposing to amend the DPA-2 to remove duplex and accessory dwelling (units (ADU) and replace with three or more dwelling units.

DPA-1 currently applies to commercial, industrial, mixed-use developments & multi-residential which has significantly more extensive set of guidelines than DPA-2 given it is tailored to larger buildings and developments. Staff are proposing to amend DPA-1 delete three or more dwelling units and replace with five or more.

Under the Local Government Act, Development Permit Areas are designated within the OCP and the corresponding guidelines may be either included in the OCP or a Zoning Bylaw. Courtenay's DPAs are designated within OCP Bylaw No. 3070, 2022 and the guidelines are contained within Zoning Bylaw No. 2500, 2007. As such both bylaws will require amending.

DISCUSSION:

Scope of Proposed Amendments to Form and Character Intensive Residential DPA-2

The provincial manual highlights types of DPA requirements that can negatively impact SSMUH viability (neighbourhood character, location of entrances, building height, building massing, parking and waste management, and landscaping) and principles for effective DPA use (clarity and specificity, staff delegation, avoiding design panels/commissions, and permissive requirements that recognize spatial and financial constraints). The proposed amendments to DPA-1 and DPA-2 below align with provincial policy direction:

DPA-1

Proposed amendments apply to multi-residential developments with five or more units (currently it applies to three or more units) as well as continue to apply to commercial, industrial, and mixed-use developments.

DPA-2

Proposed amendments being considered are listed below but are not limited to these based upon engagement and further research:

- removing the requirement for a form and character development permit to be issued prior to obtaining a building permit for properties with fewer than three dwellings, including in areas in heritage neighbourhoods;
- reclassifying three- and four-unit developments as intensive residential;
- removing or softening guidelines that potentially impose significant spatial or financial constraints (such as garages facing away from streets which likely requires additional driveway area and reduces buildable area for housing);
- reviewing guidelines to meet goals of suitable landscaping, screening between properties, off-street parking and overall street character and reviewing applicability of guidelines from DPA-1 (such as downward-facing lighting and bird-friendly glazing);
- amending the City's intensive residential DPA to better-suit these developments and provincial direction for facilitating home construction and affordability.

Bare land strata's and mobile home developments are currently subject to development layout and landscaping design guidelines within DPA-2 and these are proposed to remain.

Heritage areas within DPA-1 and DPA-2 will continue to have special guidelines, but only apply to three or more residential units. This is a modification to align with provincial requirements and guide book and results in not requiring development permits for single detached houses in heritage neighbourhoods. The Local Government Act guides how Heritage Alternation Permits can be utilized for dwellings when located in Heritage Conservation Areas. DPA-2 informs form and character identified for identified heritage neighbourhoods (Old Orchard and 40 Homes) for new construction only and not for alternations. Staff will further evaluate heritage buildings. guidelines with the OCP update required by December 2025.

Following Council's consideration of the OCP and Zoning Bylaw amendments, a guidebook of SSMUH designs will be prepared for development industry and general public use in the preparation of development proposals and building permit applications.

Consultation approach

The R-SSMUH zoning applies to 61% of the properties in Courtenay. Opportunities to understand and provide input into design approaches to new infill housing is expected to have broad public appeal. Public interest groups would include development industry as well as the general public.

Staff recommend providing broad consultation opportunities to the general public in the form of establishing an online Social Pinpoint page that will inform the amending bylaw process and engagement opportunities such as in-person public open house, video presentation online, surveys; a What We Heard Report will be produced to inform the proposed bylaw amendments and council reports.

Development industry meetings are already routinely held with development services staff and the next one will focus on the DPA amendments in order to provide targeted consultation to this particular sector.

The LGA specifies what other government bodies shall be considered for consultation. Development services staff maintains regular communication with regional local government planning departments and the Healthy Built Environment Coordinator (Island Health). Staff will engage with these government agencies in the formulation of the DPA guidelines. Attachment 1 identifies outlines the proposed consultation plan.

With respect to K'ómoks First Nation, a detailed engagement plan will be developed through following direct contact with the Nation to determine their level of interest in the proposed DPA amendments and determine how they would like to be involved in the proposed DPA amendments that require an OCP amendment and Zoning Bylaw amendment.

The LGA specifies what other government bodies shall be considered for consultation. Development services staff maintains regular communication with regional local government planning departments and Healthy Built Environment Coordinator (VIH). Staff will engage with these government agencies in the development of the proposed amendments.

With respect to K'ómoks First Nation, a detailed engagement plan will be developed through following direct contact with the Nation to determine their level of interest in the proposed DPA amendments and determine how they would like to be involved in the proposed DPA amendments that require an OCP amendment and Zoning Bylaw amendment Attachment 1 identifies outlines the proposed communication plan.

POLICY ANALYSIS:

Section 475(1) and 476 in the *Local Government Act* states that during the development of an amendment to the OCP the proposing local government must provide one or more opportunities it considers appropriate for the consultation with persons, organizations and authorities it considers will be affected.

For the purposes of Section 475 subsection (1), the local government must:

- 1) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and
- 2) specifically consider whether consultation is required with the following:
 - (i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;
 - (ii) the board of any regional district that is adjacent to the area covered by the plan;
 - (iii) the council of any municipality that is adjacent to the area covered by the plan;
 - (iv) first nations;

- (v) boards of education, greater boards and improvement district boards;
 - (vi) the Provincial and federal governments and their agencies.
- 3) Consultation under this section is in addition to the public hearing required under section 477.

The consultation requirements to amend the OCP will also include consultation for the proposed Zoning Bylaw amendments.

Bill 44 requires that all local government OCPs be updated by the end of 2025 in order to ensure adequate land supply for 20 years of housing as identified in adopted Housing Needs Reports. By this same deadline, local government Zoning Bylaws must be updated in order to zone for the identified housing needs.

OCP Bylaw No. 3070, 2022 has a number of policies on form and character DPAs that will be examined as part of the wider OCP update for December 2025.

FINANCIAL IMPLICATIONS:

Required engagement materials will be produced by Ekistics for use in consultation process and staff is allocating \$5,000 for material productions. All together engagement, materials production and legal review will cost approximately \$11,000. Funds for this consultation plan and proposed amendment to the OCP will come from Community and Sustainability Planning division advertising, legal services and OCP special projects budget.

ADMINISTRATIVE IMPLICATIONS:

Development Services department staff are responsible for initiating, planning, scheduling, and all other associated activities related to the consultation of the identified DPAs. Internally the project will require support from Communications Division to utilize city social media, webpages, media and newsprint where required.

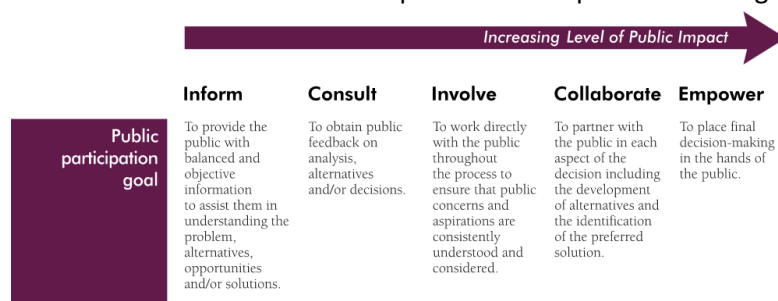
STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Buildings and Landscape - Review and update land use regulations and bylaws for consistency with OCP
- Good Governance - Review and streamline development process and set targets for application processing times
- Good Governance - Establish an OCP Implementation Townhall Forum

PUBLIC ENGAGEMENT:

Staff will inform and consult the public and the particular intergovernmental agencies:



Attachment 1 to this report is the proposed Consultation Plan. The proposed amendments to the DPA-1 and DPA-2 will require an amendment to both the OCP and Zoning Bylaw. The amending bylaws will be prepared for Council's consideration after the conclusion of the consultation plan. MOTI will be required to approve the zoning bylaw amendment as it will affect more than 10 properties and many of these properties are located near a controlled intersection.

Staff anticipate initiating the Social Pinpoint page to be live and that the public interest, targeted development industry and intergovernmental agencies consultation will be completed by mid December 2024.

A staff report with bylaw amendments for first and second reading for both the proposed OCP and Zoning Bylaw amendments will be provided to Council early in the new year. This would be followed by public notification period and publication standards for the public hearing of the OCP amendments, in accordance with section 466 of the Local Government Act, section 94 of the Community Charter and City of Courtenay Development Procedures Bylaw No.3106, 2023.

OPTIONS:

1. THAT Council, receive the report on the Consultation Plan for DPA amendments for Small-scale Multi-unit Housing and endorse the Consultation Plan for the proposed Development Permit Areas: DPA-1 and DPA-2 as outlined in Attachment 1 of the report; AND THAT pursuant to section 475 and 476 Local Government Act, Council will provide opportunities it considers appropriate for consultation with persons and parties it considers will be affected, including the general public and the local development industry, and pursuant to section 476 Local Government Act, prior to considering amendments to City of Courtenay Official Community Plan Bylaw No 3070, 2022.
2. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Communication and Consultation Plan

Prepared by: Nancy Gothard, RPP, MCIP, Manager of Community and Sustainability Planning
Michael Grimsrud, RPP, MCIP, Planner III

Reviewed by: Marianne Wade, RPP, MCIP, Director of Development Services

Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

SR DDS 11-13-2024 DPA amendments for SSMUH – Consultation Requirements
Attachment 1 – Communication and Consultation Plan

Phase 1: Public and Interest Holder Consultation		
1.	Prepare engagement materials including online materials and for open house	November 2024
2.	Social Pinpoint tile page with project FAQ, resources and feedback opportunity online (short survey, general comments, staff contact)	November 2024
3.	Invitation to targeted development industry workshop, and contact to intergovernmental and interjurisdictional interest holders	Early January 2025
4.	Hold targeted development industry workshop	January 2025
5.	Hold intergovernmental and interjurisdictional consultation	January 2025
6.	Advertisements to public open house	Early February 2025
7.	Hold public open house (in person option and online)	February 2025
8.	Staff prepare 'What We Heard Report'	March 2025
Phase 2: Council Bylaw Readings and Public Hearing		
9.	Council 1 st and 2 nd OCP and Zoning Amendment Bylaw readings including 'What We Heard Report'	March 2025
10.	Update Social Pinpoint page with proposed Bylaw Amendments, Staff Report and 'What We Heard Report', and provide notice of Public Hearing (If Bylaw 1 st and 2 nd readings pass) (Minimum two weeks)	March 2025
11.	Public Hearing (written and verbal submissions accepted)	April 2025
12.	Council 3 rd and Adoption of OCP and Zoning Amendment Bylaw, including responses to public comments at public hearing if applicable	May 2025



The Corporation of the City of Courtenay

What We Heard Report

To: Council

File No.: 6480-20-2403

3360-20-2409

From: Director of Development Services

Date: April 2, 2025

Subject: Development Permit Area Amendments for Small-Scale Multi-Unit Housing

INTRODUCTION

At the November 13, 2025 regular meeting, Council approved the Development Permit Area Amendments for Small-scale Multi-unit Housing – Consultation Plan and gave direction to proceed with consultation on the proposed changes to the City’s form and character development permit areas to align with provincial policy direction for Small-Scale Multi-Unit Housing (SSMUH).

The objectives of this consultation process are:

- To establish a process to share applicable information and to receive input from interest holders such as local residents, development professionals, other local governments and K’ómoks First Nation.
- Provide an opportunity to identify and learn about issues relating to development approval processes and gain insights.
- Communicate the outcomes of consultation to the public and City Council to help inform decision-making about the proposed bylaw amendments.

This was achieved through the use of diverse engagement tools including: interactive webpage, in-person meetings, public survey and social and print media.

SUMMARY OF ENGAGEMENT

To raise awareness and seek community feedback on the proposed changes to the form and character development permit areas (DPA-1 and DPA-2), a series of social media posts, online, print advertising and email notifications to local developers was employed to encourage participation in the in-person meetings and public survey. Notification was also provided to applicable local governments and K’ómoks First Nation.

Engage Comox Valley (<https://engagecomoxvalley.ca/courtenay-ssmuh>)

A new online public platform, Engage Comox Valley, hosts the project webpage entitled: “Small-scale, Multi-unit Housing Development Permit Area Amendments”. The webpage was launched January 17, 2025 and contains copies of the proposed DPAs, contextual information, FAQs, relevant documents, a timeline and contact information. As of the date of this report, the webpage received 692 views, 605 visits, 378 visitors, 44 contributions and six followers. Report on the webpage metrics attached as **Schedule 1**.

Development Professionals Meeting (February 5, 2025)

Development professional meetings are already routinely held by Development Services staff, creating an opportunity to focus on the SSMUH DPA amendments. The meeting was held at the Courtenay & District Museum and was well attended with 40 participants. The meeting consisted of a short presentation, copies of the proposed changes were circulated and participants were invited to dialogue. Key themes from this

dialogue where available space for building in the City, costs of development (not necessarily related to development permitting), and time (both in relation to development permits and other processes like subdivision). One notable comment was by creating more flexible guidelines this may increase uncertainty; differing interpretations of the guidelines which may contribute to time delays in processing development permit applications. Some of the concerns identified were then used to inform the development of the public survey to gain broader community input. Key themes from this meeting are provided in **Schedule 2**.

Public Open House (February 27, 2025)

A public open house was held at the Florence Filberg Centre February 27, attended by ten people. Following a short presentation by staff, participants were invited to ask questions, view the information boards, provide written or verbal comments on the proposed changes and complete the public survey. Four comments were posted on an 'ideas board', advocating for tree preservation, small homes for street character, natural drainage, and off-street parking. Spoken comment themes included property value impact, heritage protection, parking and property tax impact of servicing. Key themes from the open house are provided in **Schedule 2**.

The event was advertised in the Comox Valley Record February 12 and 26 along with a media release distributed February 13 and published in the Comox Valley Record February 26, and the following social media posts:

- Facebook posts February 13, 23, 28;
- Facebook event with ad boosts February 19;
- Instagram posts with stories February 13, 23, 28; and
- Twitter/X February 13, 26, 27, 28.

Intergovernmental and Interjurisdictional Consultation (February to March 2025)

Courtenay's City Manager engaged with K'ómoks First Nation senior staff and provided briefing notes on the SSMUH Development Permit Area Amendment project and three other City projects on February 15. In addition, formal notification letters were sent to the Planning Departments at Comox Valley Regional District, the Town of Comox, the Village of Cumberland, Island Health and School District No. 71 on February 24. The Town of Comox and the Village of Cumberland provided an update on similar work in their communities. The CVRD provided a written referral comments expressing their support. An additional, the notification letter was forwarded on February 28 to the CVRD Liquid Waste Services for consideration against the Regional Liquid Waste Management Plan.

Public Survey (February 12 to March 4, 2025)

The public survey had 44 responses; 43 each from unique IP addresses and one of the responses was submitted by paper at the public open house and input online by staff. Of the 44 responses, 39 report living or owning a home in Courtenay (32 living, 29 owning) and ten report planning to add one or more homes to their property (three responses) or being a development professional (seven responses). The survey format was a combination of scaled questions and comment.

Staff note that respondents were able to self-identify in more than one way (I live in Courtenay, I own a home in Courtenay, I am a developer, etc.). Staff analysed the 'raw' survey data and categorized the results into respondent groups (City Residents and Homeowners and Development Industry or Planning to Build).

Acknowledging the survey sample is relatively small (44) and only represents a point in time it is not possible to identify trends. Instead, observations of the results are provided below and in more detail in **Schedule 2**.

Survey Question 1: Which of the following describe you?

Of the 44 total responses, 32 live in Courtenay, 29 own a home in Courtenay, three are planning to add one or more homes to their property (all local homeowners), and seven are development professionals.

Survey Question 2: Potential Development Permit barriers to building small-scale multi-unit housing

On a scale from 1-5 where 1 means presents no challenge and 5 means extremely challenging, about 1/3 residents/owners reported being unsure for most factors and the rest on average about 3.1-3.6 (so moderate impact). By contrast there was no uncertainty reported among the developer group (including prospective developers of their own lots) and all factors averaged over 4, the highest being “cost to meet current development permit guidelines” (4.7) and “time needed for the development permit process” (4.6). “Clarity of the development permitting process”, “clarity of the current development permit guidelines” and “space needed to meet current development permit guidelines” were reported as slightly less challenging.

Observations:

Cost and time associated with the development permitting process and time are concerns for both respondent groups. Development Industry or Planning to Build group ‘scored’ slightly higher. Eight written responses offer themes such as consistency, priorities, neighbour concerns and timelines.

Survey Question 3: Other potential barriers to building small-scale multi-unit housing

On a scale from 1-5 where 1 means presents no challenge and 5 means extremely challenging, about 1/3 residents/owners reported being unsure for most factors except for “current market conditions” (only six of 39 in the group unsure). This factor averaged 4.2 with all others again at 3.1-3.6. The developer group again reported no uncertainty. It scored “current market conditions” and “BC Zero Carbon Step Code” equally as most challenging at 4.2, followed closely by “infrastructure costs and availability” (4.1), “BC Energy Step Code” (3.9), Zoning Bylaw (3.6) and “other provincial requirements” (3.3).

Observations:

City Residents and Homeowners ‘scored’ current market conditions the greatest challenge, while the Development Industry or Planning to Build group considered infrastructure costs, BC Energy Step Code and BC Zero Carbon Step Code as similarly challenging to market conditions. Five written responses discuss land availability, tax impacts, and interest rates. These factors overall scoring lower than the Development Permit-related factors highlights the importance of amendments.

Survey Question 4: Building form and character

On a scale from 1-5, 1 means a form and character development permit should not be required for each of 10 specified development types or situations and 5 means it should be required.

Observations:

- City Residents and Homeowners group generally in favour of requiring development permits more than were the developer group (scores of 3.0-3.9 vs. 1.6-3.0).
- Development Industry or Planning to Build group expressed some support for requiring form and character development permits for three or more units, but strongly opposed requiring DPAs for two or fewer units. This aligns with proposed change.
- Both groups, low support for requiring form and character development permits for “all accessory dwelling units” and “two principal single residential houses on a property with no other residential units”.

- “All duplexes” was next least supported by Development Industry or Planning to Build group, scoring 1.8, whereas among the resident/owner group other development types which might have more units including “duplexes with a secondary suite and/or accessory dwelling unit” unexpectedly scored lower, perhaps suggesting the question could have been worded more clearly.
- Among both groups the highest-scoring category was “For more types of infill dwellings in the Old Orchard, Terminal Addition or 40 Houses neighbourhoods than in other areas” (3.9 and 3.0).
- “For any third residential unit on a property, including an Accessory Dwelling Unit (i.e., lane way or carriage house)” had the next highest score for the developer group at 2.9 (3.7 for residents/owners).

Survey Question 5: Balancing objectives – have we got it right?

On a scale from 1-5 where 1 means proposed DPA-2 guidelines for a given theme are too flexible and 5 means too rigid, residents/owners generally viewed them as more flexible (2.6-3.4) than did the developer group (3.3-3.9).

Observations:

- Neither group on average scored proposed guidelines on any theme as being far too flexible or rigid.
- Both the resident/owner and developer groups reported “40 Houses Neighbourhood” (2.6; 3.4), “Mobile Home Parks” (2.6; 3.3) and “Old Orchard and Terminal Addition Neighbourhood” (2.7; 3.4) as the most overly flexible.
- “Landscaping” (3.4; 3.8) and “building design” (3.2; 3.9) guidelines were seen as least flexible, and “site planning” (3.0; 3.7) and “public realm and streetscape” (2.8; 3.5) the most balanced.

Survey Question 6: Additional Information

At the end of the survey respondents were asked to share any other ideas or comments related to the topic area. 22 written responses were submitted on a wide variety of themes including: landscape deposit time, tree retention and height, gardens, urban farms, wood and gas heating, visual character, property taxes, homeownership, housing size and quality, rent prices, public accountability, parking, fire risk, privacy, views, wildlife, heritage areas, and the appropriateness of small-scale multi-unit housing zoning and infill development in general. Some of the comments received fall outside the scope of the topic area, ranging from infrastructure and development to community services and provincial legislation.

NEXT STEPS:

The outcomes from the engagement activities were used to inform and refine the proposed changes to the development permit areas. The revised text is anticipated to be finalized through the OCP/Zoning Bylaw amendment process scheduled for Spring 2025.

SCHEDULES:

Schedule 1: Engage Comox Valley, Project Webpage Metrics

Schedule 2: Summary of Public Engagement

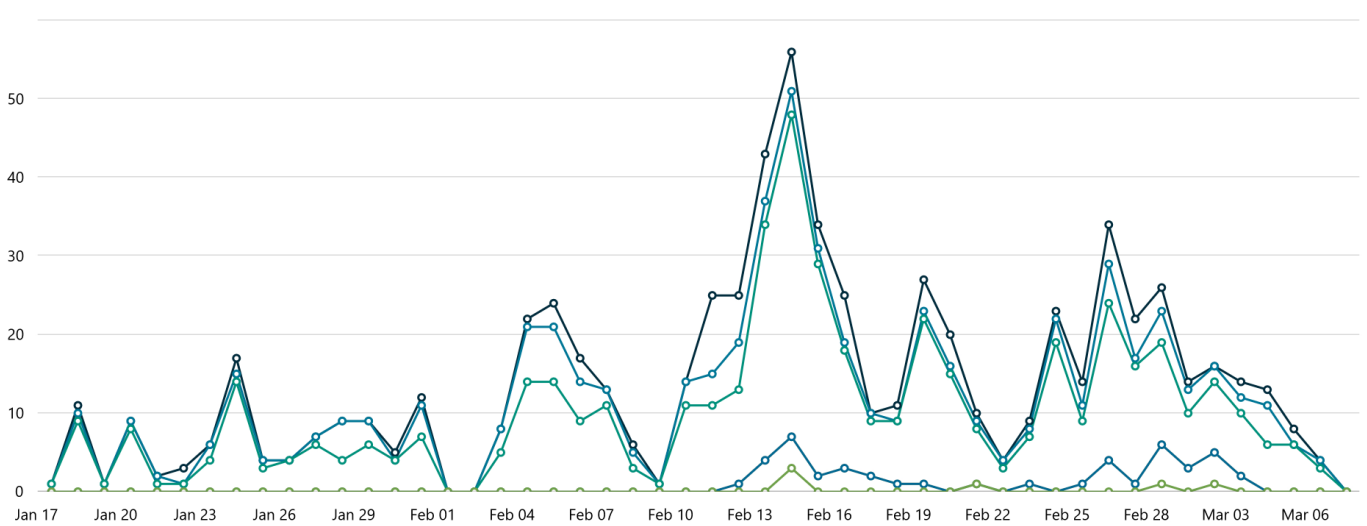
Prepared by: Mike Grimsrud, RPP, MCIP, Planner III

Reviewed by: Jamai Schile, RPP, MCIP, Manager of Development Planning
Marianne Wade, RPP, MCIP, Director of Development Services

Concurrence: Kyle Shaw, Director of Operational Services – Acting City Manager (CAO)

Performance Summary

Information regarding key visitation and utilisation metrics for your Site or projects.



692
Views

605
Visits

378
Visitors

45
Contributions

43
Contributors

6
Followers

Views - The number of times a Visitor views any page on a Site.

Visits - The number of end-user sessions associated with a single Visitor.

Visitors - The number of unique public or end-users to a Site. A Visitor is only counted once, even if they visit a Site several times in one day.

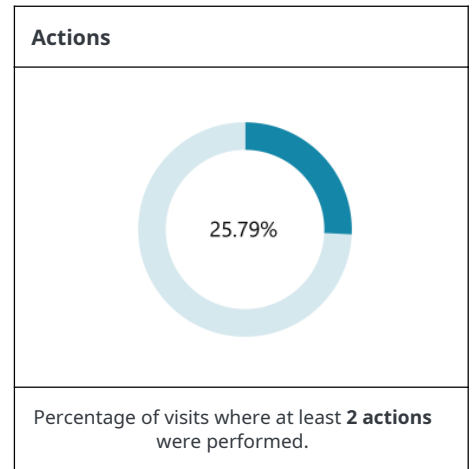
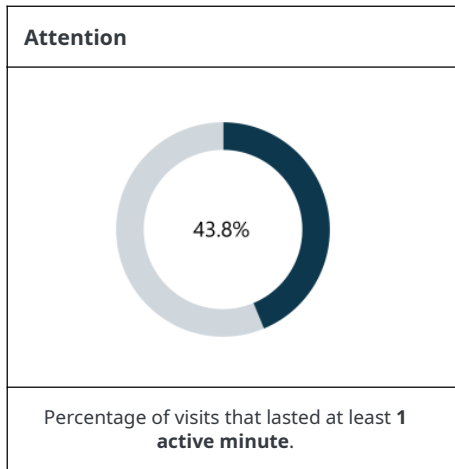
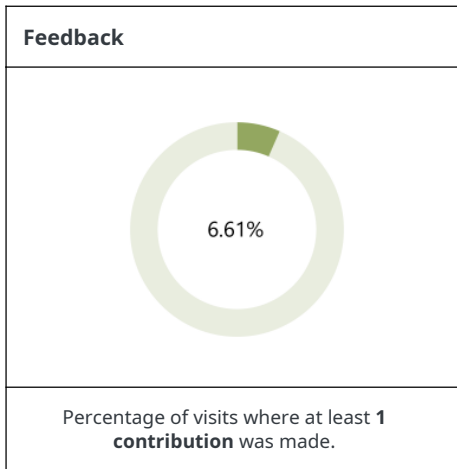
Contributions - The total number of responses or feedback collected through the participation tools.

Contributors - The unique number of Visitors who have left feedback or Contributions on a Site through the participation tools.

Followers - The number of Visitors who have 'subscribed' to a project using the 'Follow' button.


Conversions

Information regarding how well your engagement websites converted Visitors to perform defined key actions.



Participation

Information regarding how people have participated in your projects and activities.

Contributions by Activity Contributions by Activity is a breakdown of contributions across each tool			
Activity	Contributions		%
 Form	45	<div style="width: 100%;"></div>	100%

Top Activities Top Activities is the top 5 tools that received the highest contributions			
Activity	Page Name	Contributions	Contributors
 Form	Small-Scale Multi-Unit Housing - Development Permit Area Amendments	45	43
 Form	Small-Scale Multi-Unit Housing - Development Permit Area Amendments	0	0

Projects

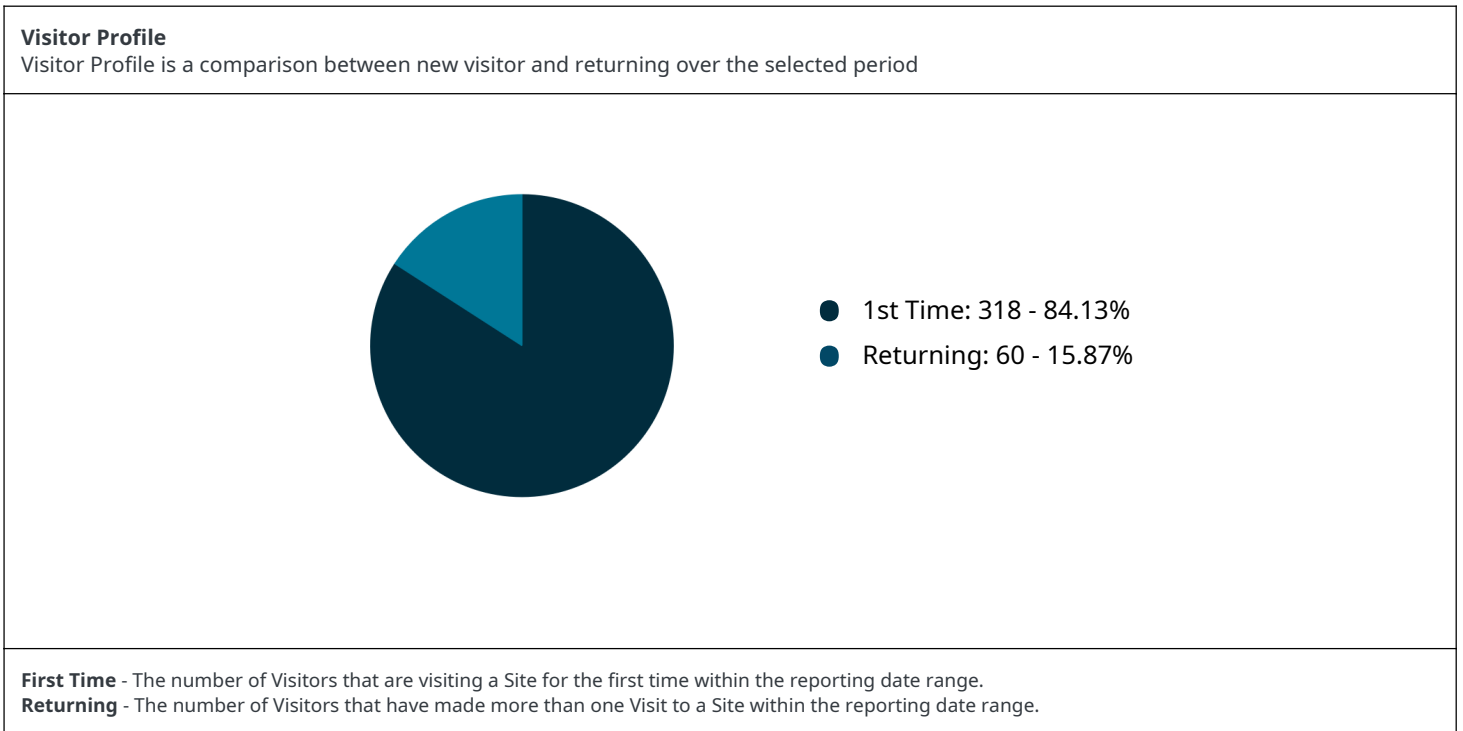
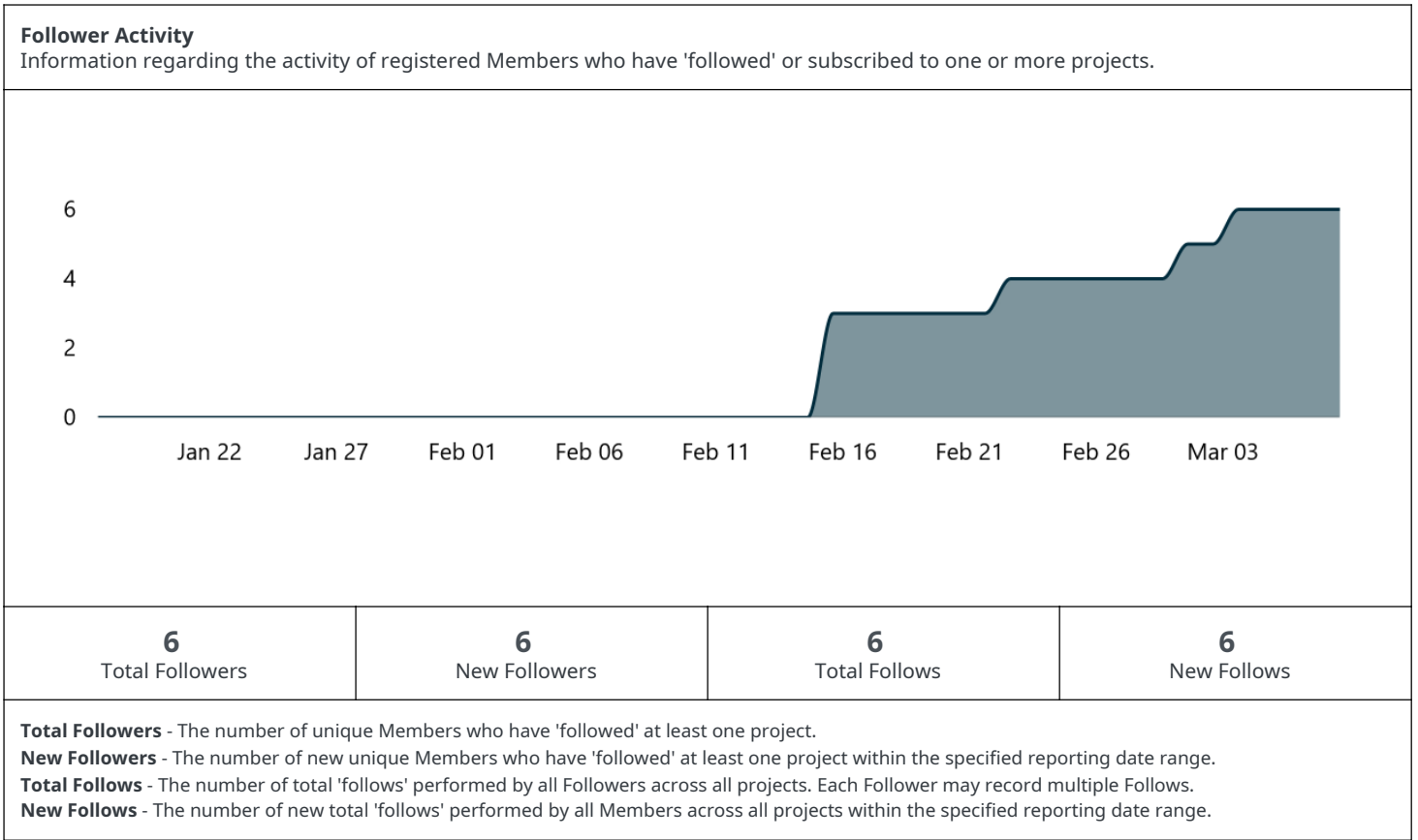
The current number of published projects on your site

Engagement Time	
0 Days	20 Hours
38 Minutes	
Feb 14th 2025 Peak Visitation Date	Friday Peak Visitation Day

Top Visited Pages Summary information for the top five most visited Pages.			
Page Name	Visitation %	Visits	Visitors
Small-Scale Multi-Unit Housing - Development Permit Area Amendments	100%	603	378

People

Information regarding who has participated in your projects and activities.

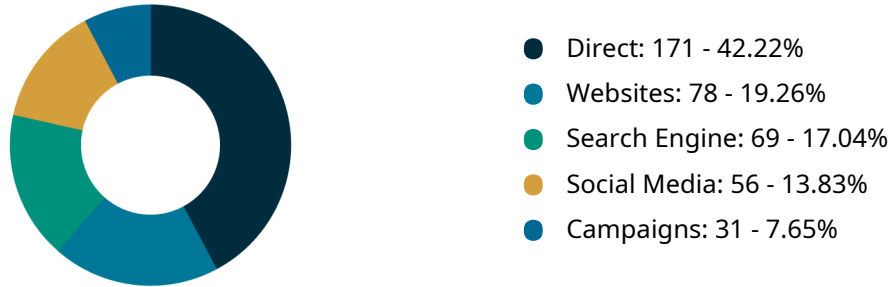


Acquisition

Information regarding the method by which Visitors arrived to your Site or projects.

Referral Types

Referral traffic is the segment of traffic that arrives on your website through another source, like through a link on another domain.



Direct - Visitors who have arrived at a Site by entering the exact web address or URL of the page.

Search Engine - Visitors who have arrived at a Site via a search engine. Such as Google, Yahoo, etc.

Websites - Visitors who have arrived at the Site after clicking a link located on an external website.

Social Media - Visitors who have arrived at a Site by clicking a link from a known social media site such as Facebook, X, LinkedIn, etc.

Campaigns - Visitors who have arrived through a campaign (using a UTM). See your email campaign report for more details on campaigns sent from this platform.

Downloads

Information regarding your downloads, the total set of unique documents downloaded, total downloads of all files, and your top downloads.



96
Total Downloads

Top Downloads Top file downloads in your selection, ordered by the number of downloads.		
File Title	File Type	Downloads
Proposed DPA-2 Text with Change Summaries.pdf	PDF	33
Development Permit Area amendments for Small-scale Multi-unit Housing - Consultation Requirements.pdf	PDF	22
DPA-1 Proposed Justification and Objectives.pdf	PDF	18
Attachment 1-Consultation Plan.pdf	PDF	10
ssmuh_provincial_policy_manual-compressed.pdf	PDF	8

Email Campaigns

Information regarding your email campaigns, your total campaigns, the total number of recipients, and your top campaigns by click-through rate (clicks as a percentage of total recipients).


1
Email Campaigns Sent


31
Total Recipients


29.03%
Click-through Rate

Top Campaigns Top email campaigns that have activity in your selection, ordered by click-through rate (clicks as a percentage of total recipients).			
Campaign Name	Recipients	Clicks	Click-through Rate
Small-Scale Multi-Unit Housing - Development Permit Area Amendments	31	9	29.03%

What We Heard Report on Form and Character Development Permit Areas

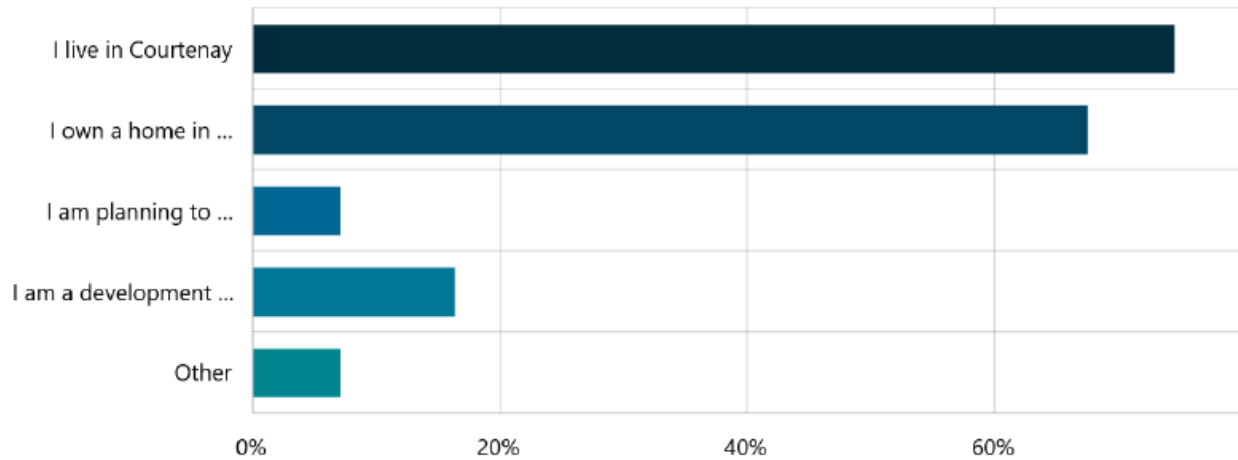
Schedule 2: Public Feedback

SURVEY QUESTIONS AND RESULTS

Question 1 summary data below are provided directly through the Social Pinpoint Engage Comox Valley platform. For subsequent questions, corresponding summary data is available in the What We Heard Report Schedule 3 but do not differentiate between respondent groups. They also present a potentially misleading “score” which averages response scores and treats “unsure/no opinion as a “6”. To address this for subsequent questions presented below, staff summarized and graphed detailed survey data separately for those who live and/or own a home in Courtenay and for those planning to add one or more homes to their property or identify as a development professional. Staff used disaggregated data from the Social Pinpoint Engage Comox Valley platform that gives each survey respondent a unique Contribution ID and attaches responses to respondents.

The 44 responses are not intended to be statistically significant and do not track trends over time but can suggest potential tendencies or key themes.

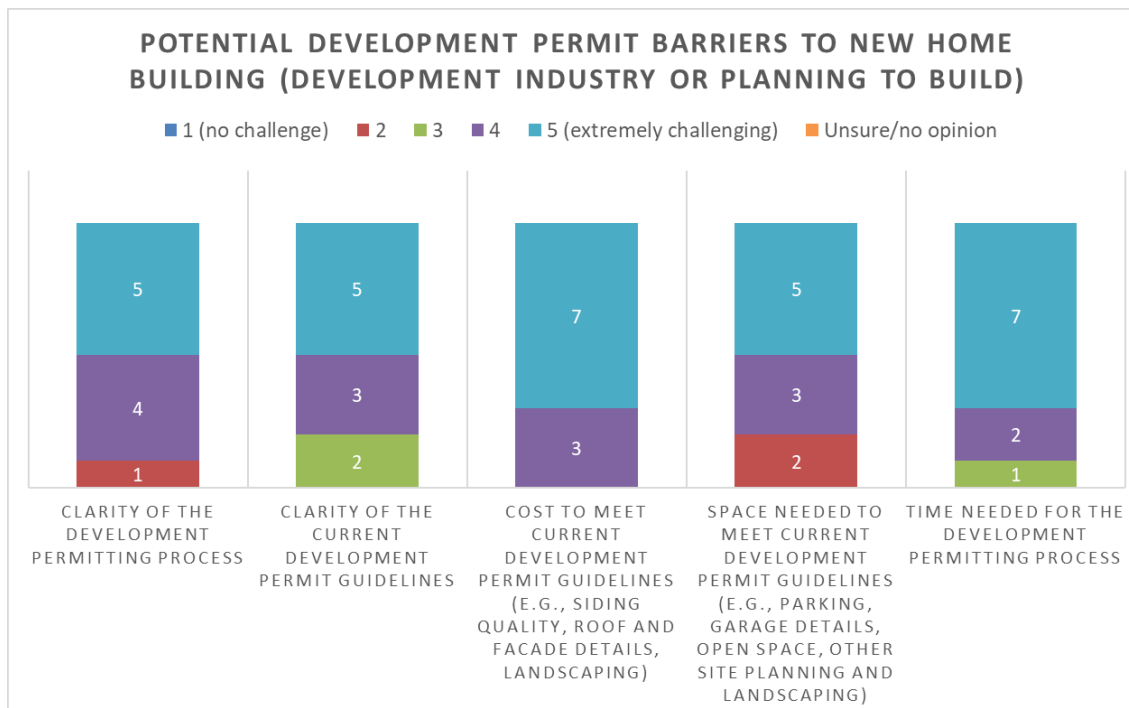
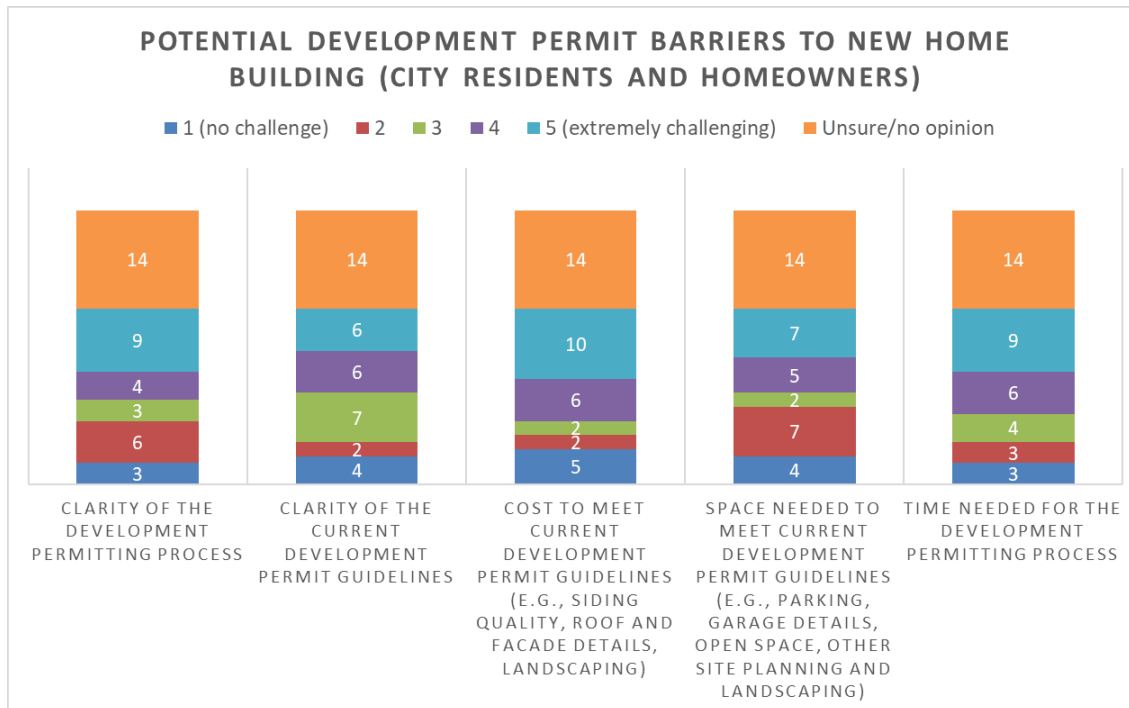
Q1. Which of the following describe you? Please select all that apply.



Answer choices	Percent	Count
I live in Courtenay	74.42%	32
I own a home in Courtenay	67.44%	29
I am planning to add one or more homes to my property	6.98%	3
I am a development professional	16.28%	7
Other	6.98%	3

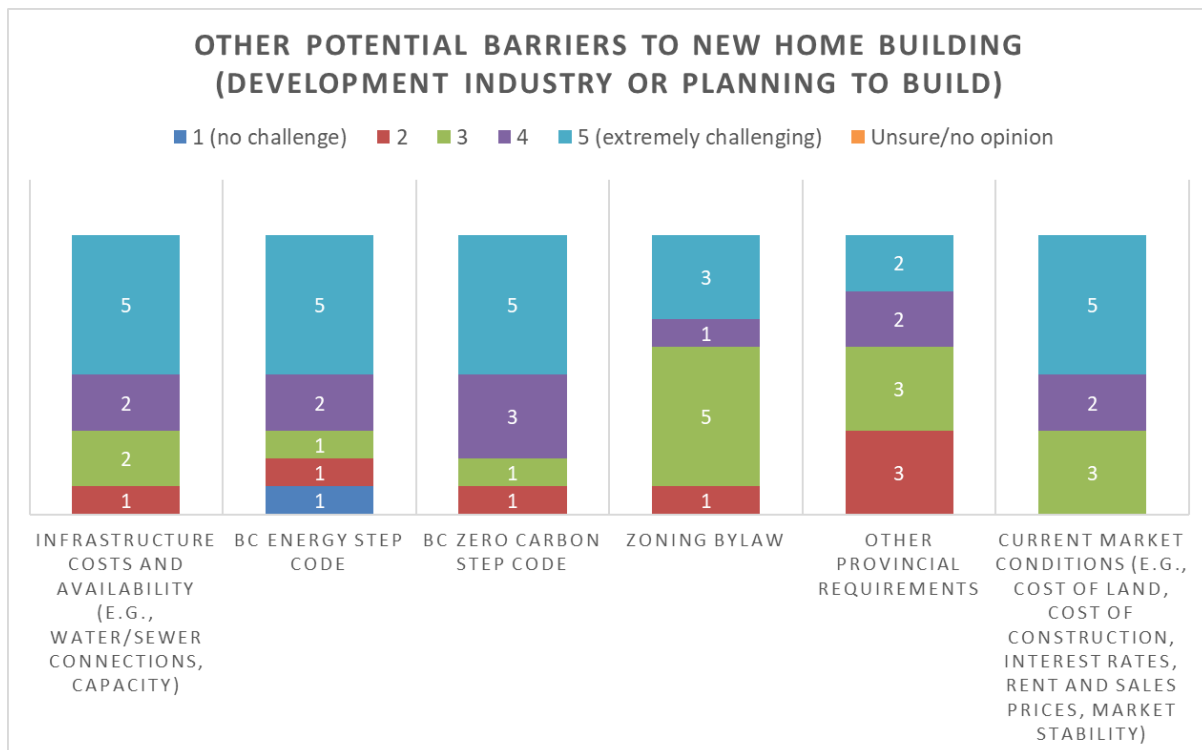
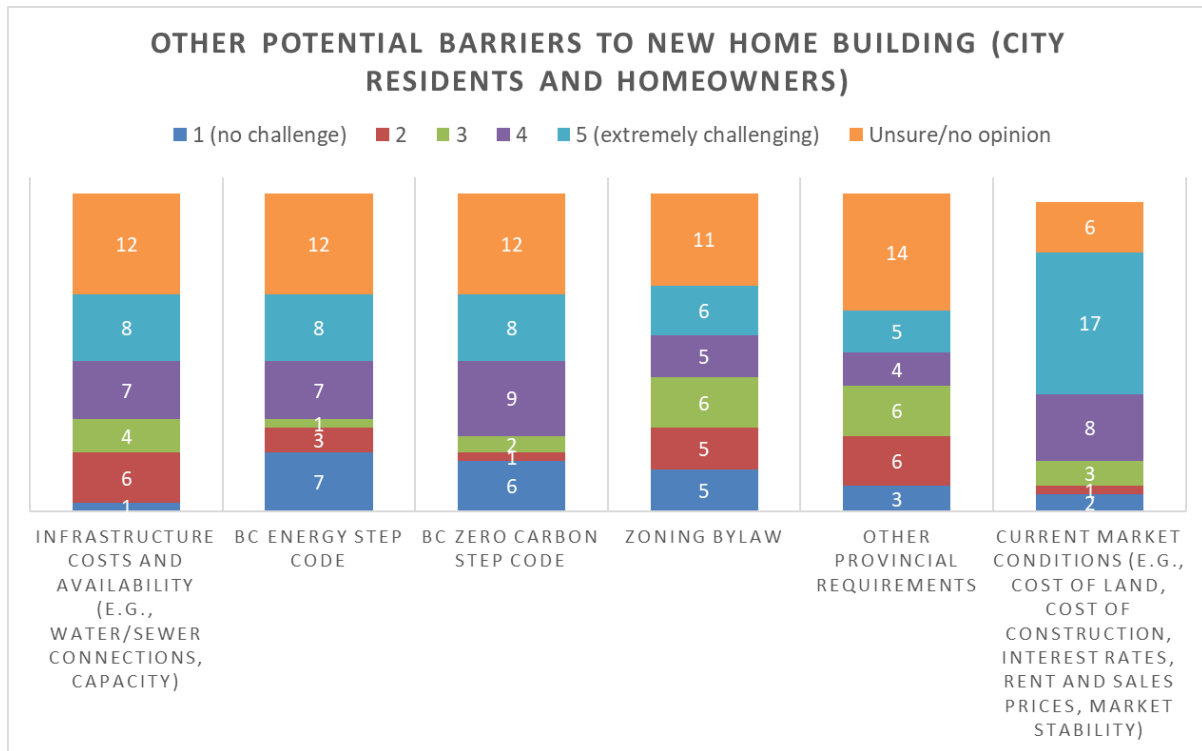
Q2 Potential Development Permit barriers to new home building

Building a home can be exciting, but it also has its challenges. How challenging are the following development permit-related factors for building small-scale multi-unit housing in Courtenay? Please answer on a scale from 1 to 5 where 1 means presents no challenge and 5 extremely challenging, or select “Unsure / no opinion”.



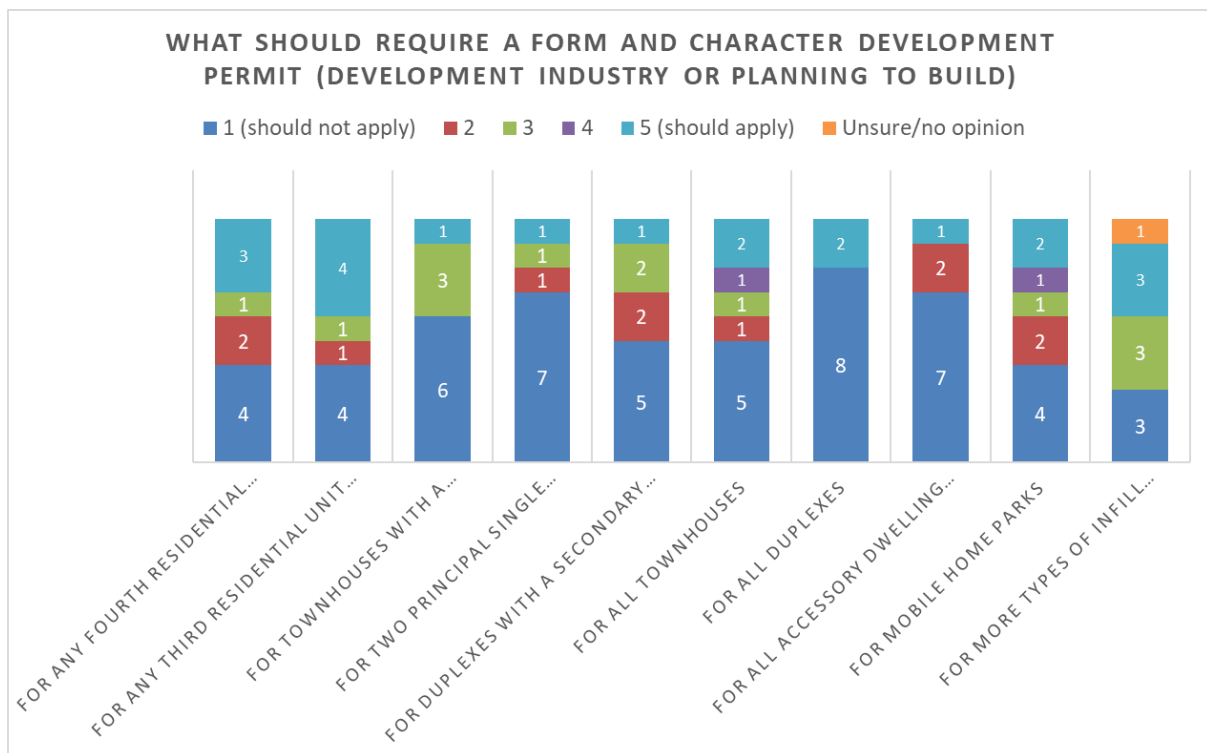
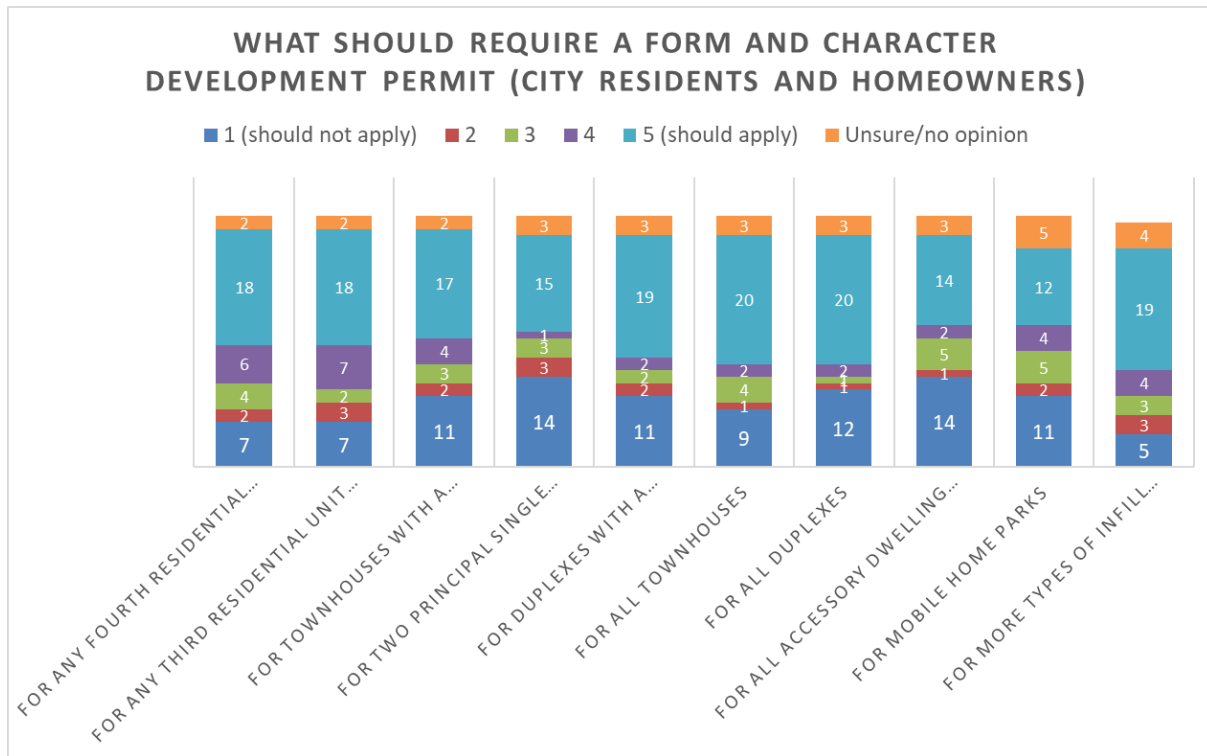
Q3 Other potential barriers to new home building

How challenging are the following contextual factors for building small-scale multi-unit housing in Courtenay? Please answer on a scale from 1 to 5 where 1 means presents no challenge and 5 extremely challenging, or select "Unsure / no opinion".



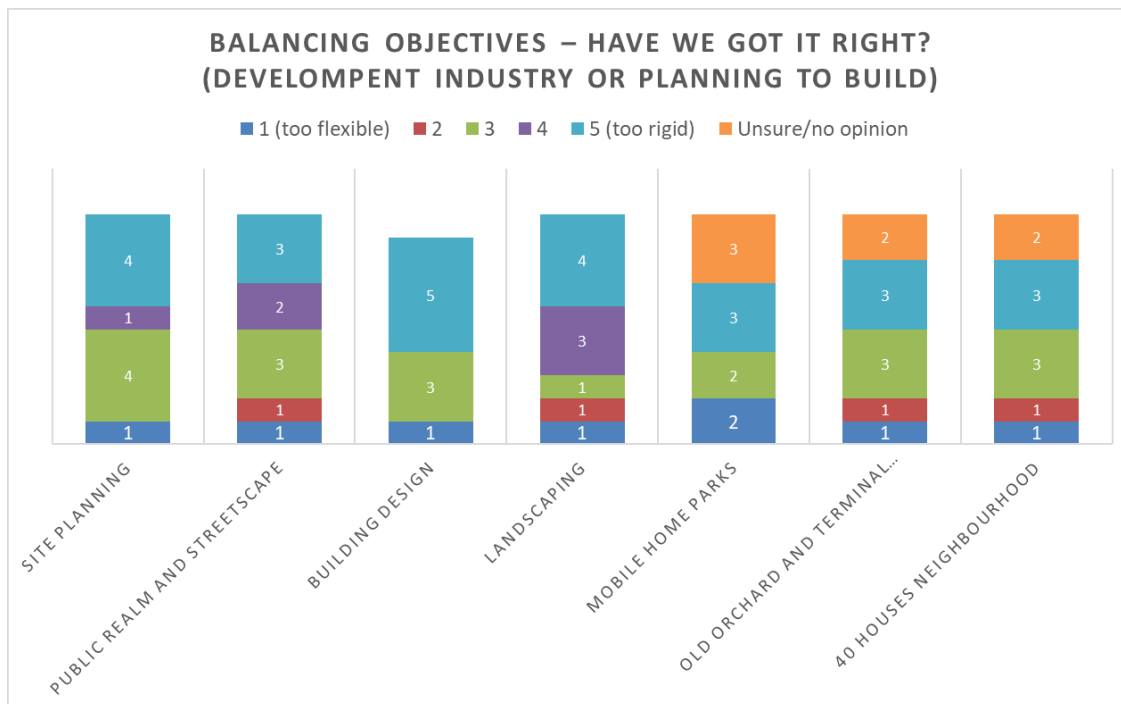
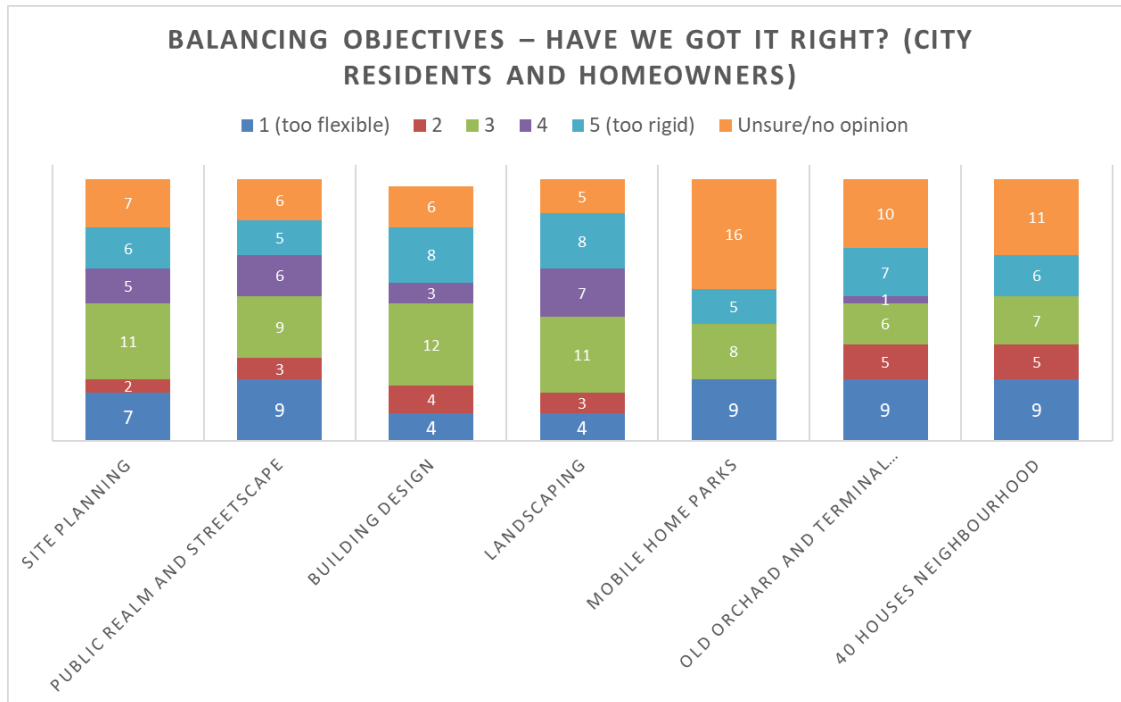
Q4 Building form and character

The proposed DPA-2 is for three or four homes. What types of small-scale housing development do you think should require a form and character development permit? Please answer on a scale from 1-5 where 1 means should not apply and 5 is should apply, or select "Unsure / no opinion".



Q5 Balancing objectives – have we got it right?

The proposed changes are intended to provide more flexibility to promote creative building designs on a residential lot for transition to surrounding lots. This is to address concerns of landscaping, privacy, parking, and garbage location while respecting the sustainability goals outlined in the Official Community Plan (OCP). How well do you feel the proposed changes achieve this balance for small-scale, multi-unit housing? Please answer on a scale from 1 to 5, where 1 means proposed guidelines are too flexible and 5 means too rigid, or select “Unsure / no opinion”



SURVEY WRITTEN COMMENTS

Self-Identified as “Courtenay Residents or Property Owners” (39 respondents):

Which of the following describe you? (1 written response)

- Comox valley born and never left. But lately seriously considering it...

Potential Development Permit barriers to new home building (7 written responses)

- Form and function should not be a priority during a housing crisis. Infrastructure and planning is needed to allow people to build more homes. Relying on demolishing current single-family homes to build multi family is not the answer
- Timelines, process and costs to homeowners outweigh benefits of increasing density on property
- Dumpster fire bad service
- City don't enforce their bylaws because they intimidated by some developers
- I am a renter for the time being.
- City gets what it wants regardless what the people want and disregards actual laws
- Opposition from neighbours needs to be factored in and consideration of their concerns

Other potential barriers to new home building (4 written responses)

- I'm sorry but extremely challenging to all of these
- I believe that the existing taxpayers will end up with an onerous property tax burden for this type of development. Both the City and The Province seem to not grasp the reality that adding more homes drives up taxes. It does not reduce any costs. Pushback
- Interest rates are too low lower make them higher the cost of buying the house only goes up as interest rates go down defeating the purpose
- City holds meetings to save face, and follows through with their own agenda at the cost of taxpayers

Additional Information (19 written responses)

- I would like to see flexibility on the types and configuration of them. Allow for 4 dwellings as is recommended. Allow for flexible design and site planning. Some properties with a single-family home can accommodate an additional duplex type carriage home and a small cabin for a single person. Etc. accommodation for people who want to just provide a rental with bike parking only
- The province has recently starting to appoint housing consultants to municipalities that aren't moving the needle. City of Courtenay does not want that but maybe they could learn a few things about getting out of the way of homes being built
- If I understand them correctly, the proposed changes continue to promote form-and-character requirements for new construction, while also reflecting the province's intent to see a streamlined application and approval process. It appears to be a good balance.

- Limit tree height to ensure solar gain and wind access
- Nowhere in this survey is it recognized that people living in the Comox Valley do so on the unceded territory of the K'ómoks First Nation. The closest it gets is the non-descript "Other Provincial Permitting" which, for those who aren't in the know, includes First Nations and BC Archaeology Branch permits.
- Maintain old trees within an "Older" neighbourhood. Thank you for making an effort to create densification within the urban environment, and to partner this with increased Transit options. I do believe that careful attention to the "look" of a neighbourhood, is important. Too often really "ugly" development is allowed to take over a huge development area (such as the Duplexes in Puntledge area; with no trees, and no eye for design. Slowly, very slowly that area improves, but growing trees takes a long time)
- In general, there should be adherence to requirements if the unit is detached and/or a third unit on the property.
- Courtenay is a small City and does not need this type of senior government interference. I have seen nothing to date that would lead me to believe that the City would work on creative (i.e.: Good looking) developments.
- By the looks of it, it's good to put a bigger burden on the homeowners not the developers. Bus service is a losing proposition. It will be paid by homeowners not the developers property taxes are going up faster than ever, even though developers are building more than ever???
- Please design these building with gardens in mind. I do not wish for community gardens but my own place in all building and floors to have such an area. I also would like to hang my clothing outside instead of using my dryer or coin operated machine. I also would like to see all the would burning fire places be up to modern standards, including their chimneys. I want people to not miss represent them showing them in a bad light, as I prefer woodstoves over gas for heating homes.
- City needs to ensure the housing going up is somewhere they would actually want to live in. Crappy squeezed spaces that are only intended to be eaten up as rental and "investment" properties have no place in this community. People should have a right to own the space they live in. The majority of citizens will remain living hand to mouth and struggling so long as they new projects are money grabs for those who already have housing and keep rents unaffordable. Cost of living can only come down when housing is owned by those living in it. "Investors" can't keep profiting off of people's basic human need for shelter. Please ensure what permits go out are for duplexes and townhouses which are sold to first time buyers or those with intent to actually live in them
- People should be able to do what they want on their on property they OWN. That being said, housing that is being supplied is not affordable nor accommodating to people. Everything is SO SMALL. And cheaply made. And costs up to and often more than 2/3's of peoples incomes. You are not creating solutions but more problems. You build things to cater to people moving here with money that they couldn't make here and most don't even get jobs here. That's what is happening in the Valley. Screw everyone who was already here and despite working full time cannot ever afford to own anything here. No one should pay \$2300 for a 2-bedroom tiny box, then also pay for a \$250+ storage unit. Then you are charged for parking or there isn't ANY

available. Tiny half sized washers and dryers to fit in the tiny boxes so you have to outsource some of your laundry. That costs more again. I am so sick of the city of Courtenay and their awful decisions. So glad I don't own here and don't contribute taxes to fund your insanity that you call solutions.

- I am for the proposed changes to DPA-2 I just hope they don't negatively affect environmental sustainability and accessibility in design.
- Listen to the public for once. Supreme Court has ruled that no warming/drug areas are to be near schools or daycares. Yet the city figures that rule doesn't apply and approved Braidwood site. Can wait to see the city go to court. Fire the mayor and everyone who approved that and the 5th and 17th street disaster
- Any building like the dwellings on 10th and England Ave should not be developed. The recent photos show a barely comfortable homes with no parking expect street (businesses suffer). I don't see anyone wanting or asking for these useless tight spaced, inconvenient swellings. They aren't good for families and are barely suited to students
- What about urban farm designations?
- My experience in jurisdictions with infilling is a profound DECREASE in quality of life for existing homes impacted by these changes. Loss of privacy, trees, nature, views, wildlife. Profound INCREASE in noise, disturbances, community. INCREASED risk of fires spreading from one home to another and another with devastating consequences. Environmental degradation. I am not in favour of this infilling.
- Maybe keep our character of the old places like 40 houses and Old Orchard. However, be bold and brave and creative everywhere else.
- Consider parking, density of people in a smaller area and balance that with the neighborhoods that people in surrounding houses have bought into. Progress should improve, not bring a ghetto-type situation into an established positive neighborhood

Survey respondents who did not self-identified as “Courtenay Residents or Property Owners” (5 respondents):

Which of the following describe you? (1 written response)

- Area b, on back Rd

Potential Development Permit barriers to new home building (1 written response)

- Unless your file goes to the most senior planner, its very frustrating. Planners seem to try to hold you to what the bylaw should be rather than what it is. This needs to be corrected.

Other potential barriers to new home building (1 written response)

- There is no land in Courtenay, what land there is, is extremely high risk due to Archaeology. The fees for DP's in Courtenay are outrageous. Easier to get land in Campbell River or Parksville and much more reasonable

Additional Information (3 written responses)

- 3 years for a landscaping deposit is just too long. Too much money sitting idle and an over reach.
- I do not feel that we need a DP for this at all. keep the old orchard and 40 homes DP. We are adding cost and road blocks when we need housing. The Planning department does not need more work! A simple checklist for the building permit that confirms civil requirements, landscape requirements etc. is enough. Give the frontline staff the power to approve projects quickly. Check the check list and get them out the door.

The intent of the regulations to make it easier to build up to 4 housing units on residential lots is contradicted by the number of proposed regulations. If the City wants allow developers to be creative in their designs there would be less proposed guidelines and regulations, not more. Adding additional processes to Small-Scale, Multi-Unit Housing (SSMUH) projects is contrary to the Small-Scale, Multi-Unit Housing (SSMUH) Policy Manual's guidance in section 6.1: "local governments are discouraged from using DPAs to control the form and character of SSMUH developments up to six units in all but exceptional circumstances." What exceptional circumstances (outside of the legislated heritage considerations) justify this DPA? Why are heritage considerations being mixed into the DPA for SSMUH?

The Policy Manual gives common DPA requirements that negatively impact the viability of SSMUH. Some examples are: location of entrances (in proposed changes, points 4, 12, 31); building height (in proposed changes, point 56); requiring transitions through massing (in the proposed changes, point 13, 17); attempts to mitigate impacts on immediate surroundings via shadow, solar impact, views, and privacy (in the proposed changes points 33, 3); parking and waste management (in proposed changes points 8, 20).

In Table 2 of the Policy Manual, several common zoning bylaw impediments are listed. One is "Limitations on the visibility or positioning of entrances for non-principal dwellings". This is included in the proposed changes in point 4. The recommended solution is to remove the regulations related to the position of entrances on non-principal dwellings. The Policy Manual does allow for voluntary, non-regulatory design guidelines, however the language in the proposed changes (i.e. shall) makes it appear to regulatory in nature. As well, guidelines in a regulatory vehicle, such as a DPA, tend to become less guidelines and more regulation.

Not only does the Policy Manual recommend against imposing additional processes on SSMUH projects, but it gives several principles for the effective use of DPAs. In other words, DPAs should be avoided, but when they cannot be they should follow these principles:

1. Provide clear direction and be specific: DPA guidelines should be clearly articulated to remove discretion over how they are interpreted and how the intent of the guidelines can and has been met.
2. Staff delegation: Authority to issue development permits should be delegated to staff under the provisions of LGA section 490(5) to improve consistency in the adjudication of applications and timeliness of approvals.

3. Advisory urban design panels/commissions: Ensuring SMUH projects are not subject to review by advisory design panels or planning commissions will help ensure expedient and consistent approvals.
4. Recognize constraints through permissive requirements: DPA guidelines should take into account the significant space-related constraints and limited financial viability for SSMUH housing forms and avoid the inclusion of requirements that are impractical due to these constraints.

The guidelines provided in the proposed changes are vague and staff would have wide discretion over how they are interpreted and what is accepted. This is directly contrary to the Policy Manual's principles for effective use of DPAs.

A simpler set of criteria that can be objectively graded or given a yes/no response will simplify the process, not just for City staff but for developers. It will allow developers to meet the guidelines easily and predictably. By giving the guidelines flexibility, you are increasing the risk that developers have during permitting, which will increase the cost of the development and therefore the cost to the consumer. Flexible guidelines will make development of SSMUH very risky for developers.

Flexible guidelines not only cause problems for the developers, but for City staff as well. With flexible guidelines, City staff will need to spend time justifying each development's approval or denial. What happens when one development is approved, and a similar one denied? Where will the line be drawn? As well, what happens when staff change and the opinions of what is acceptable change? The proposed guidelines run the risk of creating unreasonable restrictions on SSMUH developments.

It appears like the zoning regulations that were removed by provincial regulations are planned to be replaced by the proposed development permit area.

- I bought my home under assumption current zoning was not going to change. New areas can be zoned appropriately. This is not the provincial governments business.

OPEN HOUSE IDEAS BOARD COMMENTS

- Keep as much existing vegetation (trees) as possible
- Consider neighbourhood street "character". No "McMansions" in smaller house area
- Put emphasis on natural type drainage
- Please don't have density increases with only street parking

OPEN HOUSE SPOKEN COMMENT THEMES

- Impact on Property Value
- Heritage Protection
- Parking
- Servicing (existing residents/owners paying for water/sewer for new development)

DEVELOPMENT PROFESSIONALS' MEETING SPOKEN COMMENT THEMES

Land and Infrastructure

- Unsure where units will go
- Difficult to build large amount of SSMUH units & doubt SSMUH share noted in Complete Communities
- Concern about land and infrastructure availability and suggestion City should open large areas [areas designated Future Growth in Official Community Plan which require a Local Area Plan prior to rezoning]

Costs

- Price of single-family home doesn't allow to bulldoze and build a 4-plex
- Some rental units are empty because people can't afford high rents of new buildings
- Development Cost Charges (DCCs):
 - Concern about upcoming increase to DCCs
 - Question whether it might be possible to put off payment to Occupancy
 - Question whether DCC increase can be gradual
- Concerns about Step Code difficulties and expense

Time

- Concern about delays and about raising concerns and potentially increasing delays, especially with subdivision
- Question how long a development permit will take for 3-4 units
- Concern that more flexible guidelines may increase discussion time versus more rigid requirements

March 13, 2025

Sent via email only: jschile@courtenay.ca

Jamai Schile
Manager of Development Services
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

Dear Jamai Schile:

Re: Development Permit Area Amendments for Small-Scale Multi-Unit Housing

Thank you for the opportunity to comment on the proposed amendments to the City's Official Community Plan (OCP). These amendments would update the form and character Development Permit Areas (DPA-1 and DPA-2) to provide greater flexibility and support small-scale multi-unit housing (SSMUH).

DPA-1, which applies to larger-scale multi-unit residential developments, would see its threshold raised from "three or more" to "five or more" dwelling units. DPA-2, which has fewer guidelines, would apply to developments with "three or more" units, excluding duplexes and accessory dwelling units. These changes would streamline the approval process for three- to four-unit developments and remove form and character DPA requirements for two-unit developments, facilitating faster construction.

The amendments align with several Comox Valley Regional Growth Strategy (RGS) policies, including:

- 1A-2: Concentrating higher-density developments in existing municipal areas
- 1A-5: Revising OCP policies that unnecessarily restrict infill and redevelopment
- 1A-6: Expanding housing opportunities through multi-family conversions, secondary suites, and small-lot infill
- 1B-2: Supporting multi-unit developments that contribute to affordable housing
- 1C-1: Promoting a mix of low (40 per cent), medium (30 per cent), and high (30 per cent) density housing, with the proposed amendment facilitating more medium density housing

- 1C-4 & 1C-5: Encouraging infill units, secondary suites, and multi-family housing near transit and infrastructure
- 1D-1: Directing new housing to areas with public water and sewer services
- 5A-1, 5D-1 & 5A-3: Focusing growth in Core Settlement Areas and promoting higher-density development for efficient infrastructure use

These amendments also support key growth management policies, such as:

- MG Policy 1.2: Ensuring at least 90 per cent of growth occurs in Core Settlement Areas to optimize land use and public infrastructure
- MG Policy 1B-1: Accommodating growth through intensification and infrastructure improvements, including transit and active transportation

According to the City's Housing Needs Report (August 2024), approximately 8,350 new units will be required by 2041, with 2,472 needed by 2026. Simplifying DPA requirements for three- to four-unit developments and removing them for two-unit developments will help increase housing supply to meet this demand.

These amendments are consistent with RGS policies on housing, provided they are supported by public infrastructure, including community water, sewer, and transit. They also align with the City's identified housing needs.

For any questions, please contact Brian Chow, Planner II – Long Range, at bchow@comoxvalleyrd.ca or 250-334-6017. Thank you.

Sincerely,

R. Holme

Robyn Holme, MCIP, RPP
Manager of Long Range Planning and Sustainability

/bc



The Corporation of the City of Courtenay

Bylaw No. 3177

A Bylaw to amend Official Community Plan Bylaw No. 3070, 2022

WHEREAS Official Community Plan Bylaw No. 3070, 2022 establishes a policy framework to guide development decision to support the community's long-term goals and objectives in the City of Courtenay and Development Permit Areas are used to implement this broader land use policy context;

AND WHEREAS amendments to Official Community Plan Bylaw No. 3070, 2022 and other bylaws are required for the City to comply with Bill 44 – Housing Statutes Amendment Act, 2023 and subsequent changes to the *Local Government Act*;

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

Citation

This Bylaw shall be cited as “Official Community Plan - Amendment Bylaw No. 3177, 2025 (form & character development permit area, SSMUH)”.

Amendments

“Official Community Plan Bylaw No. 3070, 2022” is amended as follows:

1. AMENDING under “Part B, Managing Growth”, “SPECIFIC LAND USE DESIGNATION POLICIES” by:
 - a) DELETING from under heading “Urban Residential”, sub-heading “Built Form”, the third bullet point: “~~One (1) storey residential in the 40 Houses neighbourhood~~”;
2. AMENDING under “Part B, Managing Growth”, “SPECIFIC LAND USE DESIGNATION POLICIES” by:
 - a) DELETING from under heading “Urban Residential Area-Specific Profiles and Planning Directions”, sub-heading “40 Houses Heritage Neighbourhood”, “Policies” No.2: “~~Create a new zone in the Zoning Bylaw to reflect the traditional height, massing, and siting.~~”, and renumber in numerical order;
3. AMENDING under “Part D, Implementation”, section “3. Development Application Tools”, sub-section “C. DEVELOPMENT PERMIT AREA DESIGNATIONS”, “Table D-6 Development Permit Area Categories” by:
 - a) ADDING new text as set out in Schedule 1 attached to and forming part of this bylaw, and formatting the table to the original style.
4. AMENDING under sub-heading “Exemptions for Form & Character Development Permits” by:

- a) ~~DELETING the seventh bullet point: “Single residential dwellings, except when in an Intensive Residential Development Permit Area (e.g. heritage neighbourhoods and as part of a bare land strata development)”~~
- and
- REPLACING with new seventh bullet point: “Proposed residential development with a total of one or two dwelling units”;
5. AMENDING under section “DPA-1 COMMERCIAL, INDUSTRIAL, MIXED-USE & MULTI-RESIDENTIAL FORM AND CHARACTER DEVELOPMENT PERMIT AREA” by:
- a) ~~DELETING from title “MIXED-USE DEVELOPMENTS & MULTI-FAMILY RESIDENTIAL FORM AND CHARACTER DEVELOPMENT PERMIT AREA”~~
- and
- REPLACING with “LARGE-SCALE RESIDENTIAL AND MIXED USE”;
- b) DELETING text under Section, “JUSTIFICATION”
- and
- REPLACING with new text under Section “JUSTIFICATION” as set out in Schedule 2 attached to and forming part of this bylaw;
- c) ADDING new text by inserting after new sub-heading and in numerical order:
- “14. To ensure new development contributes to the community and preservation of heritage resources and special neighbourhood character of the Old Orchard and Terminal Addition neighbourhoods.”
- and
- d) REFORMATTING sub-headings “Justification”, “Objectives” and “Guidelines” to align with the current document style for font type, size and colour.
6. AMENDING under section “DPA-2 INTENSIVE RESIDENTIAL FORM AND CHARACTER DEVELOPMENT PERMIT AREA FOR DUPLEXES, DETACHED SECONDARY RESIDENCES, HERITAGE NEIGHBOURHOODS AND BARE LAND STRATAS AND MOBILE HOME DEVELOPMENTS” by:
- a) DELETING section title
- and
- REPLACING with “DPA-2: SMALL-SCALE MULTI-UNIT RESIDENTIAL”;
- b) DELETING section “JUSTIFICATION”

and

REPLACING with new "JUSTIFICATION" section as set out in Schedule 2 attached to and forming part of this bylaw;

- c) DELETING section "Objectives" except keeping maps

and

REPLACING with new "Objectives" section text as set out in Schedule 3 attached to and forming part of this bylaw;

- d) REFORMATTING sub-headings "JUSTIFICATION", "Objectives" and "Guidelines" to align with the current document style for font type, size and colour.

Severability

If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

Read a first time this [day] day of [month], 2025

Read a second time this [day] day of [month], 2025

Read a third time this [day] day of [month], 2025

Adopted this [day] day of [month], 2025

Mayor Bob Wells

Corporate Officer

Schedule 1 to Official Community Plan - Amendment Bylaw No. 3177, 2025

Under heading “C. DEVELOPMENT PERMIT AREA DESIGNATIONS”, sub-heading “DPA Categories”

Table d-6 Development Permit Area Categories

DPA Category	Purpose
1. Commercial, industrial, large-scale residential and mixed-use.	Form and character guidelines contained within the Zoning Bylaw communicate urban design expectations, including for the purposes of intensive residential and multi-residential development, commercial revitalization, energy and water conservation, greenhouse gas emissions reductions, and protection of the natural environment. These guidelines support design decisions that are responsive to context and climate and offer the flexibility to respond creatively while ensuring cohesive and thoughtful planning and design of new development.
2. Small-scale multi-residential.	
3. Farm Protection.	Farm protection guidelines contained within the Zoning Bylaw communicate setback, siting, separation and screening requirements when developing adjacent to agricultural lands in order to minimize the potential for conflicts between agricultural and non-agricultural land uses.
4. Environmental.	Environmental and hazardous guidelines contained within the Zoning Bylaw communicate environmental protection and development safety considerations when conducting any form of development near Environmentally Sensitive Areas (ESA) or Steep Slopes.

Schedule 2 to Official Community Plan – Amendment Bylaw No. 3177, 2025

Under section “DPA-1: COMMERCIAL, INDUSTRIAL, LARGE-SCALE RESIDENTIAL & MIXED-USE”

JUSTIFICATION:

This Development Permit Area is intended to achieve attractive, architecturally coordinated and context-appropriate higher density, employment and mixed-use building and landscape designs that consider the relationship between buildings, open areas, and circulation systems, in order to promote walkable, safe, and vibrant developments. It also promotes development that considers protection of the natural environment, energy efficiency, water conservation and the reduction of greenhouse gas emissions

Pursuant to Section 488(1)(a)(d)(f)(h)(i) and (j) of the *Local Government Act*, this designation applies to all developments that contain commercial, industrial or mixed-uses and residential developments with five or more residential units within the boundaries of the City of Courtenay. Additional guidelines apply for a defined area of the downtown (as shown on enclosed Map 1) as well as in special heritage consideration areas (as shown on enclosed Map 2 - Old Orchard & Terminal Addition).

Schedule 3 to Official Community Plan – Amendment Bylaw No. 3177, 2025

Under section “DPA-2: SMALL-SCALE MULTI-UNIT RESIDENTIAL”

JUSTIFICATION:

This Development Permit Area provides direction for housing and related development that meet the needs of residents while fitting well into the existing community. The intent is to support three to four dwelling unit residential infill development, and redevelopment that demonstrates a high standard of creative building design. It also promotes development that considers protection of the natural environment, energy efficiency, water conservation and the reduction of greenhouse gas emissions.

Pursuant to Section 488(1)(a)(e)(h)(i) and (j) of the *Local Government Act*, this designation applies to all three and four-dwelling-unit residential developments within the boundaries of the City of Courtenay. Additional guidelines apply in special heritage consideration areas (as shown on enclosed Map 2 - Old Orchard & Terminal Addition and Map 3 - 40 Houses Heritage Neighbourhood).

Schedule 4 to Official Community Plan – Amendment Bylaw No. 3177, 2025

Under section “DPA-2: SMALL-SCALE MULTI-UNIT RESIDENTIAL”

OBJECTIVES:

1. Establish guidelines ground orientated, infill development in existing and new neighbourhoods that contribute to the preservation of the neighbourhood character while meeting city goals for housing diversity, gentle density, and access to employment and services.
2. Ensure new development contributes to the continuity and preservation of heritage resources and special neighbourhood character of Old Orchard and Terminal Addition Neighbourhood and 40 Houses Neighbourhood.
3. Promote a high standard of building, site planning and landscape design.
4. Encourage development that supports multi-modal transportation options and neighbourhood connectivity
5. Encourage new development that considers protection of the natural environment, water conservation and energy efficient in site planning and design.
6. Promote net zero emissions in new development, including alterations or additions to existing buildings.



The Corporation of the City of Courtenay

Bylaw No. 3176

A Bylaw to amend Zoning Bylaw No. 2500, 2007

WHEREAS Zoning Bylaw No. 2500, 2007 is applicable to all land, buildings and structures therein of the Corporation of the City of Courtenay;

AND WHEREAS amendments to Zoning Bylaw No. 2005, 2007 and other bylaws are required for the City to comply with the provincial Bill 44 – Housing Statutes Amendment Act, 2023 and subsequent changes to the *Local Government Act*;

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

Citation

This Bylaw shall be cited as “Zoning - Amendment Bylaw No. 3176, 2025 (form & character development permit area, SSMUH)”.

Amendments

“Schedule A” to “Zoning Bylaw No. 2500, 2007” is amended as follows:

1. AMENDING the title page by:
 - a) DELETING “~~Schedule A to Bylaw No. 3075~~”
 - and
 - REPLACING with “Schedule A to Bylaw No. 2500, 2007”;
2. AMENDING table of content, No. 4(a), Development Permit Areas by:
 - a) DELETING “~~DPA1 – Commercial, Industrial, Mixed-Use Developments & Multi-Family Residences with Three or More Units~~”
 - and
 - REPLACING with “DPA 1 - Large-Scale Residential and Mixed-Use”;
3. AMENDING table of content, No. 4(b), Development Permit Areas by:
 - a) DELETING “~~DPA 2: Intensive Residential Form & Character Development Permit Area for Duplexes, Detached Secondary Residence & Heritage Neighbourhoods, and Bare-Land Stratas and Mobile Home Developments~~”

and

REPLACING with “DPA -2: Small-Scale Multi-Unit Residential”;

4. AMENDING under heading “DEVELOPMENT PERMIT AREA DESIGNATIONS” sub-heading “DPA Categories”, “Table 1 Development Permit Area Categories” by:

- a) ADDING new text as set out in Schedule 1 attached to and forming part of this bylaw, and formatting the table to the original style;

5. AMENDING under heading “DEVELOPMENT PERMIT AREA DESIGNATIONS”, sub-heading “Exemptions for Form & Character Development Permits” by:

- a) DELETING the seventh bullet point: “~~Single residential dwellings, except when in an Intensive Residential Development Permit Area (e.g. heritage neighbourhoods and as part of a bare land strata development)~~”

and

REPLACING with new seventh bullet point: “Proposed residential development with a total of one or two dwelling units”;

6. AMENDING under section “DPA-1: COMMERCIAL, INDUSTRIAL, MIXED-USE DEVELOPMENTS & MULTI-FAMILY RESIDENCES WITH THREE OR MORE UNITS” by:

- a) DELETING section title “~~MIXED-USE DEVELOPMENTS & MULTI-FAMILY RESIDENCES WITH THREE OR MORE UNITS~~”

and

REPLACING with “LARGE-SCALE RESIDENTIAL AND MIXED USE”;

- b) DELETING text under section “Justification”

and

REPLACING with new text under section “Justification” as set out in Schedule 2 attached to and forming part of this bylaw;

- c) ADDING under section “Objectives” after no. 13 a new sub-heading: “*Within the Old Orchard and Terminal Addition Neighbourhoods (Map 2):*”;

- d) ADDING new text by inserting after new sub-heading and in numerical order:

“14. To ensure new development contributes to the community and preservation of heritage resources and special neighbourhood character of the Old Orchard and Terminal Addition neighbourhoods.”;

- e) REFORMATTING sub-headings “Justification” and “Objectives” to align with the current document style for font type, size and colour;
7. AMENDING under section “DPA-2 INTENSIVE RESIDENTIAL FORM AND CHARACTER DEVELOPMENT AREA FOR DUPLEXES, DETACHED SECONDARY RESIDENCES, HERITAGE NEIGHBOURHOODS, AND BARE LAND STRATAS AND MOBILE HOME DEVELOPMENTS” by:
- a) DELETING Section: ~~DPA-2 INTENSIVE RESIDENTIAL FORM AND CHARACTER DEVELOPMENT AREA FOR DUPLEXES, DETACHED SECONDARY RESIDENCES, HERITAGE NEIGHBOURHOODS, AND BARE LAND STRATAS AND MOBILE HOME DEVELOPMENTS~~ except maps and figures

and

REPLACING with new text as set out in Schedule 3 attached to and forming part of this bylaw;
 - b) DELETING section name

and

REPLACING with “DPA-2: SMALL-SCALE MULTI-RESIDENTIAL”
 - c) DELETING under heading “Guidelines”, sub-heading “Additional Guidelines for Mobile Homes and Bare Land Stratats” caption under image: ~~“Example of parking and garage located respectively at the side and rear of a single residential home (guideline 28)”~~ and corresponding picture;
 - d) DELETING caption under heading “Guidelines”, sub-heading “Duplexes” caption under image: ~~“Example of a duplex with significant façade articulation (guideline 13), and high quality siding (guideline 14)”~~;

and

REPLACING with new caption text: “Example of a building with shifts in massing and changes in exterior colours and textures and high-quality siding and west coast character (*Building Design 3 and 4*)”;
 - e) DELETING from caption under heading “Guidelines”, sub-heading “Additional Guidelines for Mobile Homes and Bare Land Stratats” caption under image ~~“Example of a pervious driveway treatment to allow for rainwater infiltration (guideline 35)”~~

and

REPLACING with “Example of a pervious driveway treatment to allow for rainwater infiltration (*Landscaping 11*)”;
 - f) DELETING from caption under heading “Guidelines”, sub-heading “ADDITIONAL GUIDELINES FOR PRIMARY AND SECONDARY RESIDENCES IN THE OLD ORCHARD &

~~TERMINAL ADDITIONAL NEIGHBOURHOODS” caption under image “Example of a number of design elements such as gable, verandas, and decorative shingles incorporated into a single residential home to create architectural interest (guideline 48)”~~

and

REPLACING with “Example of a number of design elements such as gables, verandas, and decorative shingles to create architectural interest (*Additional Guidelines for the Old Orchard and Terminal Addition Neighbourhoods 4*)”.

Severability

If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

Read a first time this [day] day of [month], 2025

Read a second time this [day] day of [month], 2025

Read a third time this [day] day of [month], 2025

Adopted this [day] day of [month], 2025

Mayor Bob Wells

Corporate Officer

Schedule 1 to Zoning Amendment Bylaw No. 3176, 2025

Under heading “Development Permit Area Designations”, sub-heading “DPA Categories”

Table 1 Development Permit Area Categories

DPA Category	Purpose
1. Commercial, industrial, large-scale residential and mixed-use.	Form and character guidelines contained within the Zoning Bylaw communicate urban design expectations, including for the purposes of intensive residential and multi-residential development, commercial revitalization, energy and water conservation, greenhouse gas emissions reductions, and protection of the natural environment. These guidelines support design decisions that are responsive to context and climate and offer the flexibility to respond creatively while ensuring cohesive and thoughtful planning and design of new development.
2. Small-scale multi-residential.	
3. Farm Protection.	Farm protection guidelines contained within the Zoning Bylaw communicate setback, siting, separation and screening requirements when developing adjacent to agricultural lands in order to minimize the potential for conflicts between agricultural and non-agricultural land uses.
4. Environmental.	Environmental and hazardous guidelines contained within the Zoning Bylaw communicate environmental protection and development safety considerations when conducting any form of development near Environmentally Sensitive Areas (ESA) or Steep Slopes.
5. Protection from hazardous conditions: Steep Slopes.	

Schedule 2 to Zoning Amendment Bylaw No. 3176, 2025

Under section “DPA-1: COMMERCIAL, INDUSTRIAL, LARGE-SCALE RESIDENTIAL & MIXED-USE”

JUSTIFICATION:

This Development Permit Area is intended to achieve attractive, architecturally coordinated and context-appropriate higher density, employment and mixed-use building and landscape designs that consider the relationship between buildings, open areas, and circulation systems, in order to promote walkable, safe, and vibrant developments. It also promotes development that considers protection of the natural environment, energy efficiency, water conservation and the reduction of greenhouse gas emissions

Pursuant to Section 488(1)(a)(d)(f)(h)(i) and (j) of the *Local Government Act*, this designation applies to all developments that contain commercial, industrial or mixed-uses and residential developments with five or more residential units within the boundaries of the City of Courtenay. Additional guidelines apply for a defined area of the downtown (as shown on enclosed Map 1) as well as in special heritage consideration areas (as shown on enclosed Map 2 - Old Orchard & Terminal Addition).

Schedule 3 to Zoning Amendment Bylaw No. 3176, 2025

Under section “DPA-2: SMALL-SCALE MULTI-UNIT RESIDENTIAL”

JUSTIFICATION:

This Development Permit Area provides direction for housing and related development that meet the needs of residents while fitting well into the existing community. The intent is to support three to four dwelling unit residential infill development, and redevelopment that demonstrates a high standard of creative building design. It also promotes development that considers protection of the natural environment, energy efficiency, water conservation and the reduction of greenhouse gas emissions.

Pursuant to Section 488(1)(a)(e)(h)(i) and (j) of the *Local Government Act*, this designation applies to all three-and four-dwelling-unit residential developments within the boundaries of the City of Courtenay. Additional guidelines apply in special heritage consideration areas (as shown on enclosed Map 2 - Old Orchard & Terminal Addition and Map 3 - 40 Houses Heritage Neighbourhood).

OBJECTIVES:

1. Establish guidelines ground orientated, infill development in existing and new neighbourhoods that contribute to the preservation of the neighbourhood character while meeting city goals for housing diversity, gentle density, and access to employment and services.
2. Ensure new development contributes to the continuity and preservation of heritage resources and special neighbourhood character of Old Orchard and Terminal Addition Neighbourhood and 40 Houses Neighbourhood.
3. Promote a high standard of building, site planning and landscape design.
4. Encourage development that supports multi-modal transportation options and neighbourhood connectivity.
5. Encourage new development that considers protection of the natural environment, water conservation and energy efficient in site planning and design.
6. Promote net zero emissions in new development, including alterations or additions to existing buildings.

GUIDELINES:

Site Planning

1. Housing development should be planned in a comprehensive manner that considers the interface between the site, adjacent development, other land uses and its relationship to the public realm.
2. The design of the site should consider access to and efficiency of pedestrians, bicycles and vehicular circulation.
3. A minimum average of 20 m² of usable private outdoor spaces should be provided for each dwelling unit in the form of a deck, balcony, patio or yard, exclusive of common amenity areas.

4. Outdoor spaces should be located to maximize sunlight, minimize noise disruptions, and minimize 'overlook' from adjacent units.
5. Site planning shall consider the location of third-party utilities, such as clearance from overhead and pad mounted electrical utilities as required by the Canadian Electrical Code.
6. Site planning should consider opportunities to retain and integrate mature trees and existing natural features. Site planning shall consider impact to mature trees and their root systems on adjacent lands.

Public Realm and Streetscape

1. Building design including the placement of windows, balconies, and doors shall consider visual privacy between residences, and perimeter fencing and/or landscaping shall provide visual privacy of adjoining properties.
2. Buildings should be sited to face the fronting street(s). Consideration should be given to preserve adequate space for landscaping, privacy and light penetrating into living spaces.
3. Principal entrances to a residence should be clearly defined using lighting, colour, paving texture, landscaping and/or enhanced architectural features, such as porches, patios, canopies, or recessed entryways.
4. On corner lots, all street-facing elevations should have an equal level of quality and design detailing.
5. For corner sites with no lane access, driveway access from the flanking street for one or more of the units is encouraged where both feasible and supported by the Development Services Department.
6. Parking and driveways should where feasible not occupy more than 50% of the area of the front yard and, where the site has a flanking side street, not more than 50% of the area of the flanking side yard.
7. Where a laneway exists, parking should access the lane where feasible.
8. Entrances and exits to parking areas shall be located and designed to reduce potential modal conflicts, maintain visual sight lines and limit impact to the transportation network.

Building Design

1. Buildings should be architecturally coordinated and provide a high quality of design. Building design should avoid repetition and monotony through subtle design variation between buildings on neighbouring properties.
2. Buildings should be designed to avoid large expanses of blank walls by incorporating architectural details, artwork, or sufficient landscaping to create visual interest.
3. Buildings should be designed to minimize their bulk with simple shifts in massing, roof articulation and use of varied architectural details, changes in exterior colours and textures.
4. Buildings should be designed with consistently high-quality and durable materials. West Coast architecture that incorporates natural design elements and materials such as exposed timber structural elements, native trees, vegetation landscaping and open concepts for natural light is encouraged.

5. Building roofs should minimize heat island effect and heat transfer into the building, such as through Energy Star-rated or high-albedo colour and materials.
6. Staircases to stacked units shall have weather protection and are encouraged to be indoor or screened from the street(s).
7. Building lighting should be designed to minimize spillage and glare to neighbouring properties, adjacent roads, Environmentally Sensitive Areas, or the sky.
8. Garbage and recycling storage located within a secure building or structure and should not be located in any yard facing a road.
9. Where individual unit heat pumps are used, they should be screened.

Landscaping

1. Existing, native vegetation within the Development Permit Area should be retained to the extent feasible to minimize disruption to habitat and to protect against erosion and slope failure where applicable.
2. Landscaping shall include a mixture of tree, shrub, ground cover and perennial plants. Tree selection for optimizing tree canopy and providing a mixture of deciduous and conifer species is encouraged.
3. Proposed planting should prioritize the selection of local plants that provide habitat, nesting, pollinator, foraging, or other biodiversity benefits and are drought tolerant.
4. Proposed planting species adapted to future climate conditions should be incorporated to the maximum extent possible.
5. Proposed planting may consider edible species and active urban agricultural uses.
6. Proposed planting should be provided in strategic locations to frame building entrances, soften edges, screen parking areas, and break up long facades where feasible.
7. Most or all of the landscaped areas should be designed to require little or no irrigation, through use of planting materials and impervious surfaces. Hand watering is encouraged. If irrigation is supplied, it should be limited to an underground system designed with high-efficiency targeted drip heads and automated weather sensors and use captured rainwater and greywater where possible.
8. Sufficient soil volumes shall be provided to support mature vegetation, including trees where applicable. This may include supplementing soil volume with structural soil or silva cell type systems within hardscape areas.
Minimum depth of topsoil or amended organic soils must be provided:
 - Shrubs – 450 mm
 - Ground cover and grass – 300 mm, and
 - Trees – 300 mm around and below the root ball, typically to a minimum total of 900 mm.In addition, 15 m³ is the minimum soil volume per tree, to be supplemented in hardscape zones with structural soil or silva cell type systems.
9. Topsoil or composted waste shall be used to assist in infiltration and increase the water holding capacity of landscaped areas.

10. All new, replacement, and upgraded street lighting in existing and proposed developments shall be LED Full-Cut Off/ Flat Lens (FCO/FL) luminaries to light roads, parking, loading and pedestrian areas. Exterior building lighting fixtures will also be required to be FCO.
11. To reduce impervious surfaces, permeable paving material such grassed cellular paving, porous pavers, or a comparable alternative are encouraged for driveways and parking areas.

Additional Guidelines for Mobile Home Parks

1. The design of the overall Mobile Home Park shall be based on a comprehensive concept and give adequate attention to the attractive layout of the mobile home lots and structure placement, landscape character and design, location and screening of parking areas, design and placement of recreation areas, and design of vehicular and pedestrian circulation.
2. Formalized pedestrian access shall be provided throughout the property to connect internal streets and parking areas with semi-private areas for residents, and to the public walkway system.
3. A street landscaping plan including tree planting plan for internal streets that provides for appropriately selected species at approximately 15-metre intervals shall be provided.

Additional Guidelines for the Old Orchard and Terminal Addition Neighbourhoods

1. The orientation, form, and materials proposed for a residence shall reflect and enhance heritage theme characteristics and neighbouring buildings.
2. Vehicle parking and access should be located at the side or rear and set back from the primary dwelling façade where feasible.
3. Garages incorporated into the building structure should not project beyond the front elevation.
4. Roofs should have substantial slope and articulated lines and be designed to reduce the bulk of a 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.
5. Design components that contribute to architectural interest should be incorporated. These include multiple gables, dormers, bay windows, decorative shingles, wood trim, porches, and verandas.
6. The design and finishing around windows and exterior doors should visually enrich the building elevation. Windows and doors should be articulated with trim.
7. Landscaping should include one or more fruit trees.

Additional Guidelines for the 40 Houses Neighbourhood

1. One-storey buildings, preservation of existing buildings, and simple rectangular massing are encouraged.
2. Maintaining the spatial relationship on the lot to the other houses in the neighbourhood is encouraged, including consistent front yard setbacks.

3. Low-pitch hipped roofs or single gable roofs shall be included.
4. Porch entries shall be minimal in keeping with the development.
5. Siding shall consist of wide plank horizontal wood or materials that resemble this effect.



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 3010-01-2401

From: Director of Development Services

Date: April 2, 2025

Subject: Bylaws to Regulate Short-term Rental Accommodations

PURPOSE:

For Council to consider first and second readings of the three bylaws in order to permit the operation of short-term rentals in Courtenay and regulate their use:

1. *Business Licence - Amendment Bylaw No. 3133, 2025 (short-term rental accommodation)* to amend *Business Licence Bylaw No. 2523, 2008*;
2. *Municipal Ticket Information - Amendment Bylaw No. 3139, 2025 (short-term rental accommodation)* to amend *Municipal Ticket Information Bylaw No. 2435, 2006*; and
3. *Zoning - Amendment Bylaw No. 3134, 2025 (short-term rental accommodation)* to amend Zoning Bylaw No. 2500, 2007.

Staff is also recommending that Council set the date of a Public Hearing for *Zoning - Amendment Bylaw No. 3134, 2025 (short-term rental accommodation)* to April 30, 2025.

EXECUTIVE SUMMARY:

At the regular meeting of Council on April 24, 2024 Council passed a resolution directing staff to prepare bylaw amendments to “Business Licence Bylaw 2523, 2008”, Zoning Bylaw No. 2500, 2007” and “Municipal Ticking Information Bylaw No. 2435, 2006” to address *Bill 35 Short-Term Rental Accommodation Act*.

In the April 24, 2024, Council report staff recommended that short-term rentals (STR) be limited up to 27 days per stay rather than up to 90 days as permitted in the legislation. Staff also recommended permitting STR in all residential zones. On April 24, 2024, a report was released and posted on a provincial webpage summarizing the impact of Bill 35 on the number of short-term rentals in the province and the impacts of STR restrictions on rental housing rates. In addition, the City of Courtenay received the updated Housing Needs Report in August 2024 which raised issues on the impact of STR on rental supply. Neighbouring municipalities have initiated bylaws for STR which serve as a comparison for staff’s analysis in the revised recommendations for Council’s consideration. Revised recommendations included in the proposed *Zoning Bylaw No. 2500, 2007* amendment to extend the length of stay from 27 days to up to 90 days to allow for longer short-term stays and to limit STR to low-density residential housing forms such as single residential dwelling units, secondary suites, and accessory dwelling units. Multi-residential housing forms have complex issues associated with Strata Corporations which require future consideration for vacation rentals that staff will undertake at a later date with OCP and Zoning Bylaw updates.

BACKGROUND:

Bill 35 focuses on three key areas:

1. Returning more short-term rentals to the residential rental housing market:
 - Short-term rentals are defined by the Province as:
“Short-term rentals are accommodations provided to members of the public in a host’s property, in exchange for money, for a period of less than 90 consecutive days. They are

generally tourist accommodations that are often found in residential or resort areas. They may be advertised via online platforms such as Airbnb, VRBO, or Booking.com, and may also be advertised on other web forums including Facebook Marketplace, or found in classified ads in newspapers.

Short-term rentals do not include accommodation that was intended to be provided for 90 days or longer, but which unexpectedly ends before 90 days have passed.”

- Short-term rentals in B.C. must meet the provincial principal residence requirement which limits short-term rentals to:
 1. The home where the host lives for a longer period of time in a year than any other place.
 2. **Plus**, one secondary suite or accessory dwelling unit on the same property.
 - The legislation defines short-term rental as a period of time of less than 90 days. A local government has a choice to regulate below 90 days.
2. Establishing provincial rules and a system of enforcement:
- By May 1, 2025, all short-term rentals (STR) hosts must be registered with the provincial short-term rental registry in order to operate in B.C. This is to ensure that listed STRs are in compliance with the regulations in the Act including the principal residence requirement, display of business licensing (where required by local government) and being on the Province’s registry list.
3. Increasing fines and strengthening enforcement tools for local governments:
- Short-term rental operators and rental platforms are required to share data with provincial and local governments and to display provincial registration and municipal business licence numbers on all listings. Listings that do not follow these protocols must be promptly removed.
 - Maximum Provincial fines for contravention of short-term rental regulations in the Offence Act and the Bylaw Enforcement Ticket Regulation have been increased. Amendments to Courtenay’s Municipal Ticket Information Bylaw are proposed as part of this staff report to add short-term rental offences.

Bill 35 applies to communities with over 10,000 residents and that have a vacancy rate of less than 3%, therefore this applies to Courtenay. Those municipalities with a rental vacancy rate of over 3% for two consecutive years may request to opt out of the principal residence requirement. Given that Courtenay’s vacancy rate for 2023 was 1.1% and for 2024 was 5.1%, it has not had two years of above 3% vacancy and as such Courtenay may not opt out of the provincial minimum requirements.

In communities where Bill 35 requirements apply, the local government may not be more permissive than the provincial requirements however it can choose to be more restrictive. This is currently the case for the City of Courtenay where short-term rentals are not permitted at all but Bed and Breakfasts are permitted as per Part 15 Bed and Breakfast Accommodation section 6.15.1 in any single residential dwelling located in any residential or multi-residential zone subject to no more than two bedrooms for transient accommodation, principle use must be single residential and the residents of the building must be engaged in the operations.

New information since the enactment of Bill 35

Since the April 24, 2024, Council meeting the City has received more information about how other communities are implementing STRs, Courtenay's local housing needs and the impacts of short-term rental regulations.

Housing Needs Report August 2024

Preliminary short-term rentals (STR) information was presented in the April 24, 2024 staff report. Since that time, refinements to that data were made to show that although STR are not permitted in the Zoning Bylaw; that in 2023, there were 293 short-term rentals operating in the City for at minimum one day that year. And of those, nearly half were used 'commercially' (all year round for STR). By having regulations on STR the objectives are to have STRs operate legally, some of the current illegal 293 STRs move into long-term rental accommodation, and have the Province monitor platforms for compliance with both provincial and municipal regulations on STR.

The [2024 Housing Needs Report](#), similar to the 2020 Housing Needs Report, highlights the need to continue to ensure the supply of and policy support for rental tenure units, with an increased emphasis on affordable/below-market and deeply affordable units. Several reasons are cited for this primarily that homeownership is becoming increasingly unaffordable for the median household in Courtenay, that market rental rates (cost of rent) continue to rise, and that rental vacancy rates have been below a healthy range for most of the past decade. The report identifies that renter households on average are also more likely to be lower-income (\$50,400 vs \$82,000 median household income respectively) and more likely to be in Core Housing Need (26% vs 5% respectively) than owner households.

The information in the 2020 Housing Needs Report informed Courtenay Affordable Housing policies. Collectively the policies direct the City to view its housing policies within a larger housing and policy apparatus to create equitable policy interventions that consider the various types of housing [tenure], the community members who live in them and the community's housing needs as represented by a 'housing continuum' or 'housing wheelhouse'. To be equitable, the policy-making process should weigh the problems faced by the various segments of the wheelhouse and assign support proportionate to housing needs.

Staff recognize that based on existing housing data, it is unclear what the impacts of short-term regulation will be on influencing traditional housing metrics such as 'rental vacancy rates', 'average rents' or 'households in Core Housing Need'. There is however evidence indicating short-term rental restrictions have a positive impact on returning short-term rental units to the long-term market and reducing rents; where even if rents don't outright decrease, they increase less than they otherwise would have without short-term rental regulation ([Report on Short-term rental regulations in British Columbia, Wachsmuth, 2024](#)).

At the same time, homeowners in our community also need policies that support them, even if to a lesser degree than renters. For instance, short-term rentals can offer homeowners a source of revenue generation that may be increasingly necessary for many households to preserve homeownership or offer the opportunity for more flexibility granted by the short-term use to meet their needs.

The discussion above highlights that Council has choices as to the degree they would like Courtenay's short-term rental regulations to support the segments of the housing wheelhouse most concerned, renter or owner. Simply stated, the more restrictive Courtenay's short-term rental regulations are, the more the policy can be seen to benefit the rental segment of the wheelhouse. The less restrictive Courtenay's short-

term rental regulations are, the more likely they support owner households. There may also be other policy objectives that Council might like to consider as it relates to the regulation of short-term rental like economic development that are not already stated and which may be established through the upcoming OCP update.

Comparable communities

Since the adoption of Bill 35, other BC communities seem to be doing an array of different things, however, most do seem to be permitting short-term rentals at least to some degree. Communities seem to be weighing:

- Housing needs
- Economic/tourism needs
- Enforcement/capacity realities
- Previously existing policies/perceived fairness

Other community approaches fall within these general categories, listed as generally most to least restrictive of STRs:

1. Allow no STR at all - Campbell River, Saanich.
2. Allow STR only in dwellings that otherwise would not be part of the long-term rental stock (principal residence only) – Victoria.
3. Apply a cap on the number of STRs across the community and possibly even by area – Nelson.
4. Meet Bill 35 but restrict STRs from operating in apartments/purpose-built rental buildings and only allow one per property - Comox, Cumberland.
5. Meet Bill 35 verbatim, plus possibly some additional operational restrictions - Nanaimo, Kelowna.

DISCUSSION:

The proposed amendments to the Zoning, Business Licence and MTI bylaws for Council consideration, would permit one STR per parcel in one of the following low-density housing forms: single detached homes, accessory suites and accessory dwelling units where the operator has a principal residence on the parcel in question. This would be more restrictive than the provincial principal residence requirement which does not restrict STRs to certain housing forms, but less restrictive than the City's current absolute ban on STRs.

Proposed Bylaw Amendments

Proposed Zoning - Amendment Bylaw No. 3134, 2025 to Zoning Bylaw No. 2500, 2007

- Addition of a definitions in Division 3 Interpretation Part 1 Definitions:
 - "bed and breakfast accommodation" (previously undefined),
 - "principal residence" (in accordance with the provincial legislation definition), and
 - "short-term rental accommodation" (as a newly permitted use) where "*short-term rental accommodation*" is proposed to mean the rental of a *dwelling unit* or any portion of it for a period of less than 90 days, which is consistent with the provincial definition.
- Removing reference to bed and breakfast accommodations in Division 6 Part 3 Home Occupation
 - The bed and breakfast accommodation regulations are located in two Parts of Division 6 of the Zoning Bylaw (Part 3 Home Occupation and Part 15 Bed and Breakfast Accommodations) and

include inconsistencies across the two sections. Staff recommend removing the reference from Part 3 Home Occupation as bed and breakfast should remain as a distinct use.

- A new Division 6 (General Regulations) Part 20 Section 6.20 Short-term Rental Accommodation stipulates conditions of short-term rental accommodation use. These include:
 - May only be permitted within single residential dwelling, accessory dwelling unit or secondary suite dwelling types and only one may be permitted per parcel;
 - May not be permitted in combination with bed and breakfast accommodation or daycare use;
 - Shall not occupy more than three (3) bedrooms and shall not involve more than six (6) guests total;
 - One dedicated parking stall per short-term rental accommodation;
 - Shall be operated only by the owner of the parcel in question who has a principal residence on the parcel in question;
 - No nuisance activities shall be produced by the short-term rental accommodation; and
 - Requirement to obtain a Business Licence, as consistent with provincial legislation.

Proposed Business Licence - Amendment Bylaw No. 3133, 2025 to Business Licence Bylaw No. 2523, 2008

- New definitions of bed and breakfast accommodation and dwelling unit (previously undefined).
- New Business Licencing Conditions are proposed for short-term rental accommodation specific to the Business Licensing Bylaw including the requirements:
 - That the business licence be displayed in a prominent place with 24-hour contact information for the operator.
 - For a fire and safety plan, be located at entrances and exits from the dwelling unit, and in each approved bedroom and include prescribed safety information.
- Changes to Schedule A introduce new short-term rental accommodation and bed and breakfast accommodation business licence categories and associated licencing fees at \$300 and \$150 respectively. \$150 Affordable Housing Amenity Reserve Fund offset fee is proposed to be charged to short-term rental accommodations and placed in the Affordable Housing Amenity Reserve Fund as described further in the Financial Implications section.

Proposed Municipal Ticket Information - Amendment Bylaw No. 3139, 2025 to Municipal Ticket Information Bylaw No. 2435, 2006

- Adding a fine for an additional ticketing offence of \$100 for short-term rental accommodation and some numbering anomalies between the Business Licencing Bylaw and the Municipal Ticketing Information Bylaw are corrected. The \$100 fine is consistent with other fines within this Bylaw.

Alternative short-term rental zoning option – Principal residence only

If Council wishes to take a more precautionary approach to the number of STR likely to be licenced they could consider only permitting STRs in dwelling units that are occupied as a principal residence and restrict STRs from operating in additional dwelling units on those same properties.

This more restrictive option would be closer to how the City of Victoria regulates short-term rentals as they permit STRs only within a principal residence (whether that be the principal residence of a homeowner or

renter). This model would limit the impact on housing availability for residents in that STRs would only be available from the temporarily unoccupied homes of residents or within an area of the home that continues to be occupied by residents. The same conditions of use identified in the draft *Zoning - Amendment Bylaw No. 3134, 2025* could still apply (e.g. only one per property, number of guests and bedrooms, only operated by the owner of the property who has the principal residence on the property).

Staff have included this option as Option 2 in the Resolutions as follows:

- Only permit short-term rentals as a permitted use within a single residential dwelling unit, secondary suite, or accessory dwelling unit that is primarily used as the property owner's principal residence;
- Only one short-term rental may be permitted per parcel;
- May not be permitted in combination with bed and breakfast accommodation or daycare use;
- Shall not occupy more than three (3) bedrooms and shall not involve more than six (6) guests total;
- One dedicated parking stall per short-term rental accommodation;
- Shall be operated only by the owner of the parcel in question who maintains their principal residence on the parcel in question;
- No nuisance activities shall be produced by the short-term rental accommodation; and
- Requirement to obtain a Business Licence, as consistent with provincial legislation.

Should Council provide direction to amend the presented bylaws in alignment with option 2 or another option brought forward through resolution, staff will bring forth amendments to the bylaws for first and second reading, prior to proceeding to a public hearing, at the next available Council meeting. Additionally, after the public hearing for the proposed *Zoning - Amendment Bylaw No. 3134, 2025*, Council could consider making amendments to the proposed bylaws. These amendments may result in rescinding first and second readings and holding an additional public hearing.

Monitoring Short-term Rentals (STR) impact on housing needs

Regardless of STR regulations adopted, staff recommend that the annual primary rental market vacancy rate be monitored for three consecutive years. After those three years, staff should prepare a report to Council detailing the changes in the data over that time including possible recommendations for changes to short-term rental regulations as the data relates to Courtenay's latest Housing Needs Report. Staff recommend utilizing the Canada Mortgage and Housing Corporation (CMHC) Primary Rental Market Vacancy Rate for all primary rental housing within the Courtenay Census Subdivision (CSD).

POLICY ANALYSIS:

The Official Community Plan (OCP) contains the following policies that either directly apply to STRs or may inform an approach to regulating STRs and which may support a more restrictive approach than the provincial minimum regulatory requirements:

- **Affordable Housing 12:** Ensure short-term rental accommodation limits impact on the long-term rental housing supply. Explore options such as requiring owner occupation of short-term rental accommodations and business licenses.
- **Affordable Housing 14:** Remain aware of local equity-priority and demographic needs for housing over time and focus support and incentives, including housing agreements, on residents who need it most

including, but not limited to, seniors, Indigenous residents, low to moderate-income earners, and those at risk of homelessness. Use the weighted housing wheelhouse 'Intervention Priority by Tenure' information within the Courtenay Affordable Housing Strategy Options Study to inform the level of City effort and support for different tenure priorities. Update the weighted housing wheelhouse as new housing information becomes available to define specific housing needs as they evolve.

- **Affordable Housing 9:** Do not permit the conversion of existing occupied multi-residential rental buildings to strata ownership until, and only when, the vacancy rate as reported by CMHC exceeds 3% for a period of at least 12 months.

FINANCIAL IMPLICATIONS:

The New fees proposed to be added to the Business Licence Bylaw would allow the recovery of administrative costs for licencing short-term rental accommodations and add a specific licence fee for bed and breakfasts which were formally charged the general home occupation fee of \$75. These fees are proposed to be \$150 for both short-term rental accommodation and bed and breakfast licences to cover the cost of administrating the licencing program. An additional \$150 Affordable Housing Amenity Reserve Fund offset fee is proposed to be charged to short-term rental accommodation licences and placed in the Affordable Housing Amenity Reserve Fund. The rationale for this \$150 offsetting the short-term rental accommodation is based on the knowledge that approximately 293 non-conforming STR units were operating in Courtenay in 2023. In order to mitigate the short-term rental accommodations potential impact on the long-term rental housing stock, staff are recommending that this offset fee be charged and allocated for affordable housing incentives. For example, an average two-bedroom dwelling unit of 800 square feet at an approximate \$400 per square foot construction cost today, would result in a two-bedroom unit costing approximately \$320,000. Staff recommend reviewing the contributions as part of the monitoring process for any adjustments.

A new category of fines to be added to the Municipal Ticket Information Bylaw would address the contravention of the Business Licencing Bylaw should a short-term rental be operating without a municipal business licence or in contravention of the licencing conditions.

Short-term rentals of less than 27 continuous days are subject to Municipal and Regional District Tax (MRDT), which is in place for the City of Courtenay. Staff recommend permitting a STR to operate for up to 90 days as consistent with provincial legalisation. Any STRs that operate for less than 27 consecutive days will have to pay the MRDT.

ADMINISTRATIVE IMPLICATIONS:

In accordance with the Bylaw Compliance Policy, in the initial months post-adoption, staff will focus on raising awareness of the new regulations and providing information to property owners and residents to encourage voluntary compliance. If the number of complaints and incidences of non-compliance exceed the operational capacity of the Bylaw Division, recommendations for additional resources would be brought forward to Council for consideration during the 2026 budget process.

STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Buildings and Landscape - Develop a short-term rental policy

PUBLIC ENGAGEMENT:

Section 464 of the *Local Government Act* states that a Zoning Bylaw must not be adopted until a public hearing is held in the instance where the Bylaw is not consistent with the OCP. As the Courtenay OCP Bylaw No. 3070 does not provide policy direction on Short Term Rentals, a public hearing must be held.

In addition to providing public notice in accordance with the LGA, and providing for the public to ask questions of staff and provide written comments, an online Social PinPoint page will be created with the information contained within this report identifying the Public Hearing and the opportunity to provide official comment.

Staff will inform the public of the changes to the bylaw based on the IAP2 Spectrum of Public Participation by updating the information on the City's website. Additionally, this information will be included in a Bylaw Good Neighbour brochure for homeowners and tenants which is anticipated to be available for public distribution later this year.

RECOMMENDED OPTIONS:

1. THAT Council give first and second reading to "Business Licence - Amendment Bylaw No. 3133, 2025 (short-term rental accommodation).
2. THAT Council give first and second reading to "Municipal Ticket Information - Amendment Bylaw No. 3139, 2025 (short-term rental accommodation)".
3. THAT Council give first and second reading to "Zoning - Amendment Bylaw No. 3134, 2025 (short-term rental accommodation)".
4. THAT Council give first and second reading to "Zoning - Amendment Bylaw No. 3134, 2025 (short-term rental accommodation)"; and
THAT Council direct staff to provide notice for a Public Hearing on Wednesday, April 30, 2025.
5. THAT Council direct staff to monitor the Canada Mortgage and Housing Corporation (CMHC) Primary Rental Market Vacancy Rate for three consecutive years following the adoption of Zoning Amendment Bylaw No. 3134, 2025 (Short-Term Rental Accommodation); and

THAT following the three-year monitoring period, staff report back to Council with an analysis of the impact of short-term rental regulations on the local rental housing supply.

ALTERNATIVE OPTIONS:

6. THAT Council direct staff to revise *Zoning Amendment Bylaw No. 3134, 2025 (Short-Term Rental Accommodation)* to permit short-term rentals only within a principal residence that would be available when the homeowner or principal resident is not occupying the home; and

THAT all other provisions of *Zoning Amendment Bylaw No. 3134, 2025* be retained, including:

- Permitted use within a single residential dwelling unit, secondary suite, or accessory dwelling unit
 - Limiting one short-term rental per parcel
 - Prohibiting short-term rentals in combination with a bed and breakfast or daycare use on the same property
 - Establishing a maximum number of bedrooms and guests
 - Requiring off-street parking
 - Requiring the rental to be owner-operated
 - Prohibiting nuisance activities
 - Requiring a valid business licence.
7. THAT Council direct staff to monitor the Canada Mortgage and Housing Corporation (CMHC) Primary Rental Market Vacancy Rate for three consecutive years following adoption of *Zoning Amendment Bylaw No. 3134, 2025*; and
- THAT following the three-year monitoring period, staff report back to Council with an analysis of the impact of short-term rental regulations on the local rental housing supply
8. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Business Licence - Amendment Bylaw No. 3133, 2025 (short-term rental accommodation)
2. Zoning - Amendment Bylaw No. 3134, 2025 (short-term rental accommodation)
3. Municipal Ticket Information - Amendment Bylaw No.3139, 2025 (short-term rental accommodation)
4. April 24, 2024 Staff Report

Prepared by: Nancy Gothard, RPP MCIP, Manager of Community and Sustainability Planning
Reviewed by: Marianne Wade, RPP MCIP, Director of Development Services
Jacob Cramer, Policy Planner
Concurrence: Kyle Shaw, Director of Operational Services – Acting City Manager (CAO)



The Corporation of the City of Courtenay

Bylaw No. 3133, 2025

A bylaw to amend Business Licence Bylaw No. 2523, 2008 for the purpose of regulating short-term rental accommodation.

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

Citation

1. That this bylaw be cited for all purposes as “**Business Licence - Amendment Bylaw No. 3133, 2025 (short-term rental accommodation)**”.
2. That “Business Licence Bylaw No. 2523, 2008” be amended as follows:

(a) AMENDING SECTION 1.2 DEFINITIONS by:

(i) Deleting “In this Bylaw “and adding

“In this Bylaw the following definitions apply. Terms not defined herein shall be as defined in the City of Courtenay Zoning Bylaw as adopted by Council, as amended from time to time.”

(b) AMENDING SECTION 2 GENERAL REGULATIONS by:

- (i) RENUMBERING** existing duplicate sub-section numbering of 2.9 to become new sub-section 2.10 and renumbering the remainder of section 2 accordingly.

(c) ADDING NEW SECTION 12 – SHORT-TERM RENTAL ACCOMMODATIONS as follows:

SECTION 12 – SHORT-TERM RENTAL ACCOMMODATIONS

12.1 Residential property owners who operate a *short-term rental accommodation* business are required to obtain a *short-term rental accommodation* Business Licence and must operate in accordance with the following:

- (a) A *short-term rental accommodation* business is only permitted within a *single residential dwelling*, an *accessory dwelling unit*, or a *secondary suite* that is part of a *single residential dwelling*.**
- (b) Issuance of a *short-term rental accommodation* Business Licence will be specific to the *dwelling unit* on the property to be used for the *short-term rental accommodation* operation.**
- (c) A valid *short-term rental accommodation* Business Licence must be displayed in a prominent place within the *short-term rental accommodation* unit, along with contact information for the operator, and telephone number to call on a 24-hour basis.**
- (d) Only one booking is permitted at a time, with a maximum occupancy of three (3) bedrooms and six (6) guests.**

(e) A Fire and Safety plan is required to be posted at entrances and exits from the *dwelling unit* and in each bedroom that meets the minimum requirements of the BC Building Code, and must contain the following information:

- (i) Operators name
- (ii) Address of property
- (iii) Emergency contact locally available 24 hours a day to address immediate concerns.
- (iv) Emergency contact number (911)
- (v) Designated meeting point
- (vi) Location of fire extinguisher and smoke/carbon monoxide alarm(s)

(d) **DELETING SECTION 12 - OFFENCES AND PENALTIES**

~~**SECTION 12 – OFFENCES AND PENALTIES**~~

~~12.1 Any person who violates any provision of this bylaw or who suffers or permits any act or thing to be done in contravention of the bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw shall be liable on summary conviction to a fine not exceeding Two Thousand Dollars (\$2000.00) and not less than the amount set out with respect to each section in Schedule 1 of Municipal Ticket Information Bylaw No. 2435, 2006 and amendments thereto. For each day that a violation is permitted to exist, it shall constitute a separate offence.~~

And

REPLACING the above noted Section with

SECTION 13 – ENFORCEMENT AND PENALTIES

13.1 Intent of this Part: The intent of this part is to provide the means to enforce the provisions of this Bylaw, using various enforcement measures as deemed appropriate by the City, and enforcement of this Bylaw shall be the responsibility of designated bylaw enforcement officers, and any other persons authorized by Council to enforce this Bylaw.

13.2 Enforcement: The Director, a bylaw enforcement officer or a peace officer may enforce this Bylaw.

13.3 Offences and Penalties: The following apply in respect of this Bylaw:

a) Any person who:

- i. contravenes a provision of this Bylaw,
- ii. suffers or permits any act or thing to be done in contravention of this Bylaw,
- iii. refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed under this Bylaw,

commits an offence, and each day that a contravention continues amounts to a separate offence.

b) A person found guilty of an offence under this Bylaw is liable:

- i. if proceedings are brought under the *Offence Act*, to pay the maximum fine and other penalties, compensation and costs authorized by that Act and the *Community Charter*; or
- ii. if a ticket is issued under Division 3 of Part 8 of the *Community Charter*, to pay a maximum fine of \$1,000.

Fines and penalties imposed under this section are in addition to and not in substitution for any cost recovery, remedial action or other consequence of default or contravention provided for under this bylaw, and do not limit the right of the City to bring civil proceedings or pursue any other remedy available at law.

(e) **RENUMBERING** consecutively the remaining sections and associated sub-sections of Bylaw No. 2523, 2008, being:

Renumbered SECTION 14 – SEVERABILITY

Renumbered SECTION 15 – REPEAL AND ADOPTION

(f) **AMENDING Schedule A**, attached to and forming part of Business Licence Bylaw No. 2523, 2008, by:

(i) **DELETING** the first category of businesses and licence fees:

~~“1. — Apartments, Hotel, Motel, Hostels, Mobile Home Park, etc. (10 units or more) \$150.00
 Under 10 units... \$50.00
 (a person having not more than two rooms for rent shall not be required to take out or hold a business licence under this section).”~~

And

REPLACING the above noted category with the following:

**“1. Apartments, Hotel, Motel, Hostels, Mobile Home Park, etc. (10 units or more) \$150.00
 Short-term rental accommodation..... \$150.00
 Short-term rental accommodation Affordable Housing Amenity Reserve Fund offset fee..... \$150.00
 Bed and breakfast accommodation..... \$150.00”**

Application

3. This Bylaw applies to the rental of dwelling units within the City of Courtenay.

Severability

4. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

5. That this Bylaw shall come into effect upon final adoption.

Read a first time this [day] day of [month], [year]

Read a second time this [day] day of [month], [year]

Read a third time this [day] day of [month], [year]

Adopted this [day] day of [month], [year]

Mayor Bob Wells

Corporate Officer



The Corporation of the City of Courtenay

Bylaw No. 3134

A bylaw to amend Zoning Bylaw No 2500, 2007

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

Citation

1. This Bylaw shall be cited for all purposes as **“Zoning - Amendment Bylaw No. 3134, 2025 (short-term rental accommodation)”**.

Amendments

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

(a) **AMENDING DIVISION 3 INTERPRETATION Part 1 Definitions** by:

- (i) **ADDING A NEW DEFINITION** after *“auction centre”*

“bed and breakfast accommodation” means the accessory use of a *residence* in which temporary overnight accommodation and the first meal of the day served in a common room is provided to tourists.

- (ii) **ADDING A NEW DEFINITION** after *“principal use”*

“principal residence” means a *dwelling unit* in which an individual resides for a longer period of time than any other place in a calendar year.

- (iii) **ADDING A NEW DEFINITION** after *“shopping centre”*

“short-term rental accommodation” means the rental of a *dwelling unit* or any portion of it for a period of less than 90 days. This use does not include *bed and breakfast accommodation*.

(b) **AMENDING DIVISION 6 GENERAL REGULATIONS** by:

- (i) **DELETING Part 3 Home Occupation Section 6.3.12:**

~~6.3.12 Bed and breakfast accommodation may be allowed in any residential dwelling, subject to the following requirements:~~

~~(i) Not more than two bedrooms are used for transient accommodation.~~

~~(ii) Principal use of the building shall be for occupation by a single family.~~

~~(iii) That the family or a member of it shall be alone engaged in the operation of the transient accommodation business.~~

~~(iv) No meals shall be provided to the customers of the operation other than breakfast.~~

~~(v) No liquor shall be supplied to the customers.~~

~~(vi) At least one automobile space shall be provided on the same lot for each room available for transient accommodation, in addition to the parking requirements for the residence, but parking spaces may be behind other parking spaces on the same lot.~~

And

RENUMBERING Section 6.3.13 Medical Marihuana Production Facility is prohibited as a home occupation.

To

6.3.12 Medical Marihuana Production Facility is prohibited as a home occupation.

(ii) AMENDING Part 15 Bed and Breakfast Accommodation Section 6.15.1:

To add

(f) Any person intending to carry on a home occupation shall apply for an application for a business license pursuant to the regulations of the City of Courtenay Business Licence Bylaw.

(iii) ADDING Part 20 Short-term Rental Accommodation after Part 19 Secondary Suites and Accessory Dwelling Units

Part 20 Short-term Rental Accommodation

6.15.1. *Short-term rental accommodation* may be permitted within any *dwelling unit* subject to the following conditions:

- (a) *The short-term rental accommodation may only be permitted within the following dwelling unit types: single residential dwelling, accessory dwelling unit, or secondary suite as part of a single residential dwelling;***
- (b) No more than one *short-term rental accommodation* is permitted per parcel;**
- (c) *Short-term rental accommodation* is not permitted in combination with *bed and breakfast accommodation* or *day care* use on the same parcel;**
- (d) The maximum number of bedrooms for *short-term rental accommodation* use is three (3) and the owner of the parcel shall not allow more than six (6) guests to occupy the *dwelling unit* as part of the *short-term rental accommodation*;**
- (e) Parking for the *short-term rental accommodation* must be provided in accordance with the parking and loading regulations of this bylaw;**

(f) **The *short-term rental accommodation* shall only be operated by the owner of the parcel;**

(g) ***Short-term rental accommodation* is not permitted unless the *principal residence* of the owner of the parcel is on the parcel;**

(h) **No noise, vibration, smoke, dust, odors, heat, glare, electrical or radio disturbance detectable beyond the property boundary shall be produced by the *short-term rental accommodation*; and**

(i) **The owner of the parcel must hold a valid Business Licence in accordance with the Business Licence Bylaw currently in effect.**

(c) **AMENDING DIVISION 7 Schedule 7A Required Number of Off-Street Parking spaces by:**

(i) **ADDING A NEW SECTION** after *Single dwelling unit or duplex*:

A. Residential Use	<i>Short-term rental accommodation</i> – 1 dedicated space per short-term rental operation in addition to that required for the <i>principal residence</i> where a <i>principal residence</i> is being used as a <i>short-term rental accommodation</i>.
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- 3. That Zoning Bylaw No. 2500, 2007 is hereby ratified and confirmed in every other respect.
- 4. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.
- 5. That this Bylaw shall come into effect upon final adoption.

READ A FIRST TIME this day of , 2025.

READ A SECOND TIME this day of , 2025.

PUBLIC HEARING held this day of , 2025 pursuant to Section 464 (1) of the *Local Government Act*.

READ A THIRD TIME this day of , 2025.

<p>Approved pursuant to section 52(3)(a) of the <i>Transportation Act</i> this _____ day of _____, 2025</p> <p>_____</p> <p>for Minister of Transportation & Infrastructure BYLAW 3134, 2025</p>
--

FINALLY PASSED AND ADOPTED this day of , 2025.

Mayor

Corporate Officer

Certified a True Copy

Corporate Officer



The Corporation of the City of Courtenay

Bylaw No. 3139

A bylaw to amend Municipal Ticket Information Bylaw No. 2435, 2006

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

Citation

1. This Bylaw shall be cited as “Municipal Ticket Information - Amendment Bylaw No. 3139, 2025 (short-term rental accommodation)”
2. This Bylaw shall take effect upon the date of its adoption.

Amendments

3. “Municipal Ticket Information Bylaw No. 2435, 2006 is hereby amended as follows:
 - a) That Appendix 3 to Schedule 1 Business Licence Bylaw No. 2523, 2008 be replaced in its entirety with Schedule A: Appendix 3 to Schedule 1 Business Licence 2523, 2008., attached to and forming part of this Amendment Bylaw.

Severability

4. If any portion of this Bylaw is declared invalid by a court of competent jurisdiction, then the invalid portion must be severed and the remainder of the Bylaw is deemed valid.

Read a first time this [day] day of [month], [year]

Read a second time this [day] day of [month], [year]

Read a third time this [day] day of [month], [year]

Adopted this [day] day of [month], [year]

Mayor Bob Wells

Corporate Officer

APPENDIX 3 TO SCHEDULE 1

Business Licence Bylaw No. 2423, 2008

Column 1	Column 2	Column 3
OFFENCE	BYLAW SECTION NO.	FINE
No business licence	2.1	\$500.00
Failure to pay for separate licence	2.2	\$100.00
Fail to display licence	2.3; 12.1(C)	\$100.00
Fail to transfer licence	2.9	\$100.00
Fail to notify if change to licence	2.10	\$100.00
Sale of goods or merchandise on highway	2.11	\$100.00
Fail to issue auctioneer's receipt	4.1	\$100.00
Fail to keep auctioneer's records	4.2	\$100.00
Fail to permit inspection of records	4.3	\$100.00
Exotic dancing outside maximum days permitted	5.2	\$100.00
Fail to post list of subtrades	7.1	\$100.00
Fail to state name of business	8.1 (a)	\$100.00
Fail to state name	8.1 (b)	\$100.00
Fail to display identification	8.1 (c)	\$100.00
Fail to display business licence	8.1 (d)	\$100.00
Fail to obtain business licence for Escort	9.1 (a)	\$100.00
Fail to provide business licence inspector with name, address and birthdate for each Escort	9.1.(b)	\$100.00

New
No.

APPENDIX 3 TO SCHEDULE 1 (CONTINUED)**Business Licence Bylaw No. 2423, 2008**

Column 1	Column 2	Column 3
OFFENCE	BYLAW SECTION NO.	FINE
No Mobile Food Vending licence	10.1	\$100.00
Failure to provide proof of required permissions	10.2	\$100.00
Sale of improper goods	10.4	\$100.00
Improper location of Mobile Food Vendor	10.5; 10.7; 10.18	\$100.00
NEW Operating without owner's permission	10.6	\$100.00
NEW Mobile Food Vending operation not maintained	10.8	\$100.00
NEW Creating a disturbance	10.9	\$100.00
Waste receptacles not provided	10.10	\$100.00
Improper clearance on sidewalk or boulevard for pedestrians	10.11	\$100.00
NEW Mobile Food Vending operation creating an obstruction	10.12	\$100.00
Mobile Food Vending operation left unattended	10.13	\$100.00
NEW Storage on public property	10.14	\$100.00
Location log unavailable to Licence Inspector	10.15	\$100.00
Use of non-recyclable or non-biodegradable containers for food consumption	10.16	\$100.00
Mobile Food Vendor operation on public property outside of permitted hours	10.17	\$100.00
Mobile Food Vendor truck or Trailer of improper size	10.19	\$100.00
NEW Fail to observe specified conditions of business licence operation	12.1	\$100.00



The Corporation of the City of Courtenay

Staff Report

To: Council
From: Director of Development Services
Subject: Short-term rental regulation Bill 35

File No.: 3010-01-2401
Date: April 24, 2024

PURPOSE:

To provide an update for Council regarding the *Short-Term Rental Accommodations Act* proclaimed October 26, 2023 (Bill 35), and request Council's direction regarding appropriate amendments to relevant City Bylaws (Business Licencing Bylaw No. 2523, 2008, Zoning Bylaw No. 2500, 2007 and Municipal Ticketing Information Bylaw No. 2435, 2006).

BACKGROUND:

Provincial legislation

The *Short-Term Rental Accommodations Act* is in response to a joint Union of BC Municipalities (UBCM) and Province of BC report (2021), identifying concerns with municipal ability to regulate short-term rental accommodation including: platform accountability, regulatory tools and enforcement capacity, as well as concerns that the short-term rental market is diverting rental units from the long term residential rental market, thereby reducing the supply of affordable rental housing within BC.

Effective May 1, 2024, in areas where the provincial principal residence requirement applies, short-term rentals will be limited to a host's principal residence, and either a secondary suite or accessory dwelling unit for most types of accommodation. The legislation provides a province-wide framework for the regulation of short-term rental accommodation, with the principal residence rules designed to target areas with high housing needs. Smaller communities and tourist destinations can continue as-is, or opt into the provincial legislation if they so choose.

The City of Courtenay, having a population of greater than 10,000 and a residential rental vacancy rate of less than 3% (0.6% in 2023) is subject to the new provincial regulations. On May 1, 2024, whether or not the City of Courtenay chooses to take any further action, operators of short-term rental accommodation within the City will be required to observe the provincial principal residence requirement and register with the provincial registry (when available). The principal residence requirement will not apply for strata titled hotels and motels, and in other limited instances (i.e. Farm classification, Student Accommodation). The provincial compliance unit will be responsible for enforcing the provincial principal residence requirement and the mandatory registration with the provincial registry.

Previous Council direction

A staff report entitled "Short-Term Rental Accommodations Background Report" was presented to Council's Regular Meeting of June 1, 2020 and Council passed the following resolution:

That based on the March 16, 2020 staff report “Short-Term Rental Accommodations Background Report” Council determine the preferred regulatory approach for short-term rentals and direct staff to begin the process of developing regulations.

Existing Courtenay regulatory framework

Currently, City of Courtenay Business Licencing or Zoning Bylaws do not define or have specific regulations with respect to short-term rentals.

Business Licencing Bylaw No. 2523, 2008 regulates Apartments, Hotel, Motel, Hostel, Mobile Home Parks in that they are required to have a valid Business Licence renewed annually. The current Business Licence fee is \$150 per year for operations having more than 10 units and \$50 per year for those with less than 10 units. Operations having no more than two rooms for rent are exempt from holding a Business Licence.

Zoning Bylaw 2500, 2007 does not define Bed and Breakfast or Short-Term Rentals, but contains conditions of use and parking requirements for bed and breakfast uses. Since the Zoning Bylaw does not define Short-Term Rentals as a specific use, and Short-Term Rental accommodation is not listed as a permitted use in residential zones, the City has taken the position that they are not permitted to locate anywhere in Courtenay and are not operating within Courtenay’s existing legal framework. The City has received some complaints with respect to Short Term Rentals in the community.

DISCUSSION:

Responding to Council’s direction in 2020, additional background research was completed in 2021 but did not come back to Council formally. Data from the updated Housing Needs Assessment as prepared by Turner Drake and Associates for CVRD, identifies 286 short-term rentals currently operating in Courtenay. The data for the updated Housing Needs Assessment was collected by Turner Drake and Partners Ltd aggregated from AirDNA™ for the period commencing January 2016 to November 2023. AirDNA™’s “Property Performance Data” service tracks short-term rental listings for the major booking platforms Airbnb and VRBO.

Notwithstanding that Courtenay does not define or regulate Short-Term Rental accommodation, one can see on Figure 1 below that the numbers of listings for this type of accommodation have been steadily increasing within Courtenay and other municipalities in the Comox Valley since 2016. Figure 2 shows their distribution.

Figure 1: Courtenay Average Monthly and Total Annual Short-term rental listed properties, as aggregated by Turner Drake and Associates from Air DNA™ data

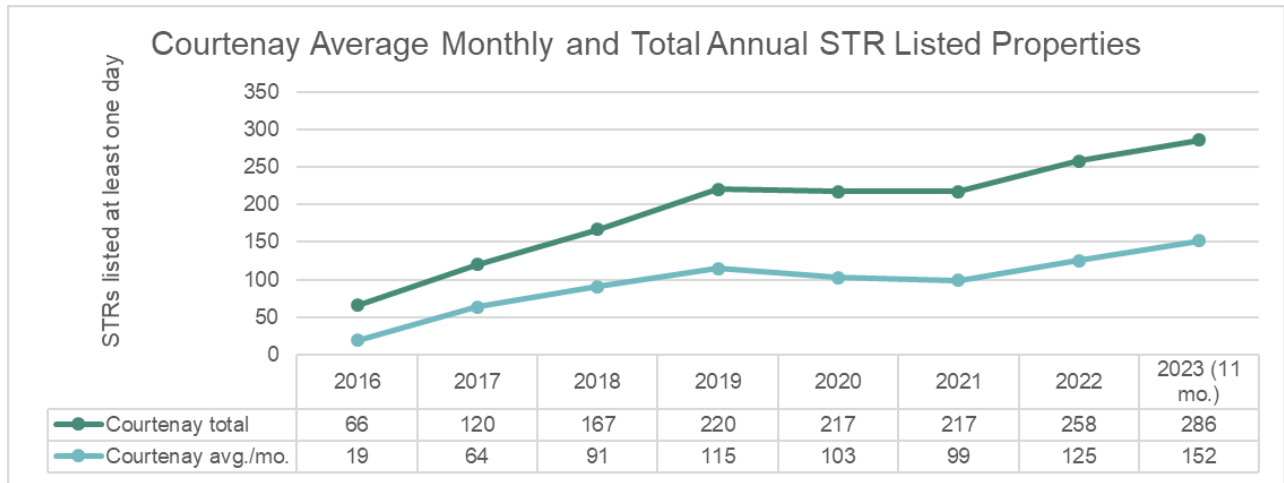
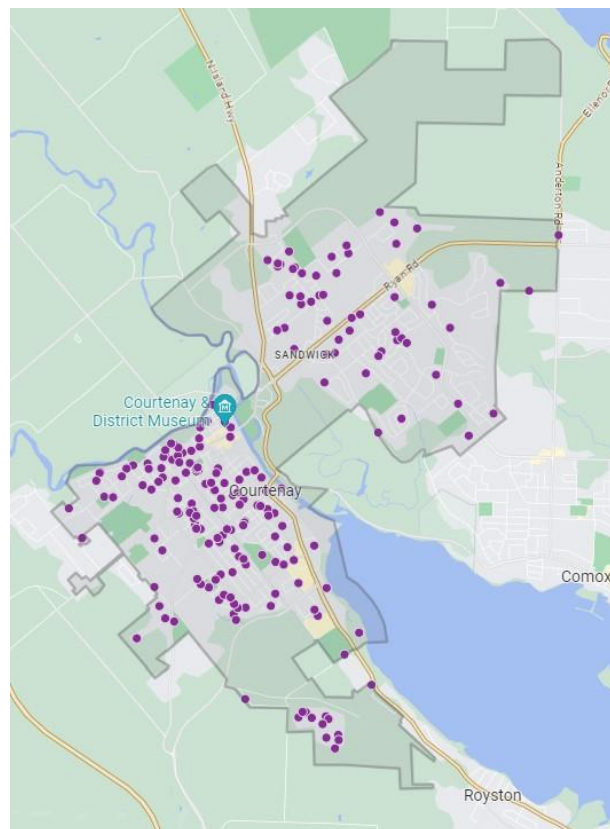


Figure 2: Approximate locations of short-term rental listed properties in the City of Courtenay, AirDNA™ data provided by Turner Drake and Associates.



Staff note that the aggregate AirDNA™ data source provided by Turner Drake and associates has limitations such as not including other online booking platforms or private bookings and that the following

should be interpreted with the understanding of these data limitations. Accuracy in data tracking is an important objective of the provincial regulations.

With that caveat in mind, a number of other trends since 2016 are identified below:

- The total number of STR units in Courtenay has been increasing over the years from 66 to 286.
- Courtenay has 18% of total STRs in region and trends in Courtenay generally reflect those in the region.
- If more than one rental room is listed separately for the same residential unit, each separately listed room is counted as a separate property.
- The number of listed STRs that are entire units has been increasing rapidly over the years, from 39 in Courtenay (2016) to 245 (2023), while the number of room rentals within a residence grew from 25 (2016) to 49 (2019) before falling to 40 (2023).
- Many listings are available much of the year (averaging 5.5-6.5 months/year since 2017) and therefore aren't being part of the rental housing stock other parts of year.
- Many listings are not available for all of a month and of the listings booked, they are only booked part of the available time, averaging 11 booked days and 12 additional available days per month.
- Seasonality presents itself somewhat in higher prices and higher occupancy as well as slightly more listings in summer months.
- Average annual revenue has been increasing from \$1,696.45 (2016) to \$10,414.88 (2022). 2023 averaged \$9,374.34 as of November, which \$47.20 less than the first 11 months of 2022.

While the City of Courtenay is not required to amend its Business Licencing or Zoning Bylaw to be compliant with provincial legislation, the *Short-Term Rental Accommodations Act* does not prevent local governments from defining short-term rentals differently from the Province's less than 90 consecutive days definition if they so choose, or for specifying where the short-term rental may operate and providing conditions of operation for the purposes of their local bylaws. Staff have been reviewing local government short-term rental regulatory options and recommend that Council consider:

1. Where Short-Term Rental accommodation may be permitted, for example in specific zones, or in any principal residence and/or accessory dwelling unit subject to appropriate conditions of use, and what uses they may not be permitted to be located with (e.g. daycare use).
 - Staff is recommending that short-term rental be allowed in all residential zones and principal resident may be either the owner or a long-term renter who is designated as the operator.
2. Length of stay of any one unit, whether it be the principal residence or the accessory dwelling unit, or bedrooms within a home.
 - Staff is proposing that maximum stay be 27 days and only one unit is permitted on a property.
3. Parking requirements.
 - Staff is recommending one parking stall per short-term rental property.
4. Defining maximum number of guests.
 - Staff recommend no more than six guests, two per bedroom and no more than 3 bedrooms.
5. Requiring a fire and safety plan.
 - To be posted as per provincial regulations.
6. Requirement that signage be provided identifying vacation rental name and contact information.
 - To be provided as per provincial regulations.

A review of other local communities shows:

- Village of Cumberland:
 - Permits short-term rentals in their Residential Infill zone (R1-A, close to their downtown), requires a business license, resident requirement on property, limit to only one short-term rental per property, limit to 3 bedrooms and 6 guests, parking and signage requirements.
- Town of Comox:
 - Short-term rentals are considered Bed and Breakfast Accommodation, which is permitted in some of the low-density residential zones. A maximum of two bedrooms may be rented on a short-term basis and a business licence is required.
- Comox Valley Regional District:
 - The electoral areas, including Mt. Washington, are exempt from the principal residence provisions of the provincial Act. However, most of the electoral area residential zoning only permits short-term vacation rentals in the form of a Bed and Breakfast. Property owners who want to operate a short-term rental in a different form, such as using an entire dwelling unit for tourist accommodation, must make a site-specific land use application, such as a Temporary Use Permit, or zoning amendment to a commercial tourist accommodation use. Short-term rental regulations will be reviewed as part of the Rural Official Community Plan update to occur by December 31, 2025.

It is recommended that Council consider amendments to both Business Licencing and Zoning Bylaws in order to provide clarity for how such businesses should operate in Courtenay. Concurrent amendments to the Municipal Ticketing Information Bylaw will enable enforcement in a consistent and equitable manner.

Staff recommend that the following amendments to the following bylaws be presented:

Business Licencing Bylaw No. 2523, 2008:

- New definitions to differentiate the types of rental accommodation being offered: Bed and Breakfast, Short-Term and longer residential rental accommodation (see draft definitions in Attachment 1).
- Introduce a requirement for Short-Term Rental accommodation to obtain a Business Licence and provide specific conditions of operation.
- Introduce new categories of Business Licence and fees for Short-Term Rental accommodation.

Zoning Bylaw No. 2500, 2007:

- Introduce new definitions to differentiate the types of uses being regulated: Bed and Breakfast, Short-Term Rental accommodation and longer-term residential use (see draft definitions in Attachment 1).
- Introduce new conditions of use for Short-Term Rental accommodation.
- Define where they may be permitted

Municipal Ticket Information Bylaw No. 2435, 2006

- Review Schedule 1 Appendix 3 (Business Licencing Bylaw) and Appendix 9 (Zoning Bylaw) as required for consistency with proposed new sections.

Note that the City is working with the Regional District and Town of Comox to produce a Bylaw Notice Enforcement Bylaw (ticking bylaw under the adjudication process, adjudication equivalent to the MTI Bylaw) to replace the existing Municipal Ticket Information Bylaw system. It is expected that a

comprehensive review of relevant bylaws to be included, as well as offences and associated fines, will be undertaken through this process, therefore any fines proposed would be comparable in scale to those already in effect, although the *Short-Term Rental Accommodation Act* provides for increased maximum fines.

Staff will present the Bylaw amendments at a subsequent Council meeting.

POLICY ANALYSIS:

OCP Affordable Housing (AH 12) Policy states: Ensure short-term rental accommodation limits impact on the long-term rental housing supply. Explore options such as requiring owner occupation of short-term rental accommodations and business licenses.

The Regional Growth Strategy contains the Housing Goal 1, “ensure a diversity of affordable housing options to meet evolving regional demographics and needs”.

The provincial legislation will aid local governments that seek to prioritize residential use relative to their housing needs and vacancy rates by limiting how and where STR’s may operate.

Short-Term Rental Accommodations Act (Bill 35) comes into effect May 1, at which point the provincial regulations must be followed. In circumstances where the Act applies, Local Governments may adopt more restrictive (but not more permissive) short-term rental regulations.

The municipal bylaw amendments discussed above are independent of the May 1 provincial timeline. After May 1, any short-term rentals that are advertised within Courtenay will have to meet the provincial requirements for principal residence, and maximum length of stay. Courtenay Business Licence and Zoning Bylaw requirements and enforcement through the Municipal Ticketing Information Bylaw will become effective on the date of adoption of proposed bylaw amendments.

FINANCIAL IMPLICATIONS:

New fees would be added to the Business Licencing Bylaw to recover the administration of business licenses for short-term rentals. A new category of fines would be added to the Municipal Ticket Information Bylaw for contravention of the Business Licencing Bylaw should a short-term rental be operated without a business license or in contravention of any conditions of operation.

Short-term rentals of less than 27 continuous days are subject to Municipal and Regional District Tax (MRDT), which is in place for the City of Courtenay, however the application of MRDT is not related to whether an accommodation is captured under the definition of short-term rental under the *Short-Term Rental Accommodations Act* (less than 90 consecutive days).

ADMINISTRATIVE IMPLICATIONS:

With respect to implementation of this provincial legislation, coordination between the City (Development Services and internal departments) and the Province is required. Currently the issues management and implementation (communications and enforcement) is not included in the 2024 work program. Following Council direction, staff will monitor complaints, and consider any necessary enforcement service adjustments based on complaint volume. In accordance with the Bylaw Compliance Policy, in the initial months post bylaw adoption, staff will focus on raising awareness of the new regulations and providing

information to property owners and residents focusing on voluntary compliance. In the event, complaints and non-compliance are beyond the operational capacity of the Bylaw Division, recommendations and resources will be brought forward to Council for consideration during the 2025 budget process.

STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Buildings and Landscape - Develop a short-term rental policy
- Buildings and Landscape - Review and update land use regulations and bylaws for consistency with OCP
- Financial Sustainability - Review City Financial processes: Review fees, charges, and fines

PUBLIC ENGAGEMENT:

Staff would inform the public of the new regulations and licensing requirements by posting information updates on the City’s website, and social media ads. In addition, information regarding short term rental regulations can be incorporated into the 2024 Good Neighbour Guide series further raising awareness to the changes in regulations.

OPTIONS:

1. THAT Council direct staff to prepare the amending bylaws to “Business Licensing Bylaw 2523, 2008”, “Zoning Bylaw No. 2500, 2007” and “Municipal Ticketing Information Bylaw No. 2435, 2006” to address *Bill 35 Short-Term Rental Accommodation Act*.
2. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Attachment 1 - Proposed Definitions for Short Term Rental Accommodation

Prepared by: Marianne Wade, RPP MCIP, Director of Development Services
Nancy Gothard, RPP MCIP, Manager of Community and Sustainability Planning

Reviewed by: Kate O’Connell, MPP, Director of Corporate Services

Concurrence: Geoff Garbutt, M.Pl., MCIP, RPP, City Manager (CAO)

Attachment No. 1 Proposed Definitions for Short Term Rental Accommodation

Note that Business Licence definitions may be different than Zoning Bylaw Definitions as they reference operation of a business, while Zoning Bylaw Definitions reference use of land or property.

Business Licencing Bylaw No. 2523, 2008

Existing Section	Existing Wording	Proposed Wording
Section 1.2 Definitions	New definition, insert after "Auctioneer"	"Bed and Breakfast Accommodation" means the provision of temporary overnight accommodation for tourists and includes the first meal of the day served in a common room within the operator's principal residence.
	New definition, insert after "Council"	"Dwelling Unit" a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities. (BC Building Code)
	New definition, insert after Residential Business	"Short-Term Residential Rental" means the rental of a dwelling unit or any portion of it for a period of less than 27 days.

Zoning Bylaw No. 2500, 2007

Existing Division 3	Existing Wording	Proposed Wording
	New definition, insert after "auction centre"	"bed and breakfast" means the accessory use of a residence in which temporary overnight accommodation and breakfast served in a common room is provided to tourists.
	New definition, insert after "setback"	"Short-term rental" means the rental of a dwelling unit or any portion of it for a period of less than 27 days.