The Corporation of the City of Courtenay

Council Agenda

Meeting #: R13/2024
Date: July 31, 2024
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**		
3.1	Regular Council Minutes - July 17, 2024		4
4.	**STAFF REPORTS**		
4.1	City Manager (CAO)		
	4.1.1	2024-2034 Community Works Fund Agreement	15
4.2	Corporate Services		
	4.2.1	Special Events Permitting Review	45
4.3	Development Services		
	4.3.1	Development Variance Permit No. 2304 - 1640 12th Street East	60
	4.3.2	11th Street Zoning Bylaw Amendment No. 3059 – Application Introduction	94
	4.3.3	Report Back on Temporary Shelter, Washrooms and Storage	120
4.4	Infrastructure and Environmental Engineering		
	4.4.1	2024 Union of BC Municipalities (UBCM) Asset Management Planning Grant Program Application	127
	4.4.2	2024 Ministry of Municipal Affairs (MMA) Infrastructure Planning Grant Program Application	133
	4.4.3	McPhee Meadows Update	137
4.5	Recreation, Culture and Community Services		
	4.5.1	Community and Social Development Framework and Action Plan	162
	4.5.2	Memorial Bench Program Options	196

5. INTERNAL REPORTS AND CORRESPONDENCE

5.1 Courtenay Fire Department 2024 Semi-annual Activity Report 221

5.2 Indigenous Procurement Update 223

5.3 Battery Powered Landscape Equipment Conversion 239

5.4 Solid Waste Automated Curbside Collection Update 241

6. UNFINISHED BUSINESS

6.1 Delegation - 925 Braidwood Neighbours 246

A follow-up to the 925 Braidwood Neighbours delegation, which supported the planned supportive housing but opposed the shelter at the same location, sought better public and resident engagement on the development of this new facility. The delegates also recommended a Good Neighbour Agreement between the 925 Braidwood Neighbours, City Council, and BC Housing.

7. BYLAWS

7.1 For First, Second, and Third Readings:

7.1.1 Temporary Borrowing Bylaws 3147, 3148, 3149 248

7.1.1.1 Temporary Borrowing Bylaw No. 3147, 2024 –Anderton Dike Phase 1

7.1.1.2 Temporary Borrowing Bylaw No. 3148, 2024 – Strategic Land Acquisition 2024

7.1.1.3 Temporary Borrowing Bylaw No. 3149, 2024 – 6thStreet Bridge

7.1.2 2025 Permissive Property Tax Exemptions 254

2025 Permissive Property Tax Exemptions Considerations

7.1.2.1 Tax Exemption 2025, Bylaw 3142, 2024

7.1.2.2 Tax Exemption 2025, Bylaw 3143, 2024

7.1.2.3 Tax Exemption 2025, Bylaw 3144, 2024

7.1.2.4 Tax Exemption 2025, Bylaw 3145, 2024

7.1.2.5 Tax Exemption 2025, Bylaw 3146, 2024

7.1.3 Subdivision and Development Servicing Amendment Bylaw No. 3155-Road Classification 277

7.2 For Adoption:

7.2.1 Council Code of Conduct Bylaw No. 3150, 2024 284

7.2.2 Indemnification Authorization Bylaw No. 3151, 2024 301

8. COUNCIL REPORTS

8.1 Councillor Cole-Hamilton

8.2 Councillor Frisch

8.3 Councillor Hillian

8.4 Councillor Jolicoeur

8.5 Councillor McCollum

8.6 Councillor Morin

8.7 Mayor Wells

9. IN CAMERA RESOLUTION

THAT Council close the meeting to the public pursuant to the following subsections of the Community Charter:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(c) labour relations or other employee relations;

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

(g)litigation or potential litigation affecting the municipality;and

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

10. ADJOURNMENT

The Corporation of the City of Courtenay

Council Minutes

Meeting #:	**R12/2024**
Date:	**July 17, 2024**
Time:	**4:00 pm**
Location:	**CVRD Civic Room, 770 Harmston Ave, Courtenay**

Council Present: B. Wells (Mayor)
W. Cole-Hamilton
D. Frisch
D. Hillian
E. Jolicoeur
M. McCollum (joined the meeting electronically at 5:11 pm.)

Regrets: W. Morin

Staff Present: G. Garbutt, City Manager (CAO)
A. Langenmaier, Director of Financial Services
K. O'Connell, Director of Corporate Services (CO)
S. Saunders, Director of Recreation, Culture & Community Services
K. Shaw, Director of Public Works Services
M. Wade, Director of Development Services
J.Chan, Manager of Business Administration
E. Chow, Manager of Legislative Services
L. Bourgeois, Deputy Corporate Officer

1. CALL TO ORDER

Mayor Wells called the meeting to order at 4:00 pm and respectfully acknowledged that the meeting was conducted on the Unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

2. IN CAMERA RESOLUTION

Moved By Hillian
Seconded By Frisch

THAT Council close the meeting to the public pursuant to the following subsections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

CARRIED

The in camera portion of the meeting began at 4:03 pm.

The in camera meeting recessed at 4:49 pm and resumed after the completion of the open portion of the meeting.

The open portion of the meeting resumed at 5:11 pm and Council proceeded with the agenda as presented.

Councillor McCollum joined the open portion of the Council meeting at 5:11 pm.

3. INTRODUCTION OF LATE ITEMS

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

4. ADOPTION OF MINUTES

4.1 Regular Council Minutes - June 26, 2024

Moved By Cole-Hamilton
Seconded By Jolicoeur

THAT Council adopt the June 26, 2024 Regular Council minutes.

CARRIED

5. PRESENTATIONS

5.1 K'ómoks Treaty Negotiations Update

Jessica Jamieson, Negotiations Analyst, Ministry of Indigenous Relations & Reconciliation, presented an overview of the K'ómoks First Nation (KFN) Treaty process and its outcomes to date, as well as the next steps. Melissa Quocksister, Treaty Consultant, and Ashley Wright, Treaty Manager for KFN, spoke about the substantial work and time that was invested to reach this important stage of the treaty process, and outlined the benefits to KFN members, governments, and all residents of the Comox Valley.

6. DELEGATIONS

6.1 925 Braidwood Neighbors

J. Goddard appeared before Council and spoke on behalf of the 222 petition signatories. The delegate expressed concerns about recent changes to provincial legislation that have removed public engagement opportunities for residents to provide input on rezoning applications. The speaker stated support for the planned supportive housing development, but opposed the planned shelter at the same location. Council was also presented with a draft of the Good Neighbour Agreement between the 925 Braidwood Neighbours, City Council, and BC Housing. S. Larsen, a member of the 925 Braidwood Neighbours group appeared before Council and offered to answer any questions.

7. STAFF REPORTS

7.1 City Manager (CAO)

7.1.1 Non-Enforcement of "Sanitary Sewer Use, Extension and Connection Bylaw No. 1327"

Moved By Frisch
Seconded By Hillian

THAT the Comox Valley Regional District (CVRD) be requested to provide a water analysis from a qualified geotechnical engineer (e.g. hydrocarbons, BETX, PAHs, Metals, Suspended Solids, etc.); and

THAT once the following conditions have been met to the satisfaction of the City Manager, Council approve the CVRD's request to discharge excavation water into the City of Courtenay sanitary sewer system as part of the Regional Lift Station on Comox Road Project up until November 15, 2024:

- that the water quality has been quantified and the CVRD has provided documentation that all regulatory assurances have been met, and,
- an Indemnification Agreement has been executed by both parties.

CARRIED

7.2 Development Services

7.2.1 Development Variance Permit No. 2207 – 4883 Island Highway North

Moved By Hillian
Seconded By Frisch

THAT Council vary Section 5.3.1 (a) of Sign Bylaw No. 2760, 2013 from, "The combined sign area of all fascia signs plus all canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a building premise to a maximum of 9.0m2 (96.9 sq. ft.)" to "The combined sign area of all fascia signs plus all canopy signs, awning signs, and projecting signs shall not exceed 20% of the area the south building face of the existing building to a maximum 17.5m2 (188.37 sq. ft.)"; and

THAT Council approve Development Variance Permit No. 2207 (4883 Island Highway North); and

THAT Council direct the Director of Development Services to issue Development Variance Permit No. 2207 (4883 Island Highway North).

CARRIED

7.2.2 Development Variance Permit No. 2402 – 558 England Avenue

Moved By Jolicoeur
Seconded By Frisch

THAT Council vary the Section 8.18.2 of Zoning Bylaw No. 2500, 2007 "A lot shall have an area of not less than 500m^2", to "A lot shall have an area of not less than 118m^2"; and

THAT Council approve Development Variance Permit No. 2402 (558 England Avenue); and

THAT Council direct the Director of Development Services to issue Development Variance Permit No. 2402 (558 England Avenue).

CARRIED

7.2.3 Update Local Area Plan Harmston Civic Precinct and Downtown Centre

Moved By Frisch
Seconded By Cole-Hamilton

THAT Council receive the report "Update Local Area Plan Harmston Civic Precinct and Downtown Centre"; and

THAT Council direct staff to consolidate the Harmston Precinct, The Downtown Playbook, and the Downtown Centre with related land use plans, community plans, and policies into a comprehensive encompassing Downtown Area Plan.

CARRIED

Without objection, the meeting was recessed at 6:35 pm. Mayor Wells reconvened the meeting at 7:00 pm.

7.3 Recreation, Culture and Community Services

7.3.1 Comox Valley Art Gallery Society Licence to Occupy, Management and Operating Grant Fee for Service Agreement

Glen Sanford, Executive Director, and Denise Lawson, Co-Director of Curatorial Programming, of the Comox Valley Art Gallery Society, provided an update on their approaches to delivering arts and culture opportunities to the public, showcasing some specific projects including art work displayed at the Comox Hospital, the Screen project, Walk With Me project, and the Youth Media project.

Moved By Frisch
Seconded By Jolicoeur

THAT Council authorize staff to execute the attached licence to occupy agreement between the City of Courtenay and Comox Valley Art Gallery Society for the occupation and use of a portion of the property located at 580 Duncan Avenue, Courtenay, British Columbia, legally described as PID: 028-799-925 Lot B, Section 61, Comox District Plan EPP15696, subsequent to the publishing of notice; and
THAT Council authorize staff to execute the attached Management and Operating Grant Fee for Service agreement between the City of Courtenay and Comox Valley Art Gallery Society for the management and operation of an art gallery and provision of public education and outreach programs in the community.

CARRIED

7.3.2 Comox Valley Community Art Council Licence to Occupy and Grant Fee for Service Agreement

Moved By Hillian
Seconded By Frisch

THAT Council authorize staff to execute the attached two-year Licence to Occupy agreement between the City of Courtenay and Comox Valley Community Arts Council for the occupation and use of a portion of the property located at 580 Duncan Avenue, Courtenay, British Columbia, legally described as PID: 028-799-925 Lot B, Section 61, Comox District Plan EPP15696, subsequent to the publishing of notice; and
THAT Council authorize staff to execute the attached amended Grant Fee For Service agreement between the City of Courtenay and Comox Valley Community Art Council for it's provision of arts and culture services as outlined in the agreement; and
THAT Council direct staff to proceed with discussions with the Comox Valley Community Art Council regarding the future renewal of its grant fee for service agreement based on service deliverables that align with objectives and actions identified in the Strategic Cultural Plan, subject to Council's adoption of the Strategic Cultural Plan.

CARRIED

8. EXTERNAL REPORTS AND CORRESPONDENCE

8.1 Letter of Support from Village of Cumberland - Strengthening Communities' Grant Expiration

Moved By Jolicoeur
Seconded By Frisch

THAT Council receive the letter of support from village of Cumberland - Strengthening Communities' Grant expiration.

CARRIED

8.2 Donation Request from School District 71 - Youth Climate Action Event

Moved By Cole-Hamilton
Seconded By Frisch

THAT Council waive all facility costs for the Filberg Centre for the Youth Climate Action Event Symposium for November 13th and 14th, 2024; and

THAT Council make a $5000 donation in support overall expenses of the Youth Climate Action Event from the Council discretionary fund.

A member of Council called for division on the motion. Without objection, the motion as presented as divided.

As previously moved, the following motions were considered by Council as divided.

THAT Council waive all facility costs for the Filberg Centre for the Youth Climate Action Event Symposium for November 13th and 14th, 2024

DEFEATED

Opposed by Councillors Frisch, Hillian, McCollum, Jolicoeur and Mayor Wells.

THAT Council approve a $5000 grant to support overall expenses of the Youth Climate Action Event from the Council discretionary fund.

CARRIED

8.3 Letter from Comox Valley 4 Palestine

Moved By McCollum
Seconded By Jolicoeur

THAT Council receive the correspondence from Comox Valley 4 Palestine.

CARRIED

9. INTERNAL REPORTS AND CORRESPONDENCE

9.1 Sid Williams Theatre Capital Projects Update

Moved By Hillian
Seconded By Frisch

THAT Council receive the **"**Sid Williams Theatre Capital Projects Update**"** briefing note.

CARRIED

10. UNFINISHED BUSINESS

10.1 Delegation - Amend Building Bylaw No. 3114, 2023

Moved By Hillian
Seconded By Cole-Hamilton

THAT Council direct staff to report back on the options and implications of permitting homes older than 15 years to be relocated within the City of Courtenay.

CARRIED

11. BYLAWS

11.1 For First, Second, and Third Readings:

11.1.1 Council Code of Conduct Bylaw No. 3150, 2024

Moved By Frisch
Seconded By Cole-Hamilton

THAT Council give first, second and third readings to "Council Code of Conduct Bylaw No. 3150, 2024"; and

THAT Council repeal the existing Council Code of Conduct Policy, effective upon adoption of Council Code of Conduct Bylaw No. 3150.

CARRIED

11.1.2 Indemnification Authorization Bylaw No. 3151, 2024

Moved By Frisch
Seconded By Hillian

THAT Council give first, second, and third reading to “Indemnification Authorization Bylaw No. 3151, 2024”.

CARRIED

Councillor Jolicoeur was absent for the vote.

11.2 For Adoption:

11.2.1 Loan Authorization Bylaw No. 3128, 2024 - Anderton Dike Phase 1

Moved By Frisch
Seconded By Cole-Hamilton

THAT Council adopt "Loan Authorization Bylaw No. 3128, 2024 - Anderton Dike Phase 1".

CARRIED

Councillor Jolicoeur was absent for the vote.

11.2.2 Loan Authorization Bylaw 3136, 2024 – Strategic Land Acquisition 2024

Moved By Cole-Hamilton
Seconded By Frisch

THAT Council adopt "Loan Authorization Bylaw 3136, 2024 – Strategic Land Acquisition 2024".

CARRIED

11.2.3 Loan Authorization Bylaw No. 3137, 2024 - 6th Street Bridge

Moved By Hillian
Seconded By Cole-Hamilton

THAT Council adopt "Loan Authorization Bylaw No. 3137, 2024 - 6th Street Bridge".

CARRIED

11.2.4 Official Community Plan Amendment Bylaw No. 3141, 2024

Moved By Jolicoeur
Seconded By Frisch

THAT Council adopt "Official Community Plan Amendment Bylaw No. 3141, 2024".

CARRIED

Councillor McCollum left the meeting at 8: 25 pm. and did not return.

12. COUNCIL REPORTS

12.1 Councillor Cole-Hamilton

No report provided.

12.2 Councillor Frisch

No report provided.

12.3 Councillor Hillian

No report provided.

12.4 Councillor Jolicoeur

No report provided.

12.5 Councillor McCollum

No report provided.

12.6 Councillor Morin

As Councillor Morin was absent from the meeting, no report provided.

12.7 Mayor Wells

Major Wells reviewed his attendance at the following events:

- Canada Day Celebrations on July 1, 2024,
- Emterra and Mack Trucks launch of North America's largest electric garbage truck fleet, on July 16, 2024, and

- Comox Valley Ground Search and Rescue event on July 17, 2024.

13. ADJOURNMENT

Mayor Wells terminated the open portion of the meeting at 8:28 pm. Following the conclusion of the in camera portion of the meeting, Mayor Wells terminated the meeting at 8:56 pm.

CERTIFIED CORRECT

Adopted by Council July 31st, 2024.

Mayor Bob Wells

Kate O'Connell, Corporate Officer

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 1845-20

From: City Manager (CAO) **Date:** July 31, 2024

Subject: 2024-2034 Community Works Fund Agreement

PURPOSE: To seek Council approval to enter into and execute the 2024-2034 Community Works Fund Agreement.

BACKGROUND:

The Administrative Agreement on the Canada Community-Building Fund in British Columbia took effect on April 1, 2024. The Tripartite Agreement between Canada, British Columbia, and UBCM replaces the 2014-2024 Agreement and provides the administrative framework for the delivery of the Canada Community-Building Fund (formerly the federal Gas Tax fund) to local governments and other recipients from 2024 to 2034.

The Canada Community-Building Fund provides predictable, long-term and stable funding to local governments in British Columbia for investment in infrastructure and capacity-building projects. Over the 10 years of the Agreement, British Columbia is expected to receive a transfer of $1.6 billion in funding from Canada.

The Canada Community-Building Fund is guided by three national program objectives, which include productivity and economic growth, a clean environment and strong cities and communities. In BC, the Canada Community-Building fund is delivered through three program streams: Community Works Fund; Strategic Priorities Fund; and Metro Vancouver Regional Fund.

Over the past six years alone, the City of Courtenay has utilized $13,847,331 of the Canada Community-Building Funds to support a variety of projects at various stages, including:

2023

- Lewis Avenue – 17th Street to 19th Street – Asphalt Rehabilitation ($169,807)
- Pine Place – Asphalt Rehabilitation ($28,402)
- Cedar Crescent – Asphalt Rehabilitation ($164,061)
- 22nd Street – Kilpatrick Avenue to Grant Avenue – Asphalt Rehabilitation ($129,100)
- 23rd Street – Kilpatrick Avenue to Fitzgerald Avenue – Asphalt Rehabilitation ($141,573)
- Hemlock Street – Asphalt Rehabilitation ($36,863)
- Grant Street – 22nd Street to 25th Street – Asphalt Rehabilitation ($163,266)
- 25th Street – Kilpatrick Avenue to Grant Avenue – Asphalt Rehabilitation ($59,744)
- Harmston Road – 25th Street to 23rd Street – Asphalt Rehabilitation ($207,184)
- Bike Lane – 1st Street from Rod and Gun Road to Mitchell Road ($48,636)

2023 TOTAL = $1,148,636

2022

- 6th Street Bridge Multi-Use Active Transportation Bridge Construction ($128,500)
- Storm Drainage – 200 Back Road Storm Culvert Improvement ($40,000)
- 5th Street Bridge Refurbishment ($640,000)
- Bike Lanes and Paving – Old Island Hwy & 5th Street (Bridge to Headquarters) ($406,633)
- Fitzgerald Avenue – 4th Street to 5th Street – Asphalt Rehabilitation ($153,319)
- 10th Street – Willemar Avenue to Piercy Avenue – Asphalt Rehabilitation ($194,937)
- 14th Street – Cumberland Road to Willemar Avenue – Asphalt Rehabilitation ($194,939)
- Cowichan Avenue – Ryan Road to 4th Street East – Asphalt Rehabilitation ($84,429)
- Dingwall Road – Highway 19A to Western Road – Asphalt Rehabilitation ($384,808)

2022 TOTAL = $2,227,565

2021

- Storm Drainage – 200 Back Road Storm Culvert Improvement ($118,392)
- Storm Water Master Plan ($50,000)
- 17th Street Bike Lanes – Design and Construction ($149,907)
- Cumberland Road Improvements – Piercy Avenue to 16th Avenue ($332,212)
- 6th Street Bridge Multi-Use Active Transportation Bridge Construction ($171,491)
- Greenwood Sewer Trunk Re-Routing ($1,000,000)

2021 TOTAL = $1,822,002

2020

- Storm Drainage – 200 Back Road Storm Culvert improvement ($1,110)
- Asset Management Storm & Sewer Assessment ($248,095)
- Storm Water Master Plan ($42,041)
- Veterans Memorial Parkway Road Improvements ($993,799)
- Chaster Road Improvements ($12,443)
- Anderton Avenue Road Improvements ($54,017)
- Muir Road & Alderwood Place Pedestrian Signals ($5,628)
- Veterans Memorial Parkway & Caledon Crescent Pedestrian Signals ($5,628)
- 17th Street Bike Lanes – Design and Construction ($30,051)

2020 TOTAL = $1,392,812

2019

- Storm Drainage – 200 Back Road Storm Culvert improvement ($23,620)
- Glacier View Plaza – Drainage Improvements ($141,368)
- Dike Replacement – Flood Prevention Strategy ($17,735)
- Transportation Master Plan ($73,406)
- Asset Management Storm & Sewer Assessment ($147,753)
- Land Disposition and Acquisition Plan ($18,500)
- Storm Water Master Plan ($105,239)
- Road Paving – Dogwood Drive ($45,630)
- Road Paving – Cumberland Road ($275,234)
- Road Paving – Lake Trail Road ($431,280)
- Road Paving – Piercy Avenue ($155,203)

- Road Paving – Mission Road ($19,950)
- 5th Street "Complete Street" Pilot Project ($2,355,118)

2019 TOTAL = $3,810,036

2018

- Asset Management Storm & Sewer Assessment ($172,670)
- Asset Management Sidewalks Assessment ($21,786)
- Asset Management Building Assessment ($155,188)
- Asset Management Asphalt Assessment ($42,379)
- Asset Management Traffic Signal Assessment ($23,861)
- Asset Management Creek Crossing Assessment ($51,110)
- Land Disposition Acquisition Plan ($60,000)
- Storm Water Master Plan ($150,000)
- Sewer Master Plan ($18,140)
- Water Master Plan ($99,129)
- Dike Replacement – Flood Prevention Strategy ($67,175)
- Transportation Master Plan ($150,000)
- Willemar Avenue Watermain Replacement ($500,000)
- Road Rehabilitation Project – 17th Street ($547,476)
- Road Paving Cumberland Road ($203,095)
- 5th Street "Complete Street" Pilot Project ($836,431)
- SCADA System Implementation ($298,598)
- Storm Drainage – 200 Back Road Storm Culvert Improvement ($34,966)
- Glacier View Plaza – Drainage Improvements ($14,276)

2018 TOTAL - $3,446,280

DISCUSSION:
To continue to receive financial support from the Canada Community Building Fund, a resolution of Council is required to authorize the Mayor and Corporate Officer to enter into the 2024-2034 Community Works Fund Agreement on behalf of the City of Courtenay. The Community Works Fund Agreement, if approved, will be effective as of April 1, 2024 and will remain in effect until March 31st, 2034 unless City and UBCM agree to renew it.

Eligible projects as outlined in the 2024-2034 Community Works Fund Agreement include:

1. **Local roads and bridges** – roads, bridges and active transportation infrastructure
2. **Short-sea shipping** – infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean
3. **Short-line rail** – railway related infrastructure for carriage of passengers or freight
4. **Regional and local airports** – airport related infrastructure (excludes the National Airport System)
5. **Broadband connectivity** – infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities
6. **Public transit** – infrastructure which supports a shared passenger transport system which is available for public use
7. **Drinking water** – infrastructure that supports drinking water conservation, collection, treatment and distribution systems

8. **Wastewater** – infrastructure that support wastewater and storm water collection, treatment and management systems
9. **Solid waste** – infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage
10. **Community energy systems** – infrastructure that generates or increases the efficient usage of energy
11. **Brownfield redevelopment** – remediation or decontamination and remediation of a brownfield site within municipal boundaries
12. **Sport infrastructure** – amateur sport infrastructure
13. **Recreational infrastructure** – infrastructure that supports arts, humanities and heritage
14. **Cultural infrastructure** – infrastructure that supports arts, humanities and heritage
15. **Tourism infrastructure** – infrastructure that attract travellers for recreation, leisure, business or other purposes
16. **Resilience** – infrastructure and systems that protect and strengthen the resilience of communities to withstand and sustain service in the face of climate change, natural disasters and extreme weather events
17. **Fire Halls** – fire hall and fire station infrastructure – including fire trucks
18. **Capacity building** – includes investment related to strengthening the ability of municipalities to develop long-term planning practices including: capital investment plans, integrated community sustainability plans, integrated regional plans, housing needs assessments and housing planning, and/or asset management plans related to strengthening the ability of the recipients to develop long term planning practices

The Agreement also articulates eligible and ineligible expenses, and establishes financial reporting requirements.

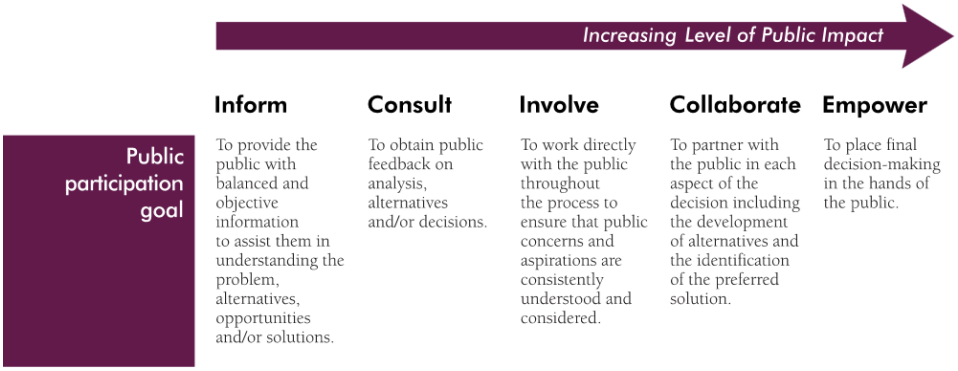
FINANCIAL IMPLICATIONS:
Should the City choose to not enter into the new 2024-2034 Community Works Fund Agreement, any funding provided under the previous Agreement can be used for the originally intended purpose until exhausted under the terms of the 2014-2024 Agreement. Not entering into the new 2024-2034 Agreement would prevent the City from applying for additional funding. The loss of Canada Community Building Fund support will increase the capital and capacity building related costs for future projects, and the City would be required to fully fund project costs or identify other sources of funding to replace the benefit of the Canada Community Building Fund.

ADMINISTRATIVE IMPLICATIONS:
The City of Courtenay has received and utilized funding from the Canada Community Building Fund, formerly Gas Tax, since 2005. The funds incorporation into the City's current financial and budget processes is long established. As such there are no additional administrative implications anticipated from entering into the 2024-2034 Agreement.

STRATEGIC PRIORITIES REFERENCE:
The 2024-2034 Community Works Fund Agreement will maintain the City's ability to offset capital costs for a variety of projects.

PUBLIC ENGAGEMENT:
Each project funded under the Community Works Fund Agreement is subject to communication standards as outlined in the Agreement. Depending on the specific project, additional or expanded engagement activities may be warranted and will be considered and reported to Council and the public on a case by case basis.

Staff would inform the public of the City's approval of the Community Works Fund Agreement based on the IAP2 Spectrum of Public Participation via this council report:



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OPTIONS:

1. THAT Council, on behalf of the City of Courtenay, agree to enter into the 2024-2034 Community Works Fund Agreement with Union of BC Municipalities; and,

   THAT the Mayor and Corporate Officer be directed to sign the 2024-2034 Community Fund Agreement on behalf of the City of Courtenay.

2. THAT Council not agree to enter into the 2024-2034 Commnuity Fund Agreement.

ATTACHMENTS:

1. Letter from UBCM – Re: 2024-2034 Canada Community-Building Fund Agreement
2. 2024-2034 Community Works Fund Agreement, under the Administrative Agreement on the Canada Community-Building Fund

Prepared by: Kate O'Connell, Director of Corporate Services (CO)
Reviewed by: Krista McClintock, Acting Director of Finance
Renata Wyka, Manager of Financial Planning, Payroll & Business Performance

Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

Canada Community-Building Fund BC | UBCM

June 21, 2024

Geoff Garbutt
Chief Administrative Officer
City of Courtenay
830 Cliffe Avenue
Courtenay, BC V9N 2J7

SENT VIA E-MAIL: ggarbutt@courtenay.ca

Dear Geoff Garbutt:

RE: 2024-2034 CANADA COMMUNITY-BUILDING FUND AGREEMENT

Please find enclosed the 2024-2034 Community Works Fund Agreement between the City of Courtenay and the Union of BC Municipalities. As part of the renewed Canada Community-Building Fund Agreement, the CWF will continue to provide dedicated and predictable funds to each local government in British Columbia for investments in local infrastructure and capacity-building priorities.

In order to receive your first CWF payment for the 2024/25 funding year, please review the Agreement, sign, and return to ccbf@ubcm.ca.

Once we have received the Agreement, we will return an executed version for your records.

Please also include a Council resolution authorizing the Mayor and Corporate Officer to sign on behalf of your local government.

We have provided a program guide, an information sheet, and estimated funding for the first five years of the program on our UBCM CCBF website.

If you have any questions, please emails us at ccbf@ubcm.ca or call us at 250-356-5134.

Sincerely,

Brant Felker
Manager, CCBF Program Services

2024-2034 COMMUNITY WORKS FUND AGREEMENT

under the

ADMINISTRATIVE AGREEMENT
ON THE CANADA COMMUNITY-BUILDING FUND

This Agreement made as of _____, 202__,

BETWEEN:

City of Courtenay (the Local Government)

AND

The **UNION OF BRITISH COLUMBIA MUNICIPALITIES** (UBCM) as continued by section 2 of the *Union of British Columbia Municipalities Act* RSBC *2006, c.1*, as represented by the President (the "UBCM)

1. PURPOSE

The purpose of this Community Works Fund Agreement is to set out the roles and responsibilities of the Local Government and UBCM related to any Community Works Fund funds that may be delivered to the Local Government by UBCM.

2. SCHEDULES

The following annexes and schedules, originating in whole or part from the Agreement, are attached to and form part of this Community Works Fund Agreement:

Schedule A:	Ultimate Recipient Requirements
Schedule B:	Eligible Project Categories
Schedule C:	Eligible and Ineligible Expenditures
Schedule D:	Program Reporting
Schedule E:	Communications Protocol
Schedule F:	Asset Management
Schedule G:	Housing Report

3. ROLE OF UBCM

3.1 UBCM has, pursuant to the Agreement, agreed with Canada and British Columbia to:

a) receive CCBF funding from Canada and allocate funds so received from Canada pursuant to the Agreement, including allocating Community Works Funds to the Local Government to be spent on Eligible Projects and Eligible Expenditures in accordance with the terms and conditions of this Community Works Fund Agreement;

b) report to Canada and British Columbia, including Annual Reports and Outcome Reports, as required by the Agreement; and

c) fulfill other roles and responsibilities as set out in the Agreement.

4. CONTRIBUTION PROVISIONS

4.1 Over the term of this Community Works Fund Agreement, UBCM will pay the Local Government its annual allocation within 30 days of receipt of such funds from Canada.

4.2 Payments under section 4.1 are subject to UBCM receiving sufficient CCBF funds from Canada, and Local Government compliance with this Community Works Fund Agreement and any other Funding Agreement under the Prior Agreement.

4.3 Annual allocation is based on a formula set out in section 1.1 of Annex B of the Agreement. In the first year of this Community Works Fund Agreement, the Local Government will receive $678,742, in two equal instalments which, subject to section 4.2, are expected to be delivered in the month following July 15 and between November 15, 2024 and March 31, 2025.

4.4 Annual allocation to the Local Government for all subsequent years under this Community Works Fund Agreement continue to be based on the funding formula set out in the Agreement, but are subject to change by UBCM from the amount set out in section 1.1 of Annex B of the Agreement due to such circumstances as local government boundary changes and new Local Government incorporations, changes in Census populations and changes in amounts that may be received by UBCM from Canada.

4.5 Timing of payments in subsequent years under this Community Works Fund Agreement to the Local Government by UBCM are subject to change due to any changes in timing of payments to UBCM by Canada.

5. USE OF FUNDS BY LOCAL GOVERNMENT

5.1 Any CCBF funding that may be received by the Local Government and any Unspent Funds, and any interest earned thereon held by the Local Government must be used by the Local Government in accordance with this Community Works Fund Agreement, including specifically Section 6. (Commitments of the Local Government).

5.2 Any CCBF funding that may be received by the Local Government and any Unspent Funds, and any interest earned thereon held by the Local Government will be treated as federal funds with respect to other federal infrastructure programs.

6. COMMITMENTS OF THE LOCAL GOVERNMENT

6.1 The Local Government shall:

a) Be responsible for the completion of each Eligible Project in accordance with Schedule B (Eligible Project Categories) and Schedule C (Eligible and Ineligible Expenditures).

b) Comply with all requirements outlined in Schedule D (Program Reporting), Schedule E (Communications Protocol) and Schedule G (Housing Report).

c) Continue to strengthen the development and implementation of asset management best practices over the course of the Agreement, in accordance with Schedule F.

d) Invest, in a distinct account, Community Works Fund funding it receives from UBCM in advance of it paying Eligible Expenditures.

e) With respect to Contracts, award and manage all Contracts in accordance with their relevant policies and procedures and, if applicable, in accordance with the Agreement on International Trade and applicable international trade agreements, and all other applicable laws.

f) Invest into Eligible Projects, any revenue that is generated from the sale, lease, encumbrance or other disposal of an asset resulting from an Eligible Project where such disposal takes place within (5) years of the date of completion of the Eligible Project.

g) Allow Canada and UBCM reasonable and timely access to all of its documentation, records and accounts and those of their respective agents or Third Parties related to the use of CWF funding and Unspent Funds, and any interest earned thereon, and all other relevant information and documentation requested by Canada or its designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Administrative Agreement.

h) Keep proper and accurate accounts and records in respect of all Eligible Projects for at least six (6) years after completion of the Eligible Project and, upon reasonable notice, make them available to Canada and UBCM. Keep proper and accurate accounts and records relevant to the CWF program for a period of at least six (6) years after the termination of this Administrative Agreement.

i) Ensure your actions do not establish or be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Canada and the Local Government, or between Canada and a Third-Party.

j) Ensure that the Local Government do not represent themselves, including in any agreement with a Third Party, as a partner, employee or agent of Canada.

k) Ensure that no current or former public servant or public office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from CCBF funding, Unspent Funds, and interest earned thereon, unless the provision or receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

l) Ensure that the Local Government will not, at any time, hold the Government of Canada, British Columbia, or UBCM, its officers, servants, employees or agents responsible for any claims or losses of any kind that the Local Government, Third Parties or any other person or entity may suffer in relation to any matter related to CCBF funding or an Eligible Project and that the Local Government will, at all times, compensate the Government of Canada, British Columbia, or UBCM, its officers, servants, employees, and agents for any claims or losses of any kind that any of the Local Government may suffer in relation to any matter related to CCBF funding or an Eligible Project.

m) Agree that any CCBF funding received will be treated as federal funds for the purpose of other federal infrastructure programs.

n) Agree that the above requirements which, by their nature, should extend beyond the expiration or termination of this Administrative Agreement, will extend beyond such

expiration or termination.

7. TERM

This Community Works Fund Agreement will be effective as of April 1, 2024 and will be in effect until March 31, 2034 unless the Parties agree to renew it. In the event where this Community Works Fund Agreement is not renewed, any CCBF funding and Unspent Funds, and any interest earned thereon held by the Local Government, that have not been expended on Eligible Projects or other expenditures authorized by this Community Works Fund Agreement as of March 31, 2034 will nevertheless continue to be subject to this Community Works Fund Agreement until such time as may be determined by the Parties.

8. SURVIVAL

The rights and obligations, set out in Sections 5.1, 5.2 and 6.1 will survive the expiry or early termination of this Community Works Fund Agreement and any other section which is required to give effect to the termination or to its consequences shall survive the termination or early termination of this Community Works Fund Agreement.

9. AMENDMENT

The Local Government acknowledges that the Agreement may from time to time be amended by agreement of Canada, British Columbia and UBCM and if and whenever such amendments to the Agreement are made, the Local Government agrees that UBCM may require this Community Works Fund Agreement to be amended to reflect, at the sole discretion of UBCM, the amendments made to the Agreement. Where UBCM requires this Community Works Fund Agreement to be so amended, it will provide to the Local Government notice in writing of the amendments it requires. Such amendments shall from part of this Community Works Fund Agreement and be binding on the Local Government and UBCM thirty (30) days after such notice, unless before then the Local Government elects in writing to give written notice of termination of this Community Works Fund Agreement to UBCM.

10. WAIVER

No provision of this Community Works Fund Agreement shall be deemed to be waived by UBCM, unless waived in writing with express reference to the waived provisions and no excusing, condoning or earlier waiver of any default by the Local Government shall be operative as a waiver, or in any way limit the rights and remedies of UBCM or Canada.

11. NO ASSIGNMENT

This Community Works Fund Agreement is not assignable by the Local Government and the Local Government shall not assign, pledge, or otherwise transfer any entitlement to allocation of funds under this Community Works Fund Agreement to any person and shall upon receipt of any allocation of funds hereunder pay and expend such funds thereafter only in accordance with the terms of this Community Works Fund Agreement.

12. NOTICE

Any notice, information or document provided for under this Community Works Fund Agreement must be in writing and will be effectively given if delivered or sent by mail, postage or other charges prepaid, or by email. Any notice that is delivered will have been received on delivery; and any notice mailed will be deemed to have been received eight (8) calendar days after being mailed.

Any notice to UBCM will be addressed to:

Executive Director

525 Government Street

Victoria, British Columbia

V8V 0A8

Email: ccbf@ubcm.ca

Any notice to the Local Government will be addressed to:

The Corporate Officer at the place designated as the Local Government office.

SIGNATURES

This Community Works Fund Agreement has been executed on behalf of the Local Government by those officers indicated below and each person signing the agreement represents and warrants that they are duly authorized and have the legal capacity to execute the agreement.

City of Courtenay	UNION OF BC MUNICIPALITIES
Original signed by:	Original signed by:
_____	_____
Mayor	Corporate Officer
_____	_____
Corporate Officer	General Manager, Victoria Operations
Signed by City of Courtenay on the _____ day of _____, 202__.	The Community Works Fund Agreement have been executed by UBCM on the _____ day of _____, 202__.

Schedule A – Definitions

"Affordable Housing" means a dwelling unit where the cost of shelter, including rent and utilities, is a maximum of 30% of before-tax household income. The household income is defined as 80% or less of the Area Median Household Income (AMHI) for the metropolitan area or rural region of the Ultimate Recipient.

"Administrative Agreement or Agreement" means the 2024-2034 Administrative Agreement on the Canada Community-Building Fund in British Columbia and UBCM.

"Asset Management" means an integrated process, bringing together skills, expertise, and activities of people; with information about a community's physical and natural assets; and finances; so that informed decisions can be made, supporting Sustainable Service Delivery.

"Canada Community-Building Fund" (CCBF) means the program established under section 161 of the *Keeping Canada's Economy and Jobs Growing Act,* S.C. 2011, c. 24 as amended by section 233 of the *Economic Action Plan 2013 Act, No. 1,* S.C. 2013, c. 33, as the Gas Tax Fund and renamed the Canada Community-Building Fund in section 199 of *Budget Implementation Act, 2021, No. 1.*

"Chief Financial Officer" means in the case of a municipality, the officer assigned financial administration responsibility under S. 149 of the *Community Charter,* and in the case of a Regional District, the officer assigned financial administration responsibility under S. 199 of the *Local Government Act,* R.S.B.C. 1996, c.323.

"Community Works Fund" means the fund provided from the Canada Community-Building Fund to be dispersed to local governments based on a percentage of the per capita allocation for local spending priorities in accordance with the terms and conditions set out in the Agreement.

"Community Works Fund Agreement" means this Agreement made between UBCM and Local Government.

"Contract" means an agreement between an Ultimate Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

"Core Housing Need" means a household living in an unsuitable, inadequate or unaffordable dwelling and cannot afford alternative housing in their community.

"Eligible Expenditures" means those expenditures described as eligible in Schedule C (Eligible and Ineligible Expenditures).

"Eligible Projects" means projects as described in Schedule B (Eligible Project Categories).

"Funding Agreement" means an agreement between British Columbia and UBCM and an Ultimate Recipient setting out the terms and conditions of the CCBF funding to be provided to the Ultimate Recipient, containing, at a minimum, the elements in Schedule A (Ultimate Recipient Requirements).

"Gender Based Analysis Plus" (GBA Plus or GBA+) is an analytical process that provides a rigorous method for the assessment of systemic inequalities, as well as a means to assess how diverse groups of women, men, and gender diverse people may experience policies, programs and initiatives. The "plus" in GBA Plus acknowledges that GBA Plus is not just about differences between biological (sexes) and socio-cultural (genders). GBA Plus considers many other identity factors such as race, ethnicity, religion, age, and mental or physical disability, and how the interaction between these factors influences the way we might experience government policies and initiatives. Conducting a GBA Plus analysis involves considering all intersecting identity factors as part of GBA Plus, not only sex and gender. GBA+ is a priority for the Government of Canada.

"Housing Needs Assessment" means a report informed by data and research describing the current and future housing needs of a municipality or community according to guidance provided by Canada.

"Housing Report" means the duly completed housing report to be prepared and delivered by British Columbia and UBCM to Canada annually by September 30, as described in Schedule G (Housing Report).

"Ineligible Expenditures" means those expenditures described as ineligible in Schedule C (Eligible and Ineligible Expenditures).

"Infrastructure" means municipal or regional, publicly or privately owned tangible capital assets, or natural assets, in British Columbia primarily for public use or benefit.

"**Local Government**" means a municipality as defined in the *Community Charter* [SBC 2003] Chapter 26, a regional district as defined in the *Local Government Act* [RSBC 1996] Chapter 323, and the City of Vancouver as continued under the *Vancouver Charter* [SBC 1953] Chapter 55.

"Oversight Committee" means the committee established to monitor the overall implementation of this Administrative Agreement as outlined in section 7 (Oversight Committee) of this Administrative Agreement.

"**Party**" means Canada, British Columbia or UBCM when referred to individually and collectively referred to as "Parties".

"Previous Agreements" means any agreements between Canada, British Columbia and UBCM for the purposes of administering the Gas Tax Fund or Canada Community-Building Fund (CCBF).

"Prior Community Works Fund Agreement" means the 2014-2024 Community Works Fund Agreement between this Local Government and the UBCM.

Third Party" means any person or legal entity, other than Canada, British Columbia and UBCM or an Ultimate Recipient, who participates in the implementation of an Eligible Project by means of a Contract.

"Sustainable Service Delivery" means ensuring that current community service needs, and how those services are delivered (in a socially, economically and environmentally responsible

manner), do not compromise the ability of future generations to meet their own needs. Sound asset management practices support Sustainable Service Delivery by considering community priorities, informed by an understanding of the trade-offs between the available resources and the desired services.

"Ultimate Recipient" means this Local Government

(i) a Local Government or its agent (including its wholly owned corporation);
(ii) a non-local government entity, including Indigenous recipients, non-governmental and not-for-profit organizations, on the condition that the Local Government(s) has (have) indicated support for the project through a formal resolution of its (their) council(s) or board(s) and that the entity receiving funds delivers a service typical of local government.
(iii) TransLink, BC Transit, and Islands Trust

"Unspent Funds" means funds that have not been spent towards an Eligible Project or eligible costs in accordance with this Agreement or the Previous Agreements prior to the effective date of this Agreement.

SCHEDULE B - Eligible Project Categories

Eligible Projects include investments in Infrastructure for its construction, renewal or material enhancement in each of the following categories (as defined in the current program terms and conditions):

1. Local roads and bridges – roads, bridges and active transportation infrastructure

2. Short-sea shipping – infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean

3. Short-line rail – railway related infrastructure for carriage of passengers or freight

4. Regional and local airports – airport-related infrastructure (excludes the National Airport System)

5. Broadband connectivity – infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities

6. Public transit – infrastructure which supports a shared passenger transport system which is

available for public use

7. Drinking water – infrastructure that supports drinking water conservation, collection, treatment and distribution systems

8. Wastewater – infrastructure that supports wastewater and storm water collection, treatment and management systems

9. Solid waste – infrastructure that supports solid waste management systems including the collection, diversion and disposal of recyclables, compostable materials and garbage

10. Community energy systems – infrastructure that generates or increases the efficient usage of energy

11. Brownfield Redevelopment - remediation or decontamination and redevelopment of a brownfield site within municipal boundaries, where the redevelopment includes:
    - the construction of public infrastructure as identified in the context of any other category under the Canada Community-Building Fund, and/or;
    - the construction of local government public parks and publicly-owned social housing.

12. Sport Infrastructure – amateur sport infrastructure (excludes facilities, including arenas, which would be used as the home of professional sports teams or major junior hockey teams (e.g. Western Hockey League))

13. Recreational Infrastructure – recreational facilities or networks

14. Cultural Infrastructure – infrastructure that supports arts, humanities, and heritage

15. Tourism Infrastructure – infrastructure that attract travelers for recreation, leisure, business or other purposes

16. Resilience – Infrastructure and systems that protect and strengthen the resilience of communities and withstand and sustain service in the face of climate change, natural disasters and extreme weather events.

17. Fire halls – fire halls and fire station infrastructure – including fire trucks

18. Capacity building - includes investments related to strengthening the ability of municipalities to develop long-term planning practices including: capital investment plans, integrated community sustainability plans, integrated regional plans, housing needs assessments and housing planning, and/or asset management plans, related to strengthening the ability of recipients to develop long-term planning practices.

Note: Investments in health infrastructure (hospitals, convalescent and senior centres) are not eligible.

SCHEDULE C - Eligible and Ineligible Expenditures

1. Eligible Expenditures

1.1 Eligible Expenditures of Ultimate Recipients will be limited to the following:

a) the expenditures associated with acquiring, planning, designing, constructing or renewal and rehabilitation of infrastructure and any related debt financing charges specifically identified with that asset;

b) for capacity building category only, the expenditures related to strengthening the ability of Local Governments to improve local and regional planning including capital investment plans, integrated community sustainability plans, integrated regional plans, housing needs assessments, and/or asset management plans. The expenditures could include developing and implementing:

   i. studies, strategies, or systems related to asset management, which may include software acquisition and implementation;
   ii. studies, strategies, or systems related to housing or land use, including Housing Needs Assessments;
   iii. training directly related to asset management planning; and
   iv. long-term infrastructure plans.

c) the expenditures directly associated with joint federal communication activities and with federal project signage.

1.2 Employee and Equipment Costs: The incremental costs of the Ultimate Recipient's employees or leasing of equipment may be included as Eligible Expenditures under the following conditions:

a) the Ultimate Recipient is able to demonstrate that it is not economically feasible to tender a Contract;
b) the employee or equipment is engaged directly in respect of the work that would have been the subject of the Contract; and,
c) the arrangement is approved in advance and in writing by UBCM.

2. Ineligible Expenditures

The following are deemed Ineligible Expenditures:

a) project expenditures incurred before April 1, 2005;
b) project expenditures incurred before April 1, 2014 for the following investment categories:
   i. highways;
   ii. regional and local airports;
   iii. short-line rail;

iv. short-sea shipping;
v. disaster mitigation;
vi. broadband connectivity;
vii. brownfield redevelopment;
viii. cultural infrastructure;
ix. tourism infrastructure;
x. sport infrastructure; and
xi. recreational infrastructure.

c) Fire Hall project expenditures incurred before April 1, 2021;
d) Fire Truck purchases as stand-alone expenditures and expenditures under the Resilience Infrastructure category before April 1, 2024;
e) the cost of leasing of equipment by the Ultimate Recipient, any overhead costs, including salaries and other employment benefits of any employees of the Ultimate Recipient, its direct or indirect operating or administrative costs of Ultimate Recipients, and more specifically its costs related to planning, engineering, architecture, supervision, management and other activities normally carried out by its staff, except in accordance with Eligible Expenditures above;
f) taxes for which the Ultimate Recipient is eligible for a tax rebate and all other costs eligible for rebates;
g) purchase of land or any interest therein, and related costs;
h) legal fees;
i) routine repair or maintenance costs; and
j) costs associated with healthcare infrastructure or assets.

SCHEDULE D - Program Reporting

Ultimate Recipient Reporting

Ultimate Recipient requirements for program reporting under the CWF consist of the submission of an Annual Expenditure Report, and an outcomes report, which will be submitted to UBCM for review and acceptance. The reporting year is from January 1 to December 31. In addition to overall program reporting, specific asset management reporting and housing reporting obligations are described in Schedule F and G.

1. Ultimate Recipient Annual Expenditure Report

The Ultimate Recipient will provide UBCM an Annual Expenditure Report by June 1 of each year for the prior calendar year reporting which will include the following elements: unique project identifier, project title, project description, investment category, project start date, project end date, geo-location, total project cost, CCBF funding spent, closing balance, output indicator, and where applicable, a housing indicator and an outcomes indicator. A reporting template will be provided by UBCM.

The Annual Expenditure Report may also include a communications and signage report, and confirmation by the Ultimate Recipient's CFO that expenditures are eligible use of funds in accordance with the terms and conditions of this Agreement.

2. Audited Financial Report

The Ultimate Recipient must submit an Audited Financial Statement to British Columbia in order to receive funds in each reporting year.

2.1 Independent Audit or Audit Based Attestation:
UBCM will provide an independent audit opinion, or an attestation based on an independent audit and signed by a senior official designated in writing by UBCM, as to:

a) the accuracy of the information submitted in the Financial Report Table; and
b) that CCBF funding and Unspent Funds, and any interest earned thereon, were expended for the purposes intended.

2.2 Ultimate Recipient audit:
UBCM and Canada may perform an audit or of an Ultimate Recipient annually.

3. Housing Report

By September of 30 each year British Columbia and UBCM will provide to Canada a report on housing as outlined in Schedule G (Housing Report).

4. Outcomes Report

By March 31 of each year, British Columbia and UBCM will provide to Canada an outcomes report that will outline the following program benefits:

a) beneficial impacts on communities of completed Eligible Projects, supported by specific outcomes examples in communities;
b) the impact of CCBF as a predictable source of funding;
c) progress made on improving Local Government planning and asset management, including development or update of Housing Needs Assessments; and
d) a description of how CCBF funding has alleviated housing pressures tied to infrastructure gaps and contributed to housing supply and affordability outcomes (further details on this requirement may be found in Schedule G – Housing Report).

The outcomes report will present a narrative on how each program benefit is being met. A template and guidance document will be provided by Canada.

SCHEDULE E – Communications Protocol

In support of transparency and accountability of the CCBF, the following communications protocol will apply to all communications activities undertaken regarding any CCBF funding and will apply to the Parties and Ultimate Recipients. Communicating to Canadians on the use of CCBF funding is clearly linked with our joint accountability to Canadians. Compliance with this protocol will inform the timing and flow of any CCBF funding and is critical to meeting our joint commitment to transparency.

1. Purpose

1.1 The Communications Protocol applies to all communications activities related to any CCBF funding, including annual allocations and the identification and communication of projects under this Administrative Agreement. Communications activities may include, but are not limited to: public or media events, news releases, reports, digital and social media products, project signs, digital signs, publications, success stories and vignettes, photo compilations, videos, advertising campaigns, awareness campaigns, editorials, awards programs, and multi-media products.

1.2 Through collaboration, Canada, British Columbia and UBCM agree to work to ensure consistency in the communications activities meant for the public. This will include the importance of managing the delivery of communications activities based on the principle of transparent and open discussion.

1.3 Failure by British Columbia, UBCM or its Ultimate Recipient to adhere to this communication protocol may affect the timing and flow of any CCBF funding that may be transferred by Canada.

2. Joint communications approach

a. British Columbia and UBCM agree to work in collaboration with Canada to develop a joint communications approach to ensure visibility for the program, the provision of upfront project information and planned communications activities throughout the year.

Canada will provide a “Communications Approach” template to be completed by British Columbia and UBCM. This approach will then be reviewed and approved by Canada as well as British Columbia and UBCM.

This joint communications approach will have the objective of ensuring that proactive communications activities are undertaken each year to communicate the annual allocations and key projects, as identified in the communications approach, located in both large and small communities by using a wide range of communications tools to ensure local visibility.

To accomplish this, Canada, British Columbia and UBCM agree to establish a communications subcommittee that will meet biannually. This committee will review and approve a communications plan at the beginning of each year.

b. Canada, British Columbia and UBCM will work together on the initial annual joint communications approach, which will be finalized and approved by Canada's Co-Chair and British Columbia and UBCM agree that achievements under the joint communications approaches will be reported to the

Oversight Committee once a year.

c. Through the communications subcommittee, British Columbia and UBCM agree to assess, with Canada, the effectiveness of communications approaches on an annual basis and, as required, update and modify the joint communications approach, as required. Any modifications will be brought to Canada's Co-Chair, British Columbia's Co-Chair and UBCM's Co-Chair, as appropriate for approval.

d. If informed of a communications opportunity (ex. milestone event, news release) by an Ultimate Recipient, Canada, British Columbia and UBCM agree to share information promptly and coordinate participation in alignment with section 4.3, 4.5 and 5.2 of this communications protocol.

e. Canada, British Columbia and UBCM agree to ensure the timely sharing of information, products (ex. news releases, media advisories), and approvals in support of communications delivery.

3. Inform Canada on allocation and intended use of CCBF funding for communications planning purposes

3.1 British Columbia and UBCM to provide to Canada upfront information on planned Eligible Projects and Eligible Projects in progress on an annual basis, prior to the construction season. Canada, British Columbia and UBCM will each agree, in this joint communications approach, on the date this information will be provided. Through the creation of a sub-committee, Canada, British Columbia and UBCM will be required to enact a communications approach that will be assessed bi-annually through the sub-committee mechanism.

In this agreement the information will include, at a minimum:

- Ultimate Recipient name; Eligible Project name; Eligible Project category, a brief but meaningful Eligible Project description; expected project outcomes including housing (if applicable); federal contribution; anticipated start date; anticipated end date; and a status indicator: not started, underway, completed.

Canada will link to the UBCM's CCBF website where this information will be accessible to the general public.

3.2 British Columbia and UBCM agree that the above information will be delivered to Canada in an electronic format deemed acceptable by Canada.

3.3 Canada, British Columbia and UBCM each agree that their joint communications approach will ensure the most up-to-date Eligible Project information is available to Canada to support media events and announcements (see 4.2 for full definition) for Eligible Projects.

4. Announcements and media events for Eligible Projects

4.1 At Canada's request, Canada, British Columbia and UBCM agree to coordinate an announcement regarding annual allocations of CCBF funding.

4.2 Media events and announcements include, but are not limited to: news conferences, public announcements, and the issuing of news releases to communicate funding of projects or key milestones (e.g. ground breaking ceremonies, completions).

4.3 Key milestones events and announcements (such as ground breaking ceremonies and grand openings) may also be marked by media events and announcements, news releases, or through other communications activities. Ultimate recipients, Canada, British Columbia and UBCM will have equal visibility through quotes and will follow the Table of Precedence for Canada.

4.4 Media events and announcements related to Eligible Projects will not occur without the prior knowledge and agreement of British Columbia and UBCM, as appropriate, Canada and the Ultimate Recipient.

4.5 The requester of a media event or an announcement will provide at least 15 working days' notice to other parties of their intention to undertake such an event or announcement. An event will take place at a mutually agreed date and location. British Columbia and UBCM, and, as appropriate, Canada and the Ultimate Recipient will have the opportunity to participate in such events through a designated representative. If communications is proposed through the issuing of a news release (with no supporting event), Canada requires at least 15 working days' notice and 5 working days with the draft news release to secure approvals and confirm the federal representative's quote.

4.6 For media events, each participant will choose its own designated representative. UBCM and Ultimate Recipients are responsible for coordinating all onsite logistics.

4.7 British Columbia and UBCM shall not unreasonably delay the announcement of opportunities identified in annual communications plans that have been pre-approved in advance.

4.8 The conduct of all joint media events, announcements for project funding, and supporting communications materials (ex. News releases, media advisories) will follow the Table of Precedence for Canada.

4.9 All joint communications material related to media events and announcements must be approved by Canada and recognize the funding of the parties.

4.10 All joint communications material for funding announcements must reflect Canada's Policy on Official Languages and the Policy on Communications and Federal Identity.

4.11 Canada, British Columbia and UBCM and Ultimate Recipients agree to ensure equal visibility in all communications activities.

5. Program communications

4.1 Canada, British Columbia, UBCM and Ultimate Recipients may include messaging in their own communications products and activities with regard to the CCBF.

4.2 The party undertaking these activities will recognize the funding of all contributors.

4.3 The conduct of all joint events and delivery of supporting communications materials (ex. News releases) that support program communications (ex. Such as intake launches) will follow the Table of Precedence for Canada.

4.4 Canada, British Columbia and UBCM agree that they will not unreasonably restrict the other parties from using, for their own purposes, public communications products related to the CCBF prepared by Canada, British Columbia and UBCM or Ultimate Recipients, or, if web-based, from linking to it.

4.5 Notwithstanding Section 4 of Schedule E (Communications Protocol), Canada retains the right to meet its obligations to communicate to Canadians about the CCBF and the use of funding.

6. Operational communications

6.1 British Columbia, UBCM or the Ultimate Recipient is solely responsible for operational communications with respect to Eligible Projects, including but not limited to, calls for tender, construction, and public safety notices. Operational communications as described above are not subject to the federal official language policy.

6.2 Canada does not need to be informed on operational communications. However, such products should include, where appropriate, the following statement, “This project is funded in part by the Government of Canada” or “This project is funded by the Government of Canada”, as applicable.

6.3 British Columbia, UBCM and the Ultimate Recipient will share information as available with Canada should significant emerging media or stakeholder issues relating to an Eligible Project arise. Canada, British Columbia and UBCM will advise Ultimate Recipients, when appropriate, about media inquiries received concerning an Eligible Project.

7. Communicating success stories

7.1 British Columbia and UBCM to facilitate communications between Canada and Ultimate Recipients for the purposes of collaborating on communications activities and products including, but not limited to Eligible Project success stories, including the positive impacts on housing, Eligible Project vignettes, and Eligible Project start-to-finish features.

8. Advertising campaigns

8.1 Canada, British Columbia, UBCM or an Ultimate Recipient may, at their own cost, organize an advertising or public information campaign related to the CCBF or Eligible Projects. However, such a campaign must respect the provisions of this Administrative Agreement. In the event of such a campaign, the sponsoring party or Ultimate Recipient agrees to inform the other parties of its intention, and to inform them no less than 21 working days prior to the campaign launch.

9. Digital Communications, Websites and webpages

9.1 Where British Columbia and UBCM produce social media content to provide visibility to CCBF programs or projects, they shall @mention the relevant Infrastructure Canada official social media account.

9.2 Where a website or webpage is created to promote or communicate progress on an Eligible Project or Projects, it must recognize federal funding through the use of a digital sign or through the use of the Canada wordmark and the following wording, "This project is funded in part by the Government of Canada" or "This project is funded by the Government of Canada", as applicable. The Canada wordmark or digital sign must link to Canada's website, at www.infrastructure.gc.ca. The guidelines for how this recognition is to appear and language requirements are published on Canada's website, at http://www.infrastructure.gc.ca/pub/signage-panneaux/intro-eng.html.

10. Project signage

10.1 Unless otherwise approved by Canada, British Columbia, UBCM or Ultimate Recipients will install a federal sign to recognize federal funding at Eligible Project site(s). Federal sign design, content, and installation guidelines will be provided by Canada and included in the joint communications approach.

10.2 Where British Columbia, UBCM or an Ultimate Recipient decides to install a sign, a permanent plaque or other suitable marker recognizing their contribution with respect to an Eligible Project, it must recognize the federal contribution to the Eligible Project(s) and be approved by Canada.

10.3 British Columbia, UBCM or the Ultimate Recipient is responsible for the production and installation of Eligible Project signage, or as otherwise agreed upon.

10.4 British Columbia and UBCM to inform Canada of signage installations on a basis mutually agreed upon in the joint communications approaches.

11. Communication Costs

11.1 The eligibility of costs related to communication activities that provide public information on this Administrative Agreement will be subject to Schedule C (Eligible and Ineligible Expenditures).

SCHEDULE F – Asset Management

Canada, British Columbia and UBCM agree that the measures contained in the Previous Agreements to create and foster a culture of asset management planning were effective in increasing the capacity of the diverse range of Ultimate Recipients in British Columbia and UBCM to enhance their community's sustainability.

Under the previous Agreement (2014-2024), local governments in BC demonstrated a commitment to improving asset management practices within their respective communities. As awareness and knowledge has grown, asset management practices and culture has matured. However, as noted in the *2022 Status of Asset Management in BC Report*, while moving in the right direction, there remains significant gaps and priority areas where local governments need to improve if they are to realize the full benefits of asset management.

Using the results from the *2022 Status of Asset Management in BC Report* as a guide, the Oversight Committee will develop and approve Asset Management Commitments, over the duration of this Agreement for ultimate recipients, consistent with the Asset Management for Sustainable Service Delivery: A BC Framework. Asset Management BC will be asked to provide expertise and input where appropriate.

All Ultimate Recipients will be required to meet the Asset Management Commitments. Asset Management Commitments may vary depending on whether the Ultimate Recipient is; a Local Government, a non–local government entity, Translink, and/or BC Transit. Asset Management Commitments will focus on strengthening asset management capacity over the term of the Agreement while continuing to recognize the varying capacities of Ultimate Recipients and the range of ongoing asset management activities.

The Oversight Committee will consider Asset Management Commitments under the following areas;

- Reporting on continuous improvement of Asset Management practices over the duration of the Agreement, including reporting through the Ministry of Municipal Affairs Local Government Data Entry (LGDE) System,
- Development and implementation of Long-term Financial Plans
- Ongoing Asset Management education and training, and
- Implementing asset management performance measurement.

SCHEDULE G – Housing Report

1. Housing Needs Assessments

1.1 By March 31, 2025, or as otherwise agreed upon by Canada and British Columbia, municipalities with a 2021 Census population of 30,000 or more are required to complete and make available to Canada a Housing Needs Assessment (HNA) prepared in accordance with provincial legislation and additional details provided, as agreed to by Canada and British Columbia, which together align with the information requirements, spirit and intent of the federal Housing Needs Assessment template and the guidance document.

1.2 HNAs should be used by British Columbia and UBCM in preparing the Project-Level Housing Report and the Housing Narrative in the CCBF Outcomes Report in order to identify housing pressures related to infrastructure. HNAs should also be used by municipalities to prioritize infrastructure projects that support increased housing supply where it makes sense to do so.

1.3 HNAs must be made publicly available on the municipal website and municipalities are to provide links to the page where the HNAs are posted to Canada for all Ultimate Recipients in their jurisdiction that have a 2021 Census population of 30,000 or more.

1.4 A separate HNA Guidance Document has been provided by Canada.

2. Project-Level Housing Report

By September 30 of each year, starting in 2025, British Columbia and UBCM will provide Canada a Housing Report in an electronic format deemed acceptable by Canada consisting of the following:

2.1 Methodology

British Columbia and UBCM will provide a description of the process used to collect data and information presented in the Housing Report. The methodology section should include the following information:

- Scope of the report and related rationale.
- Reporting process used to collect data from Ultimate Recipients.
- Identification of baseline data and other data sets used for the purposes of the report and which data has been excluded.
- How performance indicators were assessed in British Columbia.

2.2 Municipalities Identified for Project-Level Reporting

Criteria for Project-Level Reporting

Municipalities with a population of 30,000 or more, outside of the Metro Vancouver Region, that have housing pressures that can be addressed through closing infrastructure gaps or building capacity where it makes sense to do so, must:

- be included in Table 1 (below); and,
- provide project-level data on housing requirements to British Columbia and UBCM, for inclusion in the Housing Report that will be submitted by British Columbia and UBCM to Canada.

HNA and project-level reporting requirements can also be applied to other municipalities as agreed to by Canada, British Columbia and UBCM. Municipalities that do not meet these criteria may additionally be included at the discretion of British Columbia and UBCM, but are not required by Canada to include project-level data in the annual Housing Report.

British Columbia and UBCM will be expected to summarize project-level information from the municipalities identified by the above criteria to report to Canada annually.

The following table (**Table 1**) is to be used as a template to identify municipalities required to provide project-level reporting and to identify housing pressures related to infrastructure needs. Housing pressures should be consistent with needs and pressures identified by Ultimate Recipients in their HNAs. British Columbia and UBCM will provide an aggregate of this table to Canada in their annual Housing Report.

Ultimate Recipient	**Project Level Reporting Criteria**	**Key Infrastructure-Related Housing Pressures**
Name of the municipality	*Identify which criteria as noted above applies*	*Identify key housing gaps and needs that are related to infrastructure*

Table 1: Ultimate Recipients Identified for Project Level Reporting

2.3 Project-Level Housing Outcomes

For municipalities required to provide project-level reporting, British Columbia and UBCM are required to collect project-level data on housing outcomes and to complete the table below (Table 2) on an annual basis.

Table 2 is intended to link the housing pressures identified in Table 1 and in HNAs with outcomes supported by CCBF projects that can help Ultimate Recipients to address their specific housing pressures. More specifically, Table 2 is to be completed by Ultimate Recipients outlined in Section 1.2. It will include a subset of the projects from the above project list and this subset represents projects with housing outcomes.

Project ID	Ultimate Recipient	Project Title	Project Description	Investment Category	Housing Outcomes and Indicators
As provided in program reporting (Schedule D)	*As provided in Table 1*	*As provided in program reporting (Schedule D)*	*Provide a brief description of the project*	*Indicate which CCBF category the project falls under*	*Identify key housing outcomes and indicators (section 2.3) that will be used to measure success.*

Table 2: Project-Level Reporting on Housing Outcomes

2.3.1 Housing Outcome Indicators

For each of the projects listed in Table 2, British Columbia and UBCM shall report on the following core indicators, as relevant to each investment category.

- # of housing units supported or preserved; and
- # of affordable housing units supported or preserved.

Units enabled is a measure of increased capacity for potential housing development as a result of the infrastructure investment made and, in some cases, where CCBF funding contributed directly to housing development (e.g., building social housing as part of brownfield remediation category, may include new units directly supported by CCBF funding).

3. Housing Narrative in the CCBF Outcomes Report

By March 31st each year, starting in 2026, British Columbia and UBCM shall provide Canada with a narrative report on program-level housing outcomes. This narrative report will be aligned with and incorporated into the annual CCBF Outcomes Report.

The housing narrative should outline how CCBF has supported housing supply and affordability pressures within British Columbia and UBCM's jurisdiction, over the reporting period, and measures taken between British Columbia, UBCM and Ultimate Recipients to improve housing supply and improve housing affordability for Canadians. It should also align with identified needs within Ultimate Recipients Housing Needs Assessments once they have been developed.

Further, British Columbia and UBCM must include in their Outcomes Report a narrative assessment of measures they have taken to improve housing outcomes through CCBF funded infrastructure projects. This should include:

- How Ultimate Recipients have prioritized specific infrastructure investments, where it made sense to do so, that support an increased supply of housing (e.g., upgrading pipes to support densification rather than sprawl, or remediating a brownfield site that could then be used for affordable housing);
- How Ultimate Recipients are utilizing CCBF funding to build local capacity for sound land use and development planning (e.g., through the capacity building category).
- Any measures taken to preserve and/or increase supply and mix of affordable housing (e.g., minimizing displacement, making land available for non-market housing, minimum affordability requirements for private developers); and

This housing narrative must also include responses to the following questions:

- How many or what percentage of projects from the total CCBF project list contribute to an increase in housing supply and how many housing units were supported or preserved (as outlined in 2.3.1)?
- What percentage of total housing units supported or preserved are affordable?
- How many communities have published a new Housing Needs Assessment or an updated one within the last 5 years?

For further information and details on the housing narrative portion of the Outcomes Report please refer to the Housing Report Template and Guidance document.

4. Assessment of the Housing Reports and Compliance

4.1 Assessment of Housing Reports

Both the project-level housing report and the housing narrative on program-level housing outcomes will be assessed against the Government of Canada's Evaluation Framework as well as HNAs.

4.2 Compliance

Failure by British Columbia, UBCM or its Ultimate Recipient to adhere to this Schedule may affect the timing and flow of any CCBF funding that may be transferred by Canada. Repeated or sustained failures to comply with the terms of this Schedule could result in downward adjustment of allocations for British Columbia, UBCM or Ultimate Recipient for future Infrastructure Canada programs.

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 4320-70

From: Director of Corporate Services **Date:** July 31, 2024

Subject: Special Events Permitting Review

PURPOSE: To seek Council approval to include a review of the Special Events Regulation Bylaw No. 2393, 2005, in tandem with the development of a Special Events Policy to ensure a comprehensive understanding and mitigation of event associated risks.

BACKGROUND:

The benefits of local governments supporting events extend across multiple domains, including culture, community cohesion, economic development, and beyond.

Cultural Enrichment: Events provide platforms for celebrating and showcasing diverse cultural traditions, art forms, music, dance, food, and more. They serve as avenues for cultural exchange, fostering a deeper understanding and appreciation of different cultures within the community. By supporting events that promote cultural diversity, local governments contribute to preserving heritage, promoting inclusivity, and enriching the cultural fabric of the community.

Sense of Community: Events create opportunities for community members to come together, interact, and forge meaningful connections. They strengthen the sense of belonging, unity, and social cohesion within the community by providing spaces for shared experiences and collective participation. Through events, individuals can build relationships, foster camaraderie, and develop a sense of pride and identity in their community.

Economic Development: Events have the potential to drive economic growth and development within a community. They attract visitors, stimulate tourism, and generate revenue for local businesses, including hotels, restaurants, shops, and service providers. Events also create job opportunities, boost local spending, and contribute to the overall economic vitality of the area. By supporting events, local governments can spur economic activity, support entrepreneurship, and enhance the sustainability of local businesses.

Community Well-Being: Events contribute to the well-being of community members by offering recreational, leisure, and entertainment opportunities. They provide outlets for relaxation, enjoyment, and stress relief, enhancing the overall quality of life for residents. Participation in events promotes physical and mental health, nurtures creativity, and fosters a sense of happiness and fulfilment within the community. By supporting events that cater to diverse interests and age groups, local governments can promote holistic well-being and improve the overall quality of life for residents.

Civic Engagement and Participation: Events serve as platforms for civic engagement, volunteerism, and community involvement. They offer opportunities for individuals to contribute their time, skills, and resources towards common goals and causes. By providing avenues for participation and

collaboration, events empower community members to actively engage in decision-making, problem-solving, and community building. Local governments that support events facilitate citizen participation, strengthen social ties, and cultivate a culture of civic responsibility.

The City currently supports events in a variety of ways including in-kind support, grant contributions and permitting (e.g. park use, road closure and special events permits). The permitting process for special events is a crucial aspect of City efforts to ensure public safety, maintain order, and protect the well-being of our community. By requiring event organizers to obtain a special event permit, the City is able to thoroughly assess and approve important details such as event location, date, expected attendance, traffic control plans, and emergency response protocols. The permitting process also allows the City to address potential issues such as noise levels, waste management, and public health concerns, to maintain the overall quality of life for our residents and visitors.

Allowing special events to take place on public land without adequate permitting processes can pose several risks to the safety and well-being of attendees, the surrounding community, and the environment. Some of the potential risks include:

Public Safety Concerns: Without a permitting process, there may be inadequate measures in place to ensure the safety and security of attendees. This could lead to accidents, emergencies, or other incidents that put individuals at risk.

Lack of Infrastructure Planning: Events held without a permit may not have proper infrastructure in place, such as adequate transportation, parking, or waste management facilities. This can lead to congestion, environmental damage, and health and sanitation issues.

Disruption to the Community: Events held without a permit may cause disruptions to the local community, such as increased noise levels, traffic congestion, or damage to public property. These disruptions can negatively impact residents and businesses in the area.

Environmental Damage: Events held without proper permits may not adhere to environmental regulations, leading to damage to natural habitats, pollution, or other negative impacts on the environment.

Legal and Liability Issues: Without a permitting process, organizers may not have proper insurance coverage or liability protection in place. This can leave event organizers, attendees, and the government vulnerable to legal and financial risks in the event of accidents or incidents.

In general, implementing a permitting process that acknowledges the positive impact of community events and provides appropriate and supportive government assistance is key to preserving the benefits for the community while also effectively addressing public safety and risk management concerns. This approach ensures that event organizers, the City, emergency and health services, and attendees all work together to create safe, successful, and enjoyable events that contribute to the well-being and vitality of the community.

DISCUSSION:

Community events play a significant role in fostering a sense of belonging, enhancing social interactions, and promoting community cohesion. However, ensuring the safety and well-being of both event attendees and the City is paramount. The existing deficiencies in the Special Events Regulation Bylaw, combined with the

lack of an overall City Events Policy present risks that need to be addressed to host and support safe and well-organized events.

While there is a permitting process in place for special events as outlined in the City's Special Events Regulation Bylaw, it does not always adequately mitigate risks. For instance, events with fewer than 1000 attendees are not required to apply for a Special Events Permit and may only need to obtain a road closure or park use permit. The disparity between the requirements for a special event permit and a road closure or park use permit is significant. Special event permits require organizers to consult and seek support for their events plans from the RCMP, Fire Department, and Island Health. In contrast, road closure permits require traffic management plans and that event organizers notify emergency services of the event, while park use permits limit requirements to adherence to such things as park bylaws and insurance requirements This difference in consultation and approval requirements between the road closure and special event permitting processes means that the risks associated with events that bypass the Special Events permit process may not be sufficiently addressed, potentially leaving the City and its residents vulnerable to safety, logistical, and environmental concerns.

Event Example: A recent event in our community sought an Event Road Closure Permit instead of a Special Event Permit as they anticipated less than 1000 attendees. With less rigorous permitting requirements the event organizers were not required to engage with businesses and residents who would clearly be impacted by the event. The lack of required notification or consultation by the event organizers to businesses, and residents who would be impacted by the event resulted in hardships which may have been avoided. Additionally, although a road closure permit was issued, the event organizers relocated City traffic control equipment to areas that were not outlined in the permit request nor the approved traffic management plan, which resulted in access to a local park being blocked from public access. This unauthorized road closure posed significant life safety risks as emergency responders would have been impeded from reaching the park promptly in the event of an emergency. In addition to life safety risks, the unauthorized closure of the road to the park negatively affected businesses resulting in disruptions to operations and revenue loss. The aforementioned unmitigated risks underscore the critical need to address deficiencies in the Special Events Regulation Bylaw.

Parks and Recreation Master Plan – Special Event Findings

The City's 2019 Parks and Recreation Master Plan (PRMP) identifies special events as an area in need of policy development.

> ***Key Finding:*** The City has many events year-round that support community identity and spirit; insufficient policies and strategies for events may be affecting the ability to adequately support significant events.

As outlined in the analysis of the feedback solicited through the PRMP development, the "biggest gap is boots on the ground just prior to, during and after the event". While the PRMP identifies logistical hosting gaps and needs, it does not explicitly identify safety or risk management/mitigation in the review recommendations. Although "regulatory requirements" are noted as required component of a future policy, what would be considered as a regulatory requirement is not described. The event policy development work is anticipated to start in 2025 or 2026 providing an opportunity to incorporate risk management and safety into the policy's development framework. Some possible ways in which the future Event Policy can more effectively mitigate risk and enhance public safety include:

Enhance Consultation Requirements: Implement commensurate consultation requirements with impacted businesses and residents to address their interests and safety concerns during the planning process.

Improved Coordination: Establish coordination systems with relevant authorities, such as internal City departments, RCMP, Fire Department, and Health Authority as a prerequisite for event permits to address safety risks effectively.

Review of Permitting Processes: Reassess the permitting process to more appropriately align permitting processes with the level of risk.

POLICY ANALYSIS:

Courtenay *Parks and Recreation Master Plan*: recommends the development of a Special Events and Hosting Policy.

Official Community Plan*:*

- LU 16 Prioritize infrastructure investment using a multiple bottom line decision-making approach based generally on the following parameters and priorities: High growth areas, public health and safety, environmental responsibility, regulatory needs, asset management principles, economic efficiencies and impact, such as partnerships, project coordination and economic spinoffs.
- ST 6: Advance the short- and medium-term actions identified in the Transportation Master Plan and Cycling Network Plan with high priority allocated to actions that promote cycling, transit, shared use and accessibility including but not limited to …
    i. Prioritizing safety and operational improvements that improve road safety and efficiency

Regional Growth Strategy**:** Support a high quality of life through the protection and enhancement of community heath, safety and well-being.

FINANCIAL IMPLICATIONS:

Options *1 and 2:* The specialized work outlined in options 1 and 2 is not included in the current financial plan. The cost to conduct a risk analysis as part of, or in advance of the Special Event and Hosting Policy development framework, is estimated at $15,000-$25,000.

Option 3: No implication, maintains the status quo.

ADMINISTRATIVE IMPLICATIONS:

Option *1*: Event permitting and support is currently provided by the following departments as follows:

- Parks, Recreation and Community Services: responsible for issuing park and facility use permits, City hosted events, and relationships with arts, culture and community organizations.
- Operational Services: responsible for issuing Road Closure Permits, providing general event support (e.g. traffic management plans, equipment loans, before and after infrastructure requirements and logistics etc.), and relationship with the Downtown Courtenay Business Improvement Area.
- Corporate Services: responsible for administering the Special Events Regulation Bylaw and promoting hosted events.
- Fire Department: conducting event inspections to ensure emergency service access, and ensuring compliance with all fire prevention requirements.

- Financial Services: responsible for providing guidance to the organization on matters of risk.

Any growth in the number of events requiring permits, or an expansion of permitting requirements will likely require additional resources. An operational review, conducted as part of the Special Events and Hosting Policy development process, would identify any new operational requirements.

Option 2: Includes option 1 implications, and creates new administrative and financial requirements as an event risk analysis is not currently in the 2024 workplan. If selected, this option is anticipated to impact existing workplans and some project timelines.

Option 3: No administrative implications, maintains the status quo.

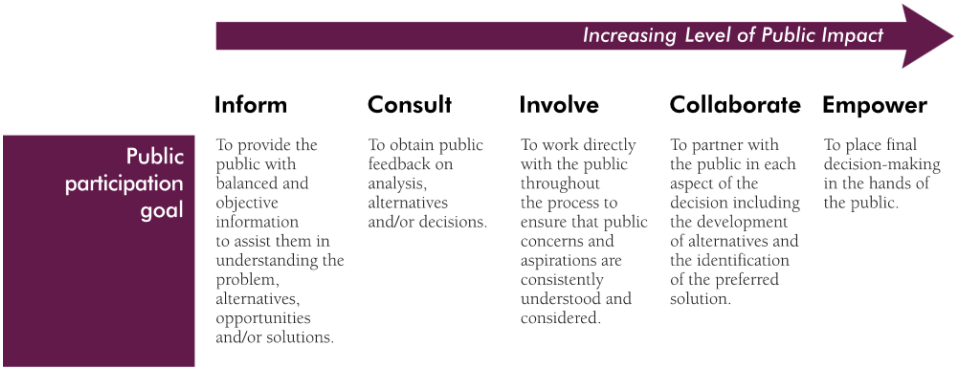
STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Arts, Culture, and Heritage - Implement Strategic Cultural Plan
- Local Economy - Identify appropriate roles and responsibilities for the City in the delivery of economic development services in the region
- Local Economy - Review City processes that may be barriers to economic development

PUBLIC ENGAGEMENT:

Staff would inform the public via a report to Council based on the IAP2 Spectrum of Public Participation:



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OPTIONS:

1. THAT Council direct staff to review event-related bylaws and permitting requirements as part of the development of the Special Events and Hosting Policy anticipated to be undertaken in 2025/2026, identifying options and opportunities to improve risk management related to health, safety, business and community impacts.

2. THAT Council direct staff to report back on the impacts and implications to the 2025 workplan should staff undertake a more immediate review of the City's event permitting processes and idenfity options and opportunities to improve risk management related to health, safety, business and communty impacts in advance of the Special Events and Hosting Policy work planned for 2025/2026.

3. THAT Council receive the report “Spcial Events Permitting Review” for information and take no further action.

ATTACHMENTS:

1. Special Events Regulation Bylaw No. 2396, 2005

Prepared by: Kate O’Connell, Director of Corporate Services
Reviewed by: Kurt McDonald, Fire Chief
Kyle Shaw, Director of Operational Services
Susie Saunders, Director of Recreation, Culture, and Community Services
Scott Hainsworth, Manager of Procurement and Risk

Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

THAT Council direct staff to incorporate health, safety, and risk management/mitigation into the City’s Special Event and Hosting Policy development framework; and

THE CORPORATION OF THE CITY OF COURTENAY

BYLAW NO. 2396

A bylaw to provide for the regulation of Special Events within the City

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

1. This bylaw may be cited for all purposes as **"Special Events Regulation Bylaw No. 2396, 2005"**.

INTERPRETATION

2. In this bylaw:

"Medical Health Officer" has the same meaning as in the *Health Act*;

"Permit" means a Special Event Permit issued under this bylaw in the form set out in Schedule 'A' attached hereto and forming part of this bylaw;

"RCMP" means the Comox Valley Detachment of the Royal Canadian Mounted Police;

"Site" means the land described in a Permit on which a Special Event is to be held;

"Special Event" means any event or gathering at which the attendance is likely to exceed 1000 persons and for which a fee is charged directly or indirectly.

EXEMPTIONS

3. This bylaw shall not apply to:

(a) gatherings held within indoor facilities in accordance with the *Fire Services Act*;
(b) gatherings held by School District No. 71 Comox Valley; and
(c) gatherings held by the City of Courtenay.

PERMIT REQUIRED

4. No Special Event may be held or be permitted within the boundaries of the City of Courtenay unless a Permit for that Special Event has been obtained.

5. Where a Permit application has been made and the applicant has complied with the requirements of this bylaw, the Manager of Corporate Administration shall issue a Permit to the applicant for the Special Event.

6. The Permit application and all documentation submitted by the applicant with the application form part of, and are incorporated into, the Permit.

7. The Manager of Corporate Administration may refuse to issue a Permit to the applicant where the applicant has not complied with the requirements of this bylaw.

8. The Manager of Corporate Administration may revoke a Permit, by delivery of written notice of revocation to the applicant, where the applicant is not in compliance with the requirements of this bylaw or the Permit.

PERMIT APPLICATION AND PROCEDURE

9. An application for a Permit must be made at least forty-five (45) days before the date on which the Special Event is to be held or begin. An application must be made in the form set out in Schedule 'A' attached hereto and forming part of this bylaw.

10. All the following consents and documents are required with the permit application:

(a) The written consent of the registered owner of the land where the Special Event is to be held, if it is to be held by a party other than the registered owner of the land;

(b) A document in which the designated Medical Health Officer or their delegate expresses satisfaction that sufficient arrangements have been made for the following facilities and services for the Special Event, including but not limited to:

(i) potable water supply;

(ii) sanitary facilities;

(iii) waste collection and removal facilities; and

(iv) food and drink storage, dispensing, preparation and use;

(c) A document in which the Officer in Charge of the RCMP expresses satisfaction that sufficient arrangements have been made for the following as applicable:

(i) off-street parking of motor vehicles as that term is defined in the *Highway Act*;

(ii) policing resources and/or other necessary security on and around the site;

(iii) traffic control on and around the site;

(iv) provision of a police and security command post;

(d) A document in which the Officer in Charge of the RCMP sets out the estimated cost of providing policing for the Special Event;

(e) A document in which the Courtenay Fire Chief or designate expresses satisfaction that the site conditions including all buildings and other structures on the site comply with applicable fire safety enactments and requirements;

(f) A document in which the Courtenay Fire Chief or designate sets out the estimated cost of providing Fire Services for the Special Event;

(g) A document in which the City of Courtenay Director of Regulatory and Property Services or designate expresses satisfaction that adequate arrangements have been made for life safety for the site and that all accommodation to be provided thereon will conform to the requirements of the *BC Building Code*;

(h) A document setting out in reasonable detail that arrangements have been made for first aid care and facilities for the Special Event;

(i) A policy of comprehensive general liability insurance with a per occurrence limit of not less than $2,000,000.00 and an endorsement to add the City of Courtenay as additional insured to protect the City in the event of bodily injury, including death, and property damage liability that may result from or arise out of the holding of the Special Event and to indemnify and save harmless the City for damage to and destruction of City property that may occur by reason of the Special Event. The policy of insurance must contain a cross liability clause and be in a form acceptable to the City;

(j) Approval from the City of Courtenay Director of Operational Services or designate expressing satisfaction that sufficient arrangements have been made for the following if applicable:

(i) the parking of automobiles and other means of transport;

(ii) traffic control on and around the site including access routes for emergency vehicles;

(iii) provision of signs, barricades, other traffic control devices, and/or traffic control personnel as may be deemed necessary and/or appropriate by the Director of Operational Service or designate;

(k) A document in which the City of Courtenay Director of Operational Services or designate sets out the estimated cost of providing public works services for the Special Event; and

(l) A document in which the City of Courtenay Director of Regulatory and Property Services or designate expresses satisfaction that the event is not in violation of existing bylaws.

RESPONSIBILITY FOR COSTS

11. The applicant is responsible for all costs incurred or connected with the Special Event.

PERFORMANCE BONDS

12. A Permit may not be issued to an applicant until the applicant has delivered to the Manager of Corporate Administration security, by cash, certified cheque or money order, or letter of credit, in the amount of the estimated costs incurred or connected with the Special Event as provided for in sections 10 (d) (f) (k) of this bylaw. Security required under this section shall be used by the City of Courtenay to pay actual costs connected with the Special Event that the City of Courtenay incurs as a result of the applicant's default under section 11 of this bylaw.

    If the other costs incurred in respect of the Special Event exceed the amount of security deposited by the applicant with the Manager of Corporate Administration under this section, the excess of the actual costs must be paid at once by the applicant to the City of Courtenay. If the other costs incurred or connected with the Special Event are less than the amount of the security deposited by the applicant with the Manager of Corporate Administration under this section, the City of Courtenay shall refund the remaining amount of the security to the applicant as soon as is practicable after the Special Event has concluded. No interest is payable by the City of Courtenay on any amount of security tendered under this bylaw.

CONFLICT WITH ZONING BYLAW

13. Nothing in this bylaw is to be interpreted as permitting a Special Event to be held where the Special Event is not a Permitted use under the zoning bylaws of the City of Courtenay.

OFFENCE

14. Every person who violates any of the provisions of this bylaw, or who suffers or permits any act or thing to be done in contravention of any provisions of this bylaw, or who neglects to do, or refrains from doing, anything required to be done by any of the provisions of this bylaw, or who does any act which violates any of the provisions of this bylaw, will be guilty of an offence and will be liable to the penalties imposed by this bylaw.

PENALTIES

15. A person who violates any of the provisions of this bylaw will upon summary conviction be liable to a penalty of not less than $100.00 and not more than $5000.00, plus the costs of the prosecution.

SEVERANCE

16. If a portion of this bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed portion.

REPEAL

17. "Special Events Regulation Bylaw No. 2312, 2004" is hereby repealed.

Read a first time this 16th day of May, 2005

Read a second time this 16th day of May, 2005

Read a third time this 16th day of May, 2005

Consulted with the Medical Health Officer this 31st day of May, 2005

Deposited with the Minister of Health Planning this 10th day of June, 2005

Finally passed and adopted this 20th day of June, 2005

Mayor

Manager of Corporate Administration

SCHEDULE 'A'

SPECIAL EVENT LICENCE APPLICATION FORM

PLEASE SUBMIT LICENCE APPLICATION TO THE MANAGER OF CORPORATE ADMINISTRATION

Special Events Regulation Bylaw No. 2396, 2005 prohibits the holding of a Special Event without a licence under that bylaw. This form must be completed fully and submitted to the City of Courtenay in order to obtain a Special Event licence. A licence is considered to contain all provisions of Special Events Regulation Bylaw No. 2396, 2005 as licence conditions which must be complied with by the applicant. By taking out a licence, the applicant contractually agrees with the City of Courtenay to comply with those conditions.

1. Name of event: _____

2. Location of event including street address: _____

_____

3. Nature of event: _____

4. Estimated attendance: _____Admission Charges: _____ YES _____ NO

5. Dates of event: _____

6. Hours of each day event is held: _____

7. Full name and address of applicant: _____

_____

8. Telephone Number of applicant or contact person: _____

Fax number: _____

9. Full names and telephone number of any affiliated organizations and sponsors:

_____

_____

_____

_____

10. Describe fully, arrangements for the following, as applicable:

a) Potable water: _____

_____

b) Sanitary facilities: _____

_____

c) Waste collection and removal: _____

_____

d) Food and drink storage, dispensing preparation and use: _____

_____

e) Off street parking of motor vehicles as that term is defined in the Highway Act: _____

_____

f) Policing and other necessary security on and around the site: _____

_____

g) Traffic control in and around the site: _____

_____

11. Public Liability Insurance Documents Attached

- ❑ Yes
- ❑ No

12. Consent of the registered owner of the land for the holding of the Special Event if applicable:

- ☐ Not Required
- ☐ Yes, see below

The registered owner (s) of the land described above hereby consent to the holding of the above Special Event:

Owner (s) Name and Signature	Witness Name and Signature
Owner (s) Name and Signature	Witness Name and Signature

Your application will not be considered complete and a Special Events Licence will not be issued until you have supplied the following written approvals. Please check the appropriate box to indicate approvals are attached to your application.

- ☐ **Medical Health Officer or their delegate**
- ☐ **Courtenay Fire Department**
- ☐ **Comox Valley RCMP Detachment**
- ☐ **City of Courtenay Director of Regulatory and Property Services**
- ☐ **Written approval from the City of Courtenay Director of Operational Services**
- ☐ **Performance Bond (where required)**
- ☐ **Public Special Occasion Liquor Licence Request (if applicable)**

By signing below, the applicant agrees to conform to Special Events Regulation Bylaw No. 2396, 2005 including being solely responsible to pay all policing, site restoration and any other costs and agrees to release, indemnify and save harmless the City of Courtenay, its elected an appointed officers and employees form and against all claims, actions, causes of action, suits, demands, expenses, fees or fines arising from the holding of the Special Events.

Applicant Name and Signature	Witness Name and Signature
Applicant Name and Signature	Witness Name and Signature

Personal information contained on this form is collected under the Freedom of Information and Protection of Privacy Act, and will be used for the purpose of responding to your request.

CITY OF COURTENAY BYLAW NO. 2396, 2005

SPECIAL EVENT LICENCE

This licence is considered to contain all provisions of Special Events Regulation Bylaw No. 2396, 2005 as licence conditions that must be complied with by the applicant.

This licence is hereby issued to:

1. Name of event: _____

2. Location of event including street address: _____

   _____

3. Nature of event: _____

4. Estimated attendance: _____

5. Dates of event: _____

6. Hours of each day event is held: _____

7. Full name and address of applicant: _____

   _____

8. Telephone Number of applicant or contact person: _____

   Fax number: _____

This Special Event Licence is issued this _____ day of _____, 20___.

_____

Manager of Corporate Administration

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 3090-20-2304/DVP00046

From: Director of Development Services **Date:** July 31, 2024

Subject: **Development Variance Permit No. 2304 - 1640 12th Street East**

PURPOSE:

For Council to consider approval of Development Variance Permit No. 2304 to vary Zoning Bylaw Section 6.5.3 (ii) from "15 metres" to "10.5 metres" in order to permit the construction of a deck on the property legal described as LOT 2, SECTION 46, COMOX DISTRICT, PLAN 30794 (1640 12th Street East).

BACKGROUND:

The property owners of 1640 12th Street East are seeking variances to Part 5, section 6.5.3 (ii), of the Zoning Bylaw's General Regulations (Division 6). This section pertains to the siting of development adjacent to watercourses and a reduction from "15 metres" to "10.5 metres" is being requested to the existing watercourse (Glen Urquhart Creek) to permit a constructed deck off the rear of the home on the property. Figure 1 and 2 below show legal parcel and site context.

The review of an Environmental Development Permit application to allow for the construction of a shed elsewhere on the property made the City aware of the deck, which was non-permitted. Once aware, Staff instructed the property owners that before any other development was permitted on-site, a Building Permit would first be required for the deck which would include an environmental assessment of the deck in relation to the watercourse.

Figure 1 : Legal Parcel

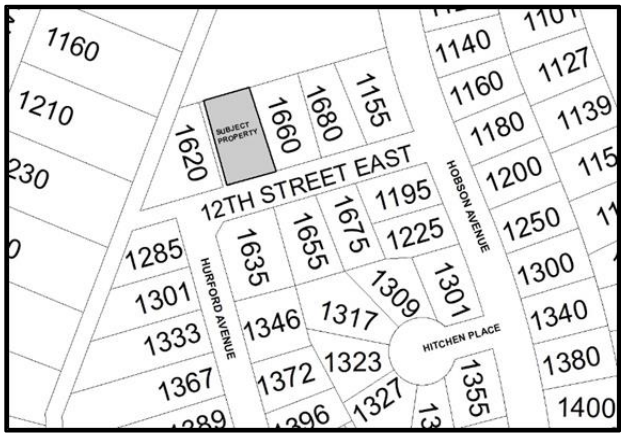


Figure 2: Site Context (blueline is the creek)

The property is designated Urban Residential and falls squarely within an Urban Residential Neighbourhood consisting of primarily single detached homes. The subject property is bordered to the north-east by a private lot, to the north-west by a City owned park, to the south-west by a City owned right of way and to the south-east by 12th Street East. Glen Urquhart Creek is located along the east and north-east of the property, largely within the neighbouring yard except for a portion of the creek near 12th Street East, where a creek culvert is

located on the property and where the City has registered a Statutory Right of Way on the property title that permits access to and maintenance of the culvert.

The property is sloped roughly from north to south toward the creek with the location of deck approximately 1 to 1.5m higher than the creek. Other than the primary residence, the property largely consists of landscaped lawn with mature trees along various property lines, including the eastern side where Glen Urquhart Creek is located.

DISCUSSION:

Section 6.5.3 (ii) of Courtenay's Zoning Bylaw regulates the siting of development adjacent to watercourses by requiring a minimum 15-metre setback from the natural boundary of Morrison Creek, Piercy Creek, Milliard Creek and any other watercourse. Glen Urquhart Creek is defined as a watercourse. The home on the property was constructed in 1978 and is legally non-conforming. The deck however is newly constructed and the owner did not apply for a building permit with the City. The location of the existing deck is not in conformance with Section 6.5.3 (ii) of Courtenay's Zoning Bylaw, which states any development must be setback 15 metres from a watercourse. The deck meets all other siting requirements of the zoning bylaw, primarily the property's R-SSMUH (and formerly R-1) building side yard setback of 1.5 metres.

As part of the Environmental Development Permit application process, an Environmental Impact Assessment (EIA) and a Riparian Area Protection Regulation (RAPR) Assessment Report have both been conducted. The RAPR Assessment in particular uses a scientific methodology to determine a provincially required Streamside Protection and Enhancement Area (SPEA) for the protection of fish and fish habitat. The Assessment Report, which required acceptance by the Ministry of Water Lands and Resources, determined a 10 metre SPEA around the creek. Therefore, the deck falls outside the SPEA and the property's Environmentally Sensitive Area.

Division 6- General Regulations Part 5 – Siting of Development Adjacent to or on Watercourses	**Required**	**Proposed**
Setback for Development Adjacent to a *watercourse*	15 metres	**10.5 metres**

POLICY ANALYSIS:

To bring the deck into conformance, the application requests a variance to Zoning Bylaw Section 6.5.3 (ii) from 15 metres to 10.5 metres. The deck is not regulated by Floodplain Management Bylaw No. 1743 and does not need to meet the Floodplain Bylaw's setback. As a condition of the Building Permit, a geotechnical report by Qualified Professional must be submitted to the City where it will be appended to a Section 219 Covenant registered on the property title, indemnifying and saving harmless the City.

Based on the deck's siting and reports authored by Registered Professional Biologists, Staff are confident that had the property owner had undertaken the proper procedure to obtain a Building Permit for the deck originally, the development would have met the environmental, planning and building regulations. Staff recommend approval of the variance.

Both the existing constructed deck and proposed new shed located elsewhere on the property are subject to an Environmental Development Permit (EDP), which is concurrently being processed, meets applicable EDP guidelines, and is delegated to the Director of Development Services for issuance. Should Council approve Development Variance Permit No. 2304 (Attachment No.1), the issuance of Environmental

Development Permit No. 2321 will follow. Building permits have not yet been applied for at the time of writing this report, and are also required for both the existing deck and proposed shed.

FINANCIAL IMPLICATIONS:
There is no direct financial implication related to this bylaw.

ADMINISTRATIVE IMPLICATIONS:

Processing Development Variance Permit applications is a statutory component of the corporate work plan and a core duty of the Development Services Department. Work to date has primarily been carried out by Development Services staff, although other departments have provided referral comments.

PUBLIC ENGAGEMENT:

Per *Development Procedures Bylaw No. 2106, 2023*, no Community Information Meeting (CIM) is required for this Development Variance Permit Application.

In accordance with *Local Government Act Section 499*, Staff mailed a public notification to 11 property owners and occupants within a 30 metre area on July 19, 2024 (Attachment No. 2). There are no public comments received at the time of writing this report, and any comments received by 1:00 p.m. on July 31, 2024, will be presented to Council at the regular council meeting.

OPTIONS:

1. THAT Council vary *Zoning Bylaw No. 2500, 2007*, Section 6.5.3 (ii) as follows: from "15 metres" to "10.5 metres" from the natural boundary of Morrison Creek , Piercy Creek , Millard Creek, and any other watercourse to permit the construction of a deck; and
   THAT Council approve "Development Variance Permit No. 2304 (1640 12th Street East)"; and
   THAT Council direct the Director of Development Services to issue "Development Variance Permit No. 2304 (1640 12th Street East)".
2. THAT Council Council defer and request additional information from staff for "*Development Variance Permit No. 2304"*.
3. THAT Council deny the the application for *"Development Variance Permit No. 2304 (1640 12th Street East)*" and provide a reason for denial

ATTACHMENTS:

1. *Draft Development Variance Permit No. 2304*
2. *Public Mailout Notice*

Prepared by: Jacob Cramer, Planner 1
Reviewed by: Nancy Gothard, RPP, MCIP, Manager of Community and Sustainability Planning
Marianne Wade, RPP, MCIP, Director of Development Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

THE CORPORATION OF THE CITY OF COURTENAY

Permit No. 3090-20-2304/DVP00046

DEVELOPMENT VARIANCE PERMIT

July 31, 2024

To issue a Development Permit

To: Name: Ryan Reichelt
Address: 1640 12th Street East, Courtenay, BC, V9N 6X1

Property to which permit refers:

Legal: LOT 2, SECTION 46, COMOX DISTRICT, PLAN 30794

Civic: 1640 12th Street East

Conditions of Permit:
Permit issued to the property legally described as LOT 2, SECTION 46, COMOX DISTRICT, PLAN 30794 to allow the construction of a deck within the rear yard of the property with the following variance to the City of Courtenay Zoning Bylaw No. 2500, 2007:

- Section 6.5.3 (ii) – as follows: from "15 metres" to "10.5 metres" from the natural boundary of Morrison Creek , Piercy Creek , Millard Creek, and any other watercourse to permit the construction of a deck.

Development Variance Permit No. 2304 is also subject to the following conditions:

1. Development must be in conformance with the siting identified in the BC Land Survey prepared by Bruce Lewis, BCLS, dated August 9, 2023 (**Attachment No. 1**).

2. No construction, long term storage or disposal of materials, or removal of native vegetation or soil may occur within the 10 metre Streamside and Protection and Enhancement Area (SPEA) of Glen Urquhart Creek, as detailed in the Riparian Areas Protection Assessment Report dated February 16, 2024 (**Attachment No. 2**).

Time Schedule of Development and Lapse of Permit

That if the permit holder has not substantially commenced the construction authorized by this permit within (24) months after the date it was issued, the permit lapses.

_____ _____

Date Director of Development Services

B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF STRUCTURES ON: LOT 2, SECTION 46, COMOX DISTRICT, PLAN 30794

PID: 001-218-051
Address: 1640 12th Street East
Owner: Ryan & Savanna Reichelt
Lawyer:
Mortgagee: Computershare Trust Company of Canada

THIS DOCUMENT SHOWS THE RELATIVE LOCATION OF THE FOUNDATION UNDER CONSTRUCTION WITH RESPECT TO THE BOUNDARIES OF THE PARCEL DESCRIBED. THIS DOCUMENT SHALL NOT BE USED TO DEFINE PROPERTY LINES OR PROPERTY CORNERS.

THE SIGNATORY ACCEPTS NO RESPONSIBITY FOR AND HEREBY DISCLAIM ALL OBLIGATIONS AND LIABILITIES FOR DAMAGES INCLUDING, BUT NOT LIMITED TO, DIRECT, INDIRECT, SPECIAL, AND CONSEQUENTIAL DAMAGES ARISING OUT OF OR IN CONNECTION WITH ANY DIRECT OR INDIRECT USE OR RELIANCE UPON THE DOCUMENT BEYOND ITS INTENDED USE.

PARCEL BOUNDARIES SHOWN HAVE BEEN DERIVED FROM PLAN 30794

NOTES:

LOT 2 IS SUBJECT TO THE FOLLOWING NON-FINANCIAL CHARGES AND INTERESTS WHICH MAY AFFECT THE POSITIONS OF STRUCTURES ON THE PROPERTY

SRW EN67831 (COURTENAY)

UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED

THIS DOCUMENT IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

UNLESS OTHERWISE STATED OFFSET DIMENSIONS ARE TO EXTERIOR FACE OF SIDING AND DECKING AND ARE PERPENDICULAR TO PROPERTY LINES

Field Survey the 27th day of July, 2023.
CERTIFIED CORRECT this 9th day of August, 2023.

Digitally signed by Bruce Lewis KSDUJB
Date: 2023.08.09 11:36:15 -07'00'

Bruce V Lewis, BCLS ©

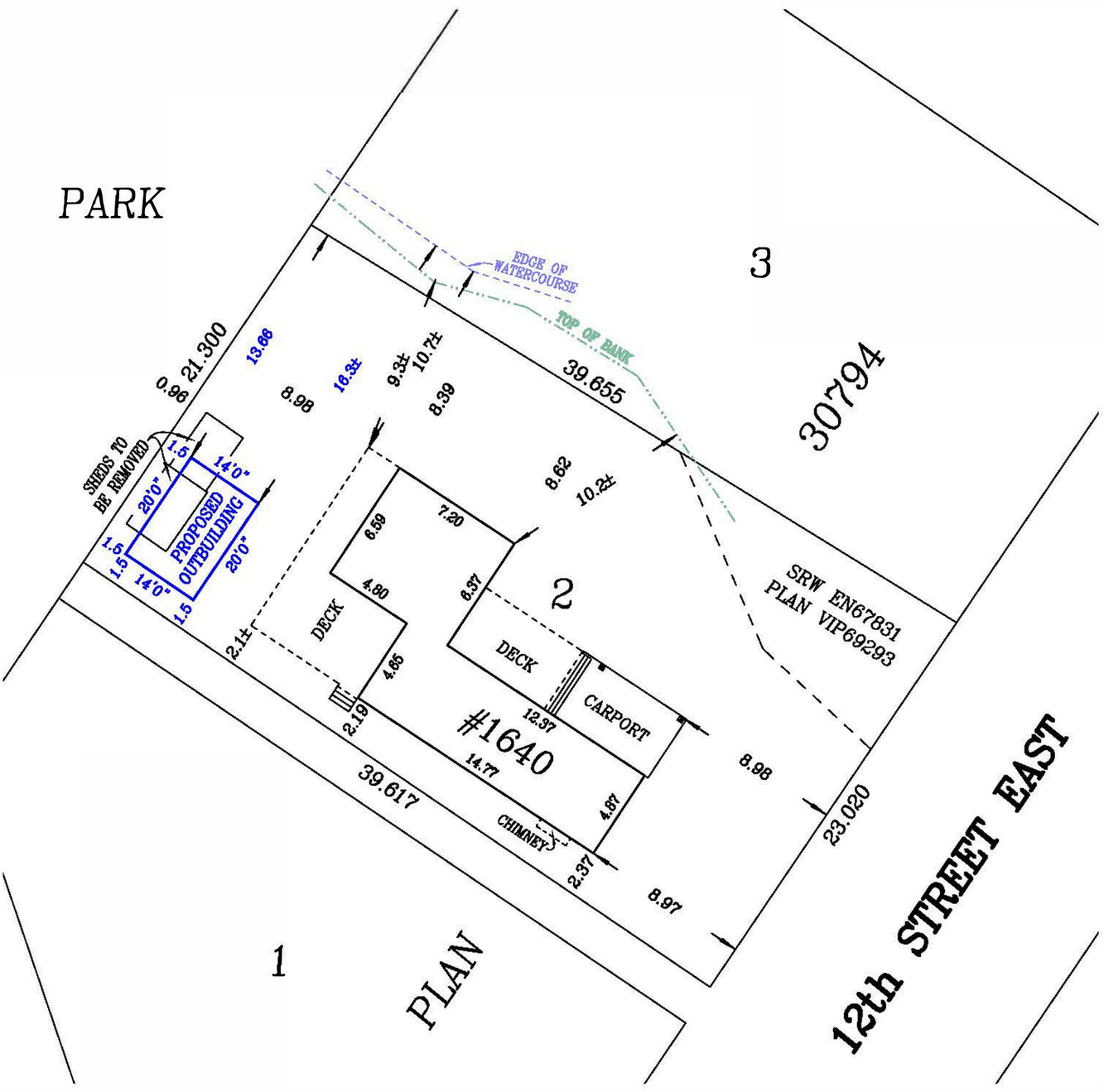
This document is not valid unless digitally signed or originally signed and sealed. All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or part without the consent of the signatory.

SCALE = 1 : 300

10 0 10 20

All distances are in metres and decimals thereof unless otherwise stated

PROPERTY LIES WITHIN THE CITY OF COURTENAY



Riparian Areas Protection Regulation: Assessment Report

Date: Feb. 16 2024 (v5)

I. Primary QEP Information

First Name	Dusty	Middle Name			
Last Name	Silvester				
Designation	RPBio	Company	Current Environmental Ltd.		
Registration #	3165	Email	dusty@currentenv.ca		
Address	558 England Ave.				
City	Courtenay	Postal/Zip	V9N2N3	Phone #	250-871-1944
Prov/state	BC	Country	Canada		

II. Secondary QEP Information

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	Phone #
Prov/state		Country	

III. Developer Information

First Name	Ryan	Middle Name			
Last Name	Reichelt				
Company	n/a				
Phone #	250-207-1523	Email	reichelt84@hotmail.ca		
Address	1640 12th St. East				
City	Courtenay	Postal/Zip	V9N6X1		
Prov/state	BC	Country	Canada		

IV. Development Information

Development Type	Accessory Building		
Area of Development (ha)	0.01	Riparian Length (m)	25
Lot Area (ha)	0.09	Nature of Development	New
Proposed Start Date	May 1, 2023	Proposed End Date	April 30, 2024

V. Location of Proposed Development

Street Address (or nearest town)	1640 12th St. East						
Local Government	City of Courtenay			City	Courtenay		
Stream Name	Glen Urquhart Creek						
Legal Description (PID)	001-218-051			Region	South Coast		
Stream/River Type	Stream			DFO Area	Vancouver Island		
Watershed Code	920-553400						
Latitude	49	41	57	Longitude	124	58	19

Table of Contents for Assessment Report

I. Primary QEP Information 1

II. Secondary QEP Information 1

III. Developer Information 1

IV. Development Information 1

V. Location of Proposed Development 1

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal 3

Section 2. Results of Detailed Riparian Assessment 7

Section 3. Site Plan 9

Section 4. Measures to Protect and Maintain the SPEA 11

Section 5. Environmental Monitoring 15

Section 6. Photos 16

Section 7. Professional Opinion 20

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

Revision Feb. 16, 2024

In response to RARNS review comments (email thread in Appendix) this update provides additional context on a historical, unpermitted deck addition to the existing residence that occurred within the Riparian Assessment Area prior to the QEP site investigation that formed the basis of this assessment. In the interim, a site survey by a BCLS was obtained that provided an accurate fix on the stream boundary as well as showing the distance between the nearest stream boundary point and the deck addition (Figure 2). This survey was succeeded by an additional site visit by the primary QEP from Current Environmental Ltd. to ground truth the BCLS' measurements. It was determined using a measuring tape of the horizontal distance between the nearest point of the deck to the stream boundary that the deck was constructed at 10.5 m (within a reasonable margin of error from the BCLS 10.7 m measurement) and confirmed that the deck is located outside the 10 m SPEA of the creek (Photo 6). As a result of the construction being within the RAA and the City's Development Permit Area, but outside the SPEA, the proponent will require a permit from the City to legitimatize the deck construction but it is not considered a contravention of the RAPR and will not require remedial actions. The remaining, original conclusions of this report remain relevant and do not require further amendment.

Fisheries Resource Values

Glen Urquhart Creek is an urbanized stream in the northeast of the City of Courtenay with a mainstem length of 4.2 km originating in the City's Malahat Storm Park via the approximate 1.3 km Valley View Greenway. The upper 2.6 kms of mainstem channel flow through urbanized areas of East Courtenay while the lower 1.6 km flows through the agricultural areas of the Courtenay River Estuary, managed in part by Ducks Unlimited among other private owners.

According to background research using the Provincial Fisheries Inventory Data Query tool the lower reaches of Glen Urquhart Creek have historical fish presence observations for anadromous populations of sockeye, pink, coho, chum, and chinook salmon; and anadromous/residential populations of rainbow and coastal cutthroat trout in addition to three-spined stickleback and sculpin spp.

A barrier to upstream fish migration, downstream of the subject property, was observed at the 10th St. East culvert crossing where the culvert invert is perched approximately 1 m above bed elevation without a significant outlet pool area (Photo 5). The result being that no anadromous fish species will be present at the reach of the creek adjacent to the subject property. It is unknown whether residential trout species may be present in the

upper reaches of the creek while it is suspected upper reaches dry seasonally and year-round survival would be limited. No fish trapping was done as part of this assessment.

Creek bed substrates in the subject reach adjacent to 1640 12th St. East included a mixture of gravels and fines with some emergent facultative hydrophytic plant species growing in areas of lower velocity (Photos 3-4). Sediment loading of the streambed from stormwater derived flows over paved surfaces is highly likely.

The riparian area of Glen Urquhart Creek on the subject property, as well as the surrounding urban neighbourhood, has been subject to historical urban modifications including channelization, riparian vegetation removal, and encroachment of invasive plant species (Photos 1-2). The area of existing riparian vegetation on the subject property is approximately 3 m wide on the southern (left) bank and contains numerous invasives including English holly, English ivy, spurge laurel (daphne), cherry laurel, and Himalayan blackberry with limited, although important presence of maturing Grand fir and big leaf maple with a swordfern, ladyfern, and salmonberry understory.

Description of the Development Proposal

The Proponent is proposing to develop a 280 sq ft. (20 x 14 ft.) detached accessory building in the backyard with temporary access to the site to be provided along the east side of the subject lot through the SPEA (Figure 1) -the preferred access route described by the City of Courtenay in email correspondence from Jacob Cramer, Planner I on Oct. 5, 2023, relaying comment from Patricia Woodruff, Aquatic Habitat Biologist at the Ministry of Water, Land and Resource Stewardship on September 13th, 2023.

An excerpt of the email from Patricia Woodruff, relayed by Jacob Cramer on Oct. 5, 2023, stated the following quote with respect to site access:

> *Because the driveway and grassed area is already considered an area of human disturbance, we could allow temporary access. There would have to be no removal of natural vegetation (looking at the site photos, that would primarily mean the trees could not be impacted). We would need an updated RAPR report that clearly showed the access route and identify any storage areas, as well as the critical root zones of the trees. Tree protection would have to include horizontal protections for the root zones (such as using 4 inches of mulch and rubber construction mats) and vertical protection to ensure that nothing can reach the tree trunks (likely something more robust than just snow fencing). Getting an arborist to fully delineate where the protection needs to go would be useful. Photos should document all the measures in place for the post-development report, the concern being that the roots are damaged but the impact isn't noticed right away, until the tree dies. Restoration of any impacted areas within the SPEA*

will be required, and enhancing previous areas of disturbance would be encouraged (restoring lawn area with native species, for example).

In response to the above comments, the following revision have been made in this report:

1. No removal of natural vegetation will be required as the width of the machinery required for construction can traverse around the existing residence without vegetation removal (Section 3 – Site Plan).
2. Access routes, storage areas, and critical root zones are shown in the updated Section 3 – Site Plan.
3. Horizontal and vertical protection for root zones is detailed in Section 1.4. Protection of Trees.
4. Specific tree protection measures and root protection radiuses are shown in Section 3 – Site Plan.
5. Post-development reporting will include photos documenting measures in place. The owner must contact the QEP a minimum of 7 days prior to commencing construction for a site visit to confirm the measures have been installed effectively.
6. Restoration and enhancement measures are included in this section below.

Construction will be completed using traditional construction methods including a concrete foundation and conventional wood frame building materials. Site preparation will be done using a small, rubber tracked hoe. A selection of native plants will be installed in the SPEA and invasives removed in a 50 m^2 area in the north corner of the property to help augment riparian function according to the following table:

Restoration Plan

Invasive species removal and re-vegetation using native species are recommended to provide an overall net-benefit to the riparian area of Glen Urquhart Creek within the boundaries of the subject property. It is recommended that all invasive plant species present within the 5 m strip of existing riparian vegetation be removed by hand and replaced with native vegetation in the northern corner of the subject lot (Figure 1).

Invasive plant parts are to be suitably contained within heavy duty plastic garbage bags in order to limit accidental dispersal during offsite transport by truck to the CV Waste Management Center (CVWMC). The CVWMC operator that receives the plants for disposal must be informed that the plants are invasive and should not enter the stream of typical yard waste.

The approximate 50 m^2 invasive plant removal and native vegetation restoration zone will be planted with an assemblage of species appropriate to the site (Table 1):

Table 1. Native vegetation species recommended for restoration planting within a 5 m strip of existing riparian vegetation located along the northern property boundary of the 1640 12th St. East, Courtenay, BC.

Common Name	Scientific Name	Distance from HWM (m)	Plant Spacing	Plant Size	Approximate Number	Estimated Cost
Salmonberry	*Rubus spectabilis*	0-5	1 x 1 m	1 gal.	2	22
Oceanspray	*Holodiscus discolor*	0-5	1 x 1 m	1 gal.	2	22
Nootka rose	*Rosa nutkana*	0-5	1 x 1 m	1 gal.	2	22
Swordfern	*Polystichum munitum*	0-5	1 x 1 m	1 gal.	5	55
Thimbleberry	*Rubus parvifolus*	0-5	1 x 1 m	1 gal.	2	22
Sitka spruce	*Picea sitchensis*	0-5	6 x 6 m	2 gal.	2	22
Total					15	$ 165

It is recommended that planting be done in either early spring or autumn to avoid installing new plants during the dry summer season. If planted in the spring regular watering/irrigation through the summer will be required. A mulch top dressing installed around each plant will also help reduce competition from other species and stress from desiccation.

A post-construction compliance and performance inspection and report is recommended to determine whether invasive removal and restoration planting has been effective. If deficiencies are noted during the inspection remedial actions (such as replacing plant mortalities) will be recommended to ensure that restoration goals have been achieved.

Section 2. Results of Detailed Riparian Assessment

Refer to Section 3 of Technical Manual

Date: Feb. 16, 2024

Description of Water bodies involved (number, type): 1, Stream

Stream	X
Wetland	
Lake	
Ditch	
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)
starting point	2.5	
upstream	~~2.7~~	
	2.5	
	2.5	
	2.3	
	2.3	1.0
	2.4	
	2.3	
	2.3	
	2.3	
downstream	~~2.2~~	
Total: minus high /low	21.4	
mean	2.37	

	R/P	C/P	S/P
Channel Type			

I, Dusty Silvester (*name of qualified environmental professional*), hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, Dusty Silvester (*name of qualified environmental professional*), hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;
c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Polygon No:	1		
	LC	SH	TR
SPVT Type			X

Method employed if other than TR: N/A

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons

LWD, Bank and Channel Stability ZOS (m)	10							
Litter fall and insect drop ZOS (m)	10							
Shade ZOS (m) max	10	South bank	Yes	X	No			
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)					n/a		
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report	n/a		
SPEA maximum	**10**	(For ditch use table3-7)						

I, Dusty Silvester (*name of qualified environmental professional*) , hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;

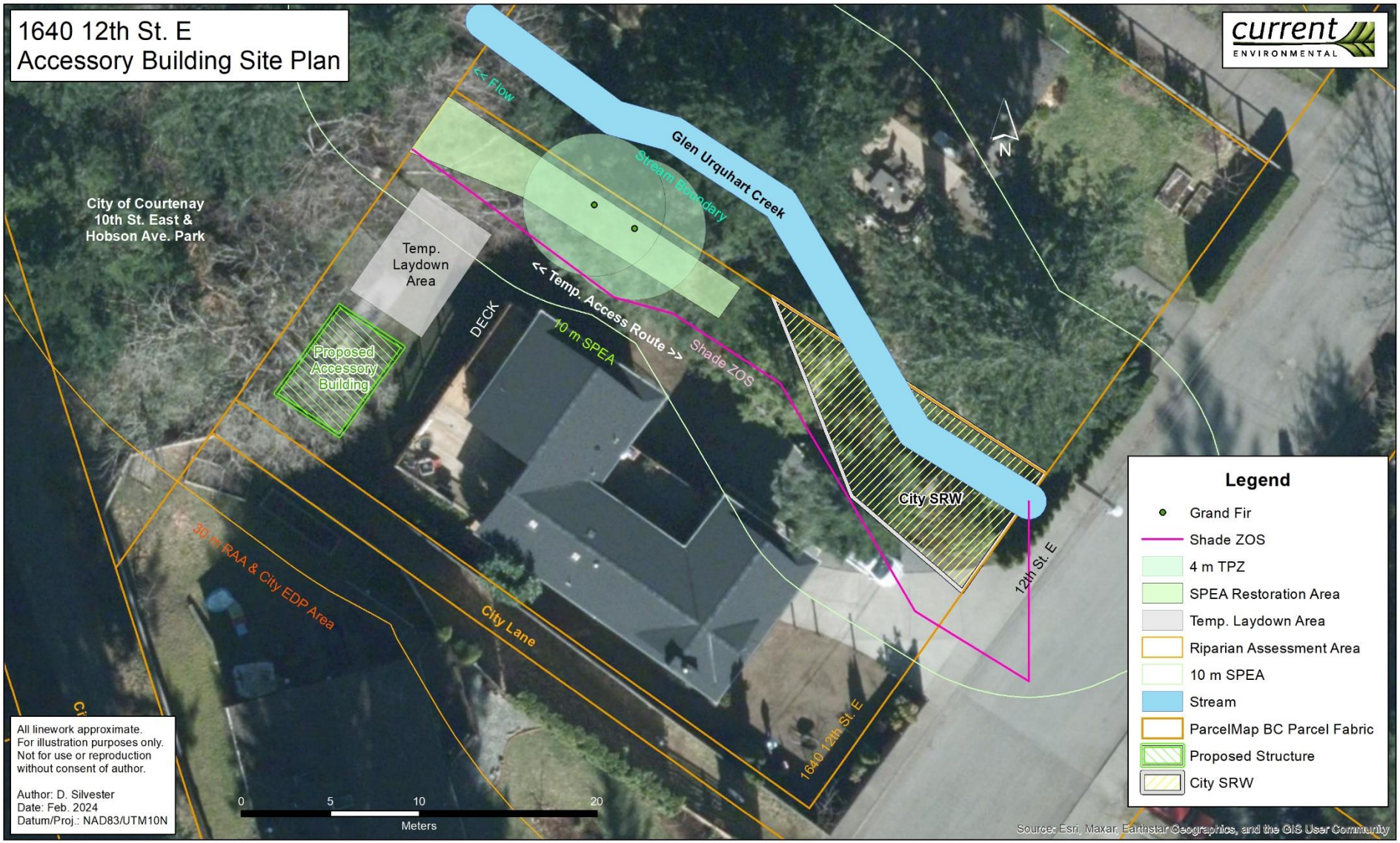
b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the technical manual to the Riparian Areas Protection Regulation.

Comments

Section 3. Site Plan



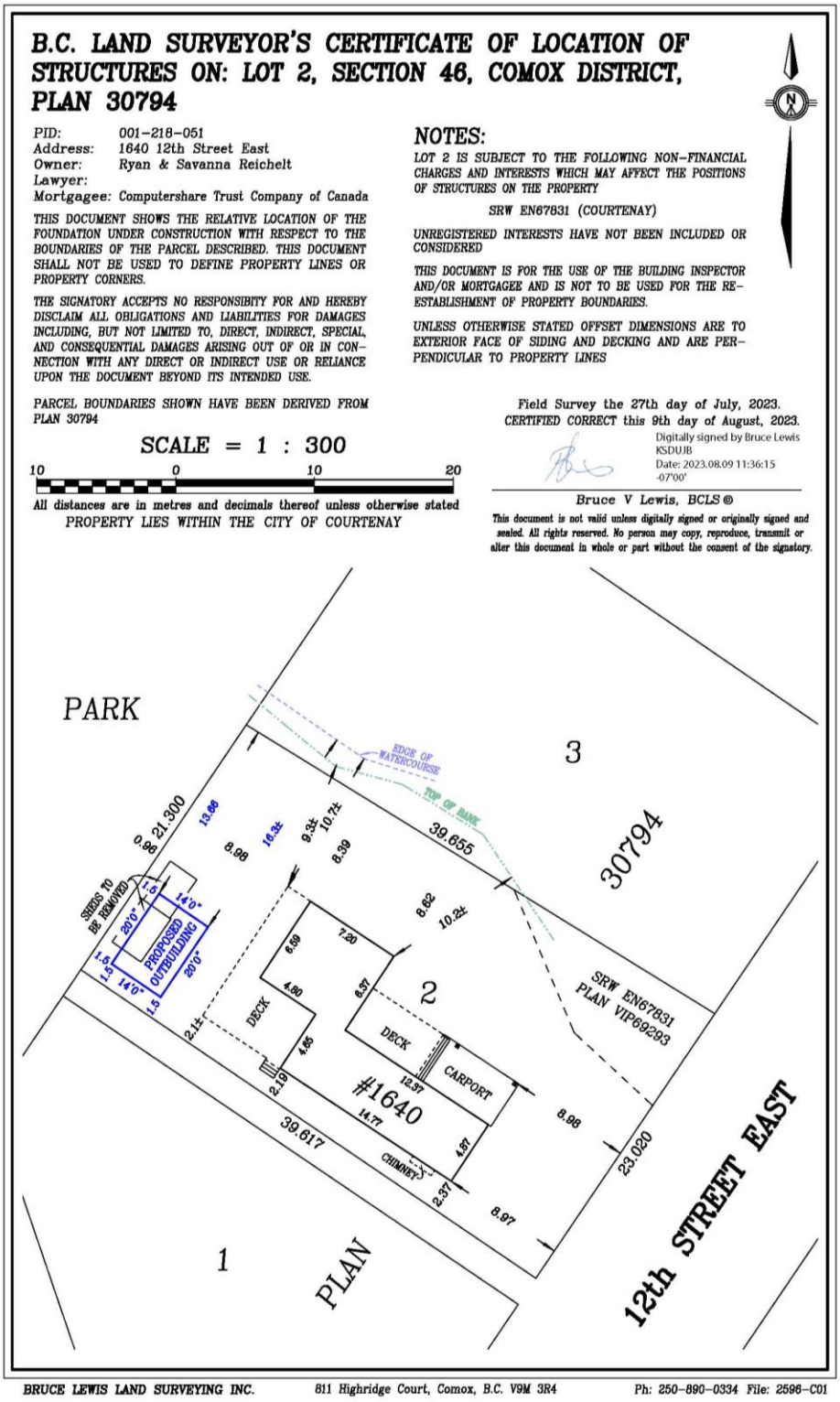


Figure 2. BCLS Site Survey showing deck location on the east side of the residence measured at 10.7 m from the stream boundary of Glen Urquhart Creek.

Section 4. Measures to Protect and Maintain the SPEA

1. Danger Trees
A danger tree assessment of the SPEA was completed by Precision Tree Services Ltd. In 2019 that resulted in the removal of a single Douglas fir (dbh: 2.5') danger tree. No works are planned within the SPEA that would create new danger trees since the 2019 assessment. As a result, no danger tree management is recommended at this time. However, tree conditions change over time, and it is recommended that additional danger tree assessments occur following completion of the proposed works to determine whether any previously unidentified trees may require danger tree management. ***Disclaimer:*** Unless expressed otherwise: (1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and (2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants/trees or property in question may not arise in the future.
I, Dusty Silvester (*name of qualified environmental professional*) , hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

2. Windthrow	
No changes to canopy structure on the property is expected as the proposed development will be within a previously cleared area. As a result, no changes affecting windthrow potential are expected from the development. ***Disclaimer:*** Unless expressed otherwise: (1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and (2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants/trees or property in question may not arise in the future.	
I, Dusty Silvester (*name of qualified environmental professional*) , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.	

3. Slope Stability	
Although the development area is sloped roughly north-south towards the creek, there are no slope stability concerns.	
I, Dusty Silvester (*name of qualified environmental professional*) , hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;	

b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

4. Protection of Trees

All trees within the 10 m SPEA are within 2-3 m of the stream boundary of the creek. The remainder of the SPEA has been used as lawn for many years. There will be no encroachment from construction work within the SPEA with the exception of temporary machine access described in Section 1, while two SPEA trees will require specific tree root protection zones (TPZ): two 50 cm dbh Grand fir (4 m TPZ) (Figure 1). The remaining trees along the stream boundary are sufficiently distant or are protected by an existing driveway such that there will be no interaction with them or their roots. Invasive species removal by hand and replacement with native vegetation is, however, recommended.

Specific measures should be implemented during construction to avoid impact to two 50 cm dbh Grand fir in the SPEAs:

a) Create/use access routes that avoid tree roots, storage of excavation/building materials away from trees within SPEAs, and cover tree roots in access areas with at least 15 cm of wood chip mulch (or similar material) to avoid root compaction.
b) Trenching through the rooting zone of mature trees will be prevented by establishing root protection zone fencing prior to the start of work.
c) Establish root protection zones around significant larger trees in the 30 m Riparian Assessment Area. There can be no paving, trenching, change of ground level, parking, storage of materials, or release of concrete washout or other pollutants into these root protection zones. Fencing can be constructed with temporary snow fencing, or other materials available that provide a visual barrier to machine operators.
d) Ensure that pollutants and other contaminants cannot enter soils within the tree protection zone.
e) Monitor the impacts of construction activities. Broken roots should be cleanly cut with a saw as opposed to shattered with machinery (note: this is for trees outside of the SPEAs but within the RAAs, as there shall be no damage to tree roots within SPEAs).
f) Mulch about the base of trees to retain moisture.
g) Vertical mulching may be necessary where roots have been severely impacted by machinery or fill.
h) Care should be taken not to break any tree limbs during construction. If any limbs are accidently broken, they should be cleanly cut with a saw.
i) Should any issues arise with regards to potential changes to the impact on trees during development, it is recommended that the project arborist provide guidance on the least impact approach to development around trees.

The root protection zones around significant trees in the creek SPEA will be marked by setting up boulders (already present on site) that will be oriented using machinery to clearly mark the edge of the temporary access route. These boulders can be removed after temporary site access is complete during the SPEA restoration phase of the project. Details of recommended post-construction SPEA restoration planting is provided in Section 1 "Description of the Development Proposal" above.

I, Dusty Silvester (*name of qualified environmental professional*) , hereby certify that:
a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;

c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

5. Encroachment

During construction no machines/vehicles will park or otherwise access the setback. There will be no spoilage from excavated soils or clearing/grubbing materials deposited in the SPEA. No building materials stockpiles will be allowed in the SPEA. All work crew members should be aware of the sensitivity of the setback.

The following activities will not be permitted in order to avoid impacting the SPEA.

1) Disposal of material (e.g. yard waste) within the SPEA;
2) Long-term storage of materials within the SPEA;
3) Removal of native vegetation or soil within the SPEA;
4) Constructing permanent features within the SPEA.

I, Dusty Silvester (*name of qualified environmental professional*), hereby certify that:

a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

6. Sediment and Erosion Control

Specific measures to control sediment during any future construction will include:

a) The setback areas are to be clearly delineated using flagged stakes or other similar high visibility delineator prior to construction;
b) Maintain/do not disturb all vegetation within the setback areas;
c) No machinery is to enter riparian setback areas at any time;
d) Where there is a potential for silt runoff in the proximity of existing watercourses, control devices will be installed prior to construction activities commencing;
e) Filter fabric dams, rock check dams, and silt fencing will be used as needed on a site-specific basis to control erosion. Filtration should be accomplished using filter fabric keyed into substrates and banks and elevated using stakes. Silt fencing is not an acceptable mitigation technique to control erosion in flowing ditches; however, it is useful for containing slumping areas and for use as baffles to slow water velocities.
f) Excavation will be stopped during intense rainfall events or whenever surface erosion occurs affecting the watercourse.
g) Watercourses are not to be traversed by machinery at any time.
h) Soil stockpiles will be placed a minimum of 15 m from any watercourse and in a location where erosion back into the watercourse cannot occur and will not impede any drainage.
i) Soil stockpiles with the potential to erode into watercourses are to be covered with poly sheeting or mulch. Other techniques, such as terracing or surface roughening can greatly reduce surface erosion on steeper slopes.
j) Permanent exposed soil areas and erosion-prone slopes that may potentially erode into the watercourse are to be seeded immediately or covered with geotextile.
k) Clearing will take place immediately prior to excavation and earthworks to minimize the length of time that soils are exposed. Vegetation in adjoining areas will not be disturbed.
l) Site re-vegetation measures are required to stabilize soils and stream banks and reduce erosion. The measures, including hydroseeding, are to be implemented as directed by the biologist as construction is completed.

I, Dusty Silvester (*name of qualified environmental professional*) , hereby certify that:

a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

7. Stormwater Management	

It is recommended that the pre-development or natural hydrologic regime is maintained or restored by the development. Roof drainage from the new structure will be directed into existing residential perimeter drains. The new accessory building will be replacing one with very similar dimensions and no cumulative increase of impermeable surfaces beyond existing are expected. Overall, the drainage system should adhere to guidelines for runoff water infiltration to ground and promoting infiltration where possible as opposed to piping the runoff directly towards the stream.

I, Dusty Silvester (*name of qualified environmental professional*) , hereby certify that:

a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

8. Floodplain Concerns (highly mobile channel)	

There are no floodplain concerns. The stream channel is incised, with partially armoured and vegetated banks, and is highly unlikely to migrate from its existing orientation.

I, Dusty Silvester (*name of qualified environmental professional*) , hereby certify that:

a. I am a qualified environmental professional, as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Ryan Reichelt (*name of developer*) ;
c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Minister's technical manual to the Riparian Areas Protection Regulation.

Section 5. Environmental Monitoring

The developer is to contact a Qualified Environmental Professional (QEP) three days prior to the commencement of construction to discuss Measures to Protect and Maintain the SPEA as described in Section 4. At a minimum, the following tasks will be discussed at the meeting:

1. Ensure the setback area is clearly delineated.
2. Review work plan.
3. Ensure appropriate mitigation measures will be in place.
4. Review all Measures to Protect the SPEA stated in this report and ensure appropriate equipment to satisfy the measures are on-site or available.
5. Review emergency spill response plan.
6. Set up a contact system should a QEP be required on site in the event of sediment/erosion issues or some other type of risk to aquatic habitats that may arise during construction.

Immediately upon completion of the construction work, the proponent is to contact a QEP for a post-construction site inspection. Any deficiencies noted by the QEP are to be addressed by the proponent. A final post-construction report is to be submitted by the QEP to the BC RAR Notification System.

Section 6. Photos

Photo 1. View south taken from near the northern property corner showing the proposed development area currently inhabited by a shed (right of image), with the existing residence in the background, and the stream SPEA (left of image). The tape measure (background right) is extended to the 10 m SPEA with the field notebook marking 5 m (foreground). Note: the bitter cherry in left foreground fell during an autumn storm and is no longer present.

Photo 2. View north taken from the 10 m SPEA edge (tape in foreground left) showing the status of the SPEA with edge of vegetation along Glen Urquhart Creek visible in background this is the location of proposed SPEA enhancement planting.

Photo 3. View upstream of Glen Urquhart Creek (foreground left) taken from near the northern subject property corner showing vegetation dominated by invasive English ivy and landscaping laurels.

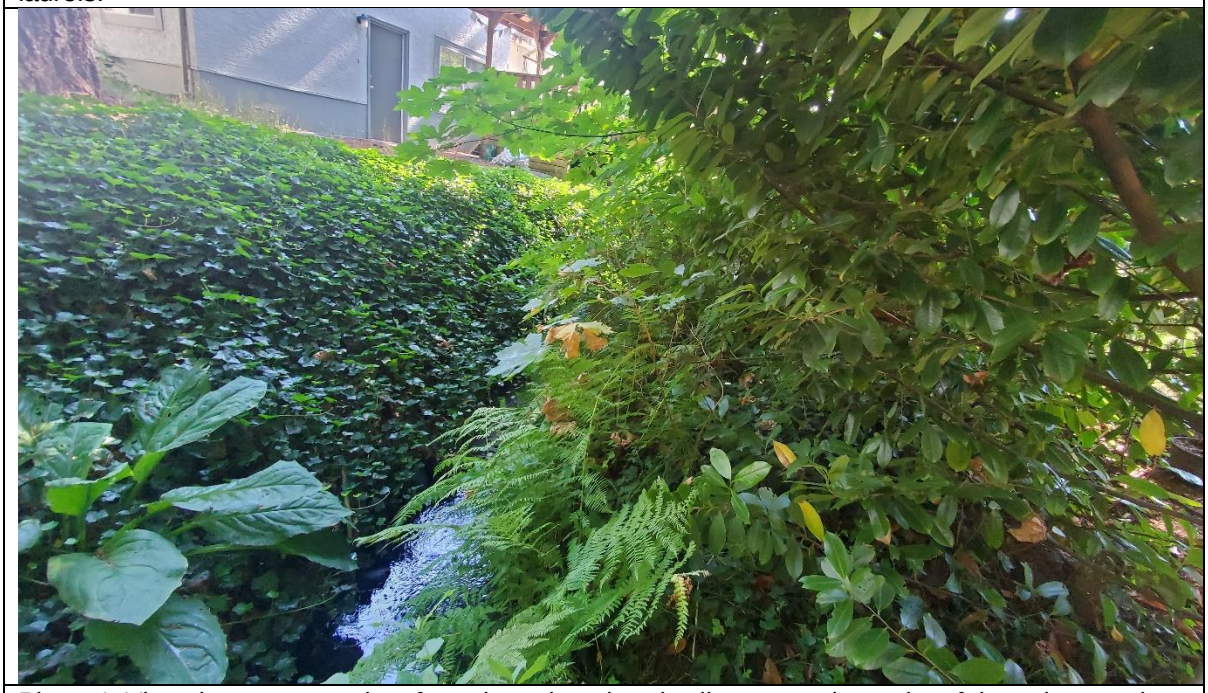


Photo 4. View downstream taken from the culvert headwall apron at the outlet of the culvert under 12th St. E within the City SRW showing low flow conditions and bank armouring. The subject property is at left of image.

Photo 5. View north of the approx. 1 m drop from the culvert outlet under 10th St. East, downstream of the subject property, acting as a complete barrier to anadromous fish migration.

Photo 6. View south taken from near the left bank stream boundary showing the deck construtced prior to the original RAPR site assessment measured at 10.5 m horizontal distance from the stream boundary.

Section 7. Professional Opinion

Qualified Environmental Professional opinion on the development proposal's riparian assessment.

Date Feb. 16, 2024

1. I/We Dusty Silvester

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Protection Regulation made under the *Riparian Areas Protection Act*;
b) I am/We are qualified to carry out the assessment of the proposal made by the developer Ryan Reichelt (*name of developer*), which proposal is described in section 3 of this Assessment Report (the "development proposal"),
c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
d) In carrying out my/our assessment of the development proposal, I have/We have followed the specifications of the Riparian Areas Protection Regulation and assessment methodology set out in the minister's manual; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

a) [ ] the site of the proposed development is subject to undue hardship, (**if applicable, indicate N/A otherwise**) and
b) [XXX] the proposed development will meet the **riparian protection standard** if the development proceeds as proposed in the report and complies with the measures, if any, recommended in the report.

[NOTE: "Qualified Environmental Professional" means an individual as described in section 21 of the Riparian Areas Protection Regulation.]

Appendix

From: Riparian Areas WLRS:EX
To: Dusty Silvester; "Gothard, Nancy"; "Cramer, Jacob"
Cc: "Ryan Reichelt"
Subject: RE: Assessment 8267 is invalid
Date: February 5, 2024 2:41:45 PM

For this specific site, as we're all aware of the potential issue, you may combine the CIA and RAPR reports and only need to upload an updated RAPR report. A separate CIA report will not add value to the review given what we've already discussed.

Please clearly add in Section 1 of the RAPR report the context of the unpermitted structures and what the outcome is (removal of part of it or retention of the deck).

I recommend adding this correspondence as an appendix to the RAPR report for continuity purposes.

Nick

From: Dusty Silvester <dusty@currentenv.ca>
Sent: Monday, February 5, 2024 2:34 PM
To: Riparian Areas WLRS:EX <RiparianAreas@Victoria1.gov.bc.ca>; 'Gothard, Nancy' <ngothard@courtenay.ca>; 'Cramer, Jacob' <jcramer@courtenay.ca>
Cc: 'Ryan Reichelt' <reichelt84@hotmail.ca>
Subject: RE: Assessment 8267 is invalid

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Nick,

To be crystal clear, does the province want to see the "updated 8267 report" in a revised Detailed RAPR report format or a separate Condition and Impact Assessment?

Dusty Silvester, R.P.Bio.
Current Environmental Ltd.
(250) 871-1944

From: Riparian Areas WLRS:EX <RiparianAreas@Victoria1.gov.bc.ca>
Sent: Monday, February 05, 2024 2:31 PM
To: Dusty Silvester <dusty@currentenv.ca>; 'Gothard, Nancy' <ngothard@courtenay.ca>; 'Cramer, Jacob' <jcramer@courtenay.ca>
Cc: 'Ryan Reichelt' <reichelt84@hotmail.ca>
Subject: RE: Assessment 8267 is invalid

Hi Dusty,

Per RAPR methods, please ensure the SPEA is measured horizontally from the *Stream Boundary*.

The deck is unpermitted and needs to be included in an updated 8267 report to ensure all works (proposed and currently built) are legalized. If the aerial photos used in the RAPR report is not georeferenced, remove it from the site plan as it shows the deck partially within the SPEA. Should any portion of the deck be within the SPEA, it will require removal.

Nick

From: Dusty Silvester <dusty@currentenv.ca>
Sent: Tuesday, January 30, 2024 4:02 PM
To: Riparian Areas WLRS:EX <RiparianAreas@Victoria1.gov.bc.ca>
Cc: Ryan Reichelt <reichelt84@hotmail.ca>
Subject: RE: Assessment 8267 is invalid

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Nicholas,

I went out to site this morning and measured the edge of deck at 10.5 m from the nearest point on the left bank stream boundary of the creek (photo attached), outside the 10 m SPEA. Will the previously approved RAPR assessment still be considered invalid, and will the province require any additional reporting on the matter?

Thank you,

Dusty Silvester, R.P.Bio.
Current Environmental Ltd.
(250) 871-1944

From: Riparian Areas WLRS:EX <RiparianAreas@Victoria1.gov.bc.ca>
Sent: Monday, January 22, 2024 3:54 PM
To: Dusty Silvester <dusty@currentenv.ca>
Subject: RE: Assessment 8267 is invalid

Hi Dusty.

Please confirm the “water’s edge” or as depicted on the plan below “edge of watercourse” in relation to your determined Stream Boundary (attached).

Nick

From: Dusty Silvester <dusty@currentenv.ca>

Sent: Monday, January 22, 2024 1:58 PM
To: Riparian Areas WLRS:EX <RipianAreas@Victoria1.gov.bc.ca>
Subject: RE: Assessment 8267 is invalid

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Nicholas,

I have spoken with the applicant, Ryan Reichelt in reference to the site survey that was recently shared with me showing the deck in question being 10.7 m from the water's edge -according to the BCLS. This is outside the 10 m SPEA and calls into question the invalidation of the RAPR report on the basis that past work (pre-dating the RAPR report submission) may not have occurred within the SPEA -but, yes, within the RAA and City DP.

I'm trying to determine next steps in consideration of the Province's earlier statement that part of the deck structure would be required for removal and restoration to pre-disturbance state. If the deck is > 10 m distant this should not be the case -although a Condition and Impact Assessment may still be warranted because works did occur within the 30 m RAA and City DPA.

In light of the survey information showing that the deck is outside of the 10 m SPEA (see snip below), what is the Province's position on this?

Thank you,

Dusty Silvester, R.P.Bio.
Current Environmental Ltd.
(250) 871-1944

From: Riparian Areas WLRS:EX <RiparianAreas@Victoria1.gov.bc.ca>
Sent: Tuesday, January 2, 2024 1:46 PM
To: Dusty Silvester <dusty@currentenv.ca>; 'PLANNING@COURTENAY.CA' <PLANNING@COURTENAY.CA>
Cc: 'Gothard, Nancy' <ngothard@courtenay.ca>; 'jcramer@courtenay.ca' <jcramer@courtenay.ca>
Subject: Assessment 8267 is invalid

It is come to the province's attention that unpermitted development (i.e., deck constructed between 2020 and 2021 to the rear of the house) has occurred on the subject property. As such, RAPR 8267 is invalid. The following actions are required to resolve unpermitted development on the subject property and re-issue an approval for proposed development.

1. A Condition and Impact (CIA) assessment report is required to inform and resolve the scope of unpermitted development on the subject property.
    a. As *development* within Streamside Protection and Enhancement Areas (SPEAs) does not meet the riparian protection standard (Section 10(1)), unpermitted non-conforming *development* must be removed from SPEAs and the area of

disturbance returned to the previous pre-development condition or ecologically enhanced. The QEP is to determine the corrective actions necessary to meet RAPR standards.

2. The RAPR report requires an updated submission; portions of the unpermitted *development* (i.e., deck) that does meet RAPR standards is to be included as proposed development.
    a. Site plans will require updating.
3. The CIA report is to be appended to the updated RAPR report. The province will review all information concurrently to expediate the development permit process.
    a. The updated RAPR report and CIA report will be conditions of the development permit. As such, post-development report(s) are to include the objectives and standards of both.

If there are any questions, please contact me.

Nicholas Schwetz
Riparian Areas Biologist

From: Riparian Areas WLRS:EX
Sent: Friday, December 15, 2023 2:14 PM
To: dusty@currentenv.ca; PLANNING@COURTENAY.CA
Subject: Assessment 8267 meets the standards of RAPR

RAPR Submission 8267 has been reviewed by the Ministry of Water, Land and Resource Stewardship. This report **meets the assessment and reporting criteria** for the Riparian Areas Protection Regulation. The developer now has the information required of the province under regulation to move forward with the development permit process. The local government will be notified shortly.

Note to the local government: The description of proposed development has been accepted on the basis that this is the final plan for development. If development plans should change, another RAPR assessment must be submitted to the Province for review prior to DP issuance.

From: RiparianAreas@Victoria1.gov.bc.ca <RiparianAreas@Victoria1.gov.bc.ca>
Sent: Monday, December 11, 2023 5:22 PM
To: dusty@currentenv.ca; Riparian Areas, Region 1 WLRS:EX <RARReg1@gov.bc.ca>; Riparian Areas WLRS:EX <RiparianAreas@Victoria1.gov.bc.ca>
Subject: Assesment 8267 has been updated

This assessment has been updated. This notification is sent to you, Fisheries and Oceans Canada (DFO)and the BC Ministry of Environment.
Details of this assessment are included in this notification.

Check content to ensure correctness.
If it is incorrect, modify your assessment.

Assessment Details

Assessment ID:: 8267 **Creation Date:** 2023-05-03

Status: updated **Last Modified:** 2023-12-11

Development Details

Development Type:	Accessory Buildings	**Proposed Start Date:**	2023-06-01
Area of Development (hectares):	.010	**Proposed End Date:**	2024-05-30
Lot Area (hectares):	.090	**Nature of Development:**	Redevelopment
Riparian Length:	25.00	**Section 9 Part 7 Activities:**	N

Location Details

Local Government:	Courtenay, City of	**DFO Area:**	South Coast Area
Region:	Vancouver Island	**Stream/River Type:**	Watercourse
Parcel Identification (PID)/ Parcel Identification Number (PIN):	001-218-051	**Stream/River Name:**	Glen Urquhart Creek
Address Line 1:		**Watershed Code:**	920-553400
Address Line 2:		**Postal Code:**	
Latitude:	49°41'57"	**Longitude:**	124°58'19"

Developer Details

Contact First Name:	Ryan	**Address Line 1:**	1640 12th St. East
Contact Middle Name:		**Address Line 2:**	
Contact Last Name:	Reichelt	**City:**	Courtenay
Province/State:	BC	**Postal/Zip Code:**	V9N6X1
Email Address:	reichelt84@hotmail.ca	**Country:**	Canada
Company Name:		**Phone #:**	

Primary QEP Details

Contact First Name:	Dustin	**Address Line 1:**	558 England Ave.
Contact Middle Name:		**Address Line 2:**	
Contact Last Name:	Silvester	**City:**	Courtenay
Designation:	Biologist	**Province/State:**	British Columbia
Registration #:	3165	**Postal/Zip Code:**	V9N2N3
Email Address:	dusty@currentenv.ca	**Country:**	Canada

Company Name: Current Environmental Ltd. **Phone #:** 2508711944

Secondary QEP Details

Name:	Company	Address	Email	Phone

Notice of Development Variance Permit No. 2304

Development Variance Permit application for 1640 12th Street East

File No.: 3090-20-2304/DVP00046

Council will consider Development Variance Permit No. 2304, at the Wednesday, July 31st, 2024 regular Council meeting at 4pm, to vary a setback to a watercourse to facilitate the lawful permitting of a deck.

Subject property: 1640 12th Street East (LOT 2, SECTION 46, LAND DISTRICT, PLAN 30794). The property is zoned Residential Small-scale Multi-unit Housing (R-SSMUH). The proposed Development Variance Permit would vary the following section of Zoning Bylaw No. 2500, 2007:

- Section 6.5.3 (ii) – decrease the setback required for development adjacent to a watercourse from "15 metres" to "10.5 metres" to permit the construction of a deck.

Get more information

The proposed permit is available for viewing at Courtenay City Hall, 830 Cliffe Avenue, July 19 – July 31 8:30 am – 4:30 pm Monday to Friday, Except holidays, OR online: **www.courtenay.ca/devapps**

Watch Meeting In-person

Wednesday July 31, 2024 starting at 4:00 p.m.
At the CVRD's CIVIC Room
770 Harmston Ave., Courtenay

Watch Meeting Online

Wednesday July 31, 2024 starting at 4:00 p.m.
Streamed live on the City of Courtenay's YouTube channel

Submit Written Comments

by 1:00 p.m. on Wednesday July 31, 2024
Email: **planning@courtenay.ca**
Mail: Development Services
830 Cliffe Avenue, Courtenay, BC
V9N 2J7

City of Courtenay

City of Courtenay Development Services
830 Cliffe Avenue, Courtenay BC, V9N 2J7
Phone 250-703-4839 | **Email** planning@courtenay.ca

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 3360-20-2306/RZ000079

From: Director of Development Services **Date:** July 31, 2024

Subject: 11th Street Zoning Bylaw Amendment No. 3059 – Application Introduction

PURPOSE:

To provide Council information on the proposed Zoning Bylaw Amendment No. 3059 in advance of Council considering first reading of the proposed Zoning Bylaw Amendment No. 3059 to provide Council the opportunity to ask questions prior to Staff finalizing the proposed Zoning Amendment Bylaw No. 3059.

BACKGROUND:

In October 2023, the owner of the properties at 125 and 120 11th Street and 1128 Beckensell Avenue submitted a rezoning application that proposed these three parcels be rezoned to a comprehensive development zone to allow for the construction of a 5-storey multi-residential rental apartment building, elevated above an at grade parking lot. The rezoning proposal includes a request from the applicant to purchase a City owned lot located, outlined in green, between 120 and 125 11th street properties (Figure 1).

Figure 1: Properties subject to the rezoning application shown in red. Unaddressed City owned parcel shown in green.

The properties gently slope from west to east with a high point along the property lines at Beckensell Avenue, and lowest elevations along the Courtenay River. Only one of the properties (125 11th Street) has

an existing residence, an old single detached home that will be demolished to accommodate the new development. Most of the site has been previously cleared of vegetation and now primarily consists of maintained lawn and overgrown non-native vegetation, however mature trees exist primarily along the site's property lines, with others scattered intermittently throughout the lots.

Proposed Development

The purpose of the rezoning application will be to rezone 4 properties, representing 6,210m^2, to Comprehensive Development Forty-One Zone (CD-41) to facilitate lot consolidation and the development of an approximately 104 unit 5-storey purpose-built rental apartment building (Figures 2 and 3).

Figure 2: Perspective drawing of west (street facing) building elevation along Beckensell Avenue

Figure 3: Site plan of proposed development. Proposed building footprint shown in hatching sitting atop surface parking.

The proposed rental development contains an estimated unit mix of 40 smaller studios, 32 larger studios (executive suites), 24 one-bedroom and 8 two-bedroom units. Four residentials floor sit atop of the single storey above grade parkade comprising approximately 100 parking stalls. This design largely addresses the site's location in the floodplain and flood construction levels, discussed further detail later in this report. Access to the property will be solely from Beckensell Avenue.

The applicant has requested to purchase the unaddressed City owned lot based upon Council's decision to consider sale on this property in 2015. Staff reviewed the 2015 application and is supportive of the disposition of the city owned lands to support purpose built rental housing that aligns with the policies in the OCP. Staff and the applicant understand it is Council's decision to dispose of the land, following the legislative process laid out in Sections 26 and 94 of the *Community Charter*.

DISCUSSION:

The proposed *Zoning Amendment Bylaw No. 3059* seeks to rezone all four properties to a new Comprehensive Development Forty-One zone (CD-41) in order to facilitate a four-lot consolidation of the subject properties for the purpose of building a 5-storey multi-residential rental apartment building. The existing zoning of the four properties listed, from north to south, is as follows (and shown in Figure 4 outline in aqua):

1. 125 11th Street [LOT A, SECTION 69, COMOX DISTRICT, PLAN 32204] – Commercial Two (C2).
2. 120 11th Street [LOT 1, SECTION 69, COMOX DISTRICT, PLAN 6674] – Multiple Use Two (MU-2).
3. The unaddressed City owned lot [THAT PART OF LOT 10, SECTION 69, COMOX DISTRICT, PLAN 3030, TAKEN FOR ROAD PURPOSES AND CONTAINING 0.27 OF AN ACRE MORE OR LESS, SHOWN IN RED ON PLAN 284BL] – no zone assigned and outlined in red in figure 4 below
4. 1128 Beckensell Avenue [LOT 2, SECTION 69, COMOX DISTRICT, PLAN 6674] – Multiple Use Two (MU-2).

Figure 4: Legal descriptions of lots proposed to be rezoned. City owned parcel shown in red.

ANALYSIS:

Proposed CD-41 Zone and Land Use Designation

The subject properties are designated Urban Corridor and are immediately adjacent the Downtown Town Centre Land use designation. The Urban Corridor designation are intended to be primary focus areas of commercial and residential densities outside the downtown. These areas are designated to support a mix of uses that include a variety of higher-density housing choices as well as regional retail destinations. In this instance multi-residential rental zoning, accessory buildings and structures and home occupation are the only proposed uses.

The proposed CD-41 Zone in comparison to the existing Multi-Use 2 zone that is designated on two of the parcels differs in the following respects:

- Increase height from 10 metres to 20 metres to accommodate a 5-storey building in line with the land use designation supporting higher densities and heights in this area.
- Maintain a lot coverage comparable to other higher density developments after considering the fact that a significant proportion of the site cannot be developed due to environmental sensitivity.
- Reduce vehicular and bicycle parking requirements to suit target resident needs, reflecting a mix of unit types and proximity to the downtown range of services that provides access by proximity;
- Reduce useable open space requirements from a standard of 20 m2 per unit to on average 13 m2 as provided in a common open space, and through the provision of private patios. This is in recognition of the proximity of large community parks nearby (Simms, Lewis and Standard Park).

Figure 5: Land use designations in the area. Subject properties shown in red outline. Properties in pink are Urban Corridor designation, properties in red are Downtown Town Centre designation.

Land Appraisal and Disposition

City owned land must be disposed as per the legislation under Sections 26 and 94 of the *Community Charter*. Council is required to give notice of the proposed disposition. An appraisal by Cunningham & Rivard Appraisals Ltd. was completed in December 2023 that determined the estimated market value of the City's parcel based on the its value assumed to be consolidated with the surrounding lots and zoned to allow a 5-storey apartment. The value would be $360,000.00.

If Council directs Staff to proceed with the sale of the land, public notice of disposition will be required and a Purchase and Sale Agreement will be drafted based upon the appraisal and in accordance with relevant legislation. This disposition would form one of the conditions in the rezoning of the lands and would be considered by Council as part of this rezoning application.

Archaeological Information

The application has been referred to K'ómoks First Nation (KFN) to understand possible Cultural Heritage Investigation Permit (CHIP) requirements. KFN staff have provided instruction to the applicant on how to proceed with the development proposal should Council approve the Zoning Amendment Application.

Environmental Development Permit and Tree Protection and Management Bylaw No. 2850

The proposed development is adjacent the Courtenay River and contains associated riparian areas which are Environmentally Sensitive Areas (ESA) and therefore requires Environmental Impact Assessments and the issuance of an Environmental Development Permit (EDP) as part of the development approval process. Department of Fisheries and Oceans (DFO), Ministry of Water Land and Resource Stewardship (WLRS) and the local conservation stewardship sector were referred the rezoning application. DFO and WLRS (provided responses which have informed the Environmental Impact Assessment (EIA). Staff have also retained the services of a third-party Registered Professional Biologist to assist with analysis of development proposals that could have impact on local ESAs.

Based on the environmental assessment and review by authorities with jurisdiction, the Courtenay River and adjacent riparian areas are the only ESAs on the property. The Riparian Area Protection Regulations (RAPR) does not apply to this portion of the Courtenay river due to the adjacent shoreline's estuarine environment (saltwater). To respond to other environmental protection best practices and regulatory requirements, the proposal includes a 15-metre environmental setback from the Courtenay River. Within this area development is not permitted except for restoration and enhancement which will be required in the form of invasive species removal, native tree, shrub and groundcover replanting and the installation of terrestrial habitat features such as bird and bat boxes.

Additionally, the proposal includes a 30-metre low impact development setback from the Courtenay River. Between the 15 environmental setback and the 30-metre low impact development setback only the following uses will be permitted: landscaping and environmental restoration in the form of high tree canopy cover, open space use by rental building residents in the form of limited gravel pathways and amenity BBQ and seating area, and a limited portion of the parking area in the form of permeable surfaces. See Figure 3 for these different setbacks.

Section 219 Covenants identifying acceptable, restricted, and required uses within these two setback areas would be part of zoning approvals.

Tree bylaw requirements apply to portions of the development proposal outside of the environmental setbacks and are proposed to be met primarily through landscape replanting around the perimeter of the

property to also support aesthetic and privacy goals, and possible cash-in-lieu option into the City's Tree Replanting Reserve Fund.

Further detailed information on the EIA, the EDP, tree bylaw requirements and how they relate to the rezoning application will be provided in the Staff Report that accompanies First Reading of *Zoning Amendment Bylaw No. 3059*.

Floodplain Management Bylaw No. 1743

The subject property falls within the floodplain as defined in *Floodplain Management Bylaw No. 1743.* To meet the Bylaw's requirements, the development will have to be constructed above the Flood Construction Level (FCL) as determined by a Geotechnical Engineer.

A geotechnical report from a qualified professional will be required to satisfy both the structural requirements needed to design the building above the FCL and to withstand damages during a flood event. If the information in the report satisfies both of the floodplain specifications, then the development will satisfy the bylaw requirements and the geotechnical report will be appended to a Section 219 'Save Harmless' Covenant and registered on title prior to the issuance of a Building Permit.

Community Amenity Contributions

The OCP's CAC policy looks to secure as non-market, 15% of units within a development reflecting 15% of the net increase in development rights achieved through rezoning; i.e. the density increase. The applicant is offering to build and operate 6 below market rental units. In response to policy to support a mix of unit types, the applicant proposes 1 two-bed unit, 2 one-bed unit, three studios, representing approximately 15% of the units and 16% of the square footage that would be gained if the rezoning is approved.

These units will be secured in perpetuity at 30% below the Median Market rate for comparable buildings in Courtenay as defined by CMHC from time to time. This will require as a condition of the rezoning a Housing Agreement Bylaw be executed by the owner prior to adoption of the proposed zoning amendment bylaw and be registered on title.

The applicant has relayed that if any further housing amenity was provided, the project would not be financially viable and could not proceed based on the current markets (housing, labour, materials). While not an amenity, it's also notable that the proposal is for purpose built rental and that through rezoning rental tenure will be secured through the zone.

Currently the Zoning Bylaw does not have density bonus regulations nor inclusionary zoning regulations, under Bill 16 staff will be bringing forward the new local government tools being provided by the provincial government which would enhance the current OCP community amenity contributions for securing affordable housing.

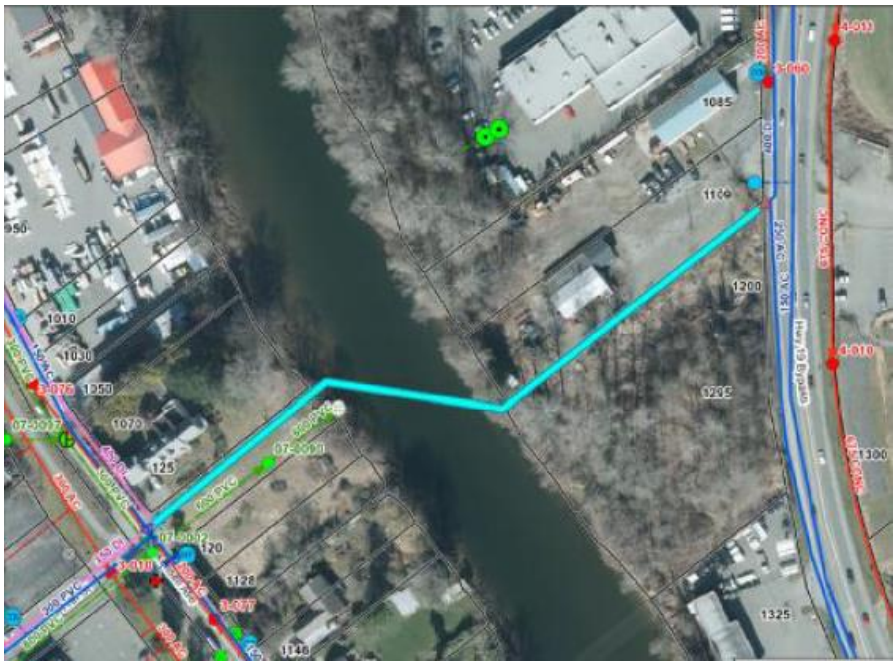
CMHC Development Financing

The applicant is pursuing Canada Mortgage and Housing Corporation (CMHC) MLI Select financing. This funding criteria related to affordability, energy efficiency and GHG reductions and accessibility. Many of these criteria overlap with OCP goals and Council's strategic priorities regarding housing, climate and inclusion.

Servicing Infrastructure

Prior to issuance of a Building Permit, security for the off-site works will be required for the frontage improvements along Beckensell Avenue. As part of the works and services agreement, the owner will also need to remove an abandoned CVRD water main that runs underneath the roadway dedication, through the proposed development and under the Courtenay River. The main will be removed only from the west property line to the boundary of the environmental setback determined by the Environmental Development Permit, where the remainder will be capped and deserted (see Figure 6 X for abandoned watermain alignment). An active 600mm PVC storm water pipe also runs underneath the road dedication, and will need to be realigned by the applicant outside of proposed building footprint to allow future public maintenance access through a statuary right-of-way (SRW) this will be a condition of the rezoning and the SRW to be registered prior to final inspection as part of the building permit application process.

Figure 6: Abandoned CVRD watermain in blue that runs across the Courtenay River and that will be removed off the development site shown. 600mm PVC storm water pipe shown in green on City owned property.



The property is already connected to City sewer, water and storm water services. As part of the zoning amendment application process, the applicant will be required to pay for modeling for sanitary and water flow to determine if any off-site infrastructure improvements are necessary to permit the development.

Transportation Impact Assessment

A Transportation Impact Assessment (TIA) has been provided to support staff with understanding the impacts to the City's transportation networks and to provide potential mitigation recommendations where impacts exist. Overall, it was the opinion of the TIA's authors the proposed development would have negligible impacts on traffic conditions in the study area.

> *"The proposed development is anticipated to generate approximately 40 vehicle trips (10 inbound, 30 outbound) in the AM peak hour and 40 vehicle trips (25 inbound, 15 outbound) in the PM peak hour based on ITE rates. The Midday peak hour trip generation was conservatively based on the PM peak hour, due to a lack of data to accurately estimate this volume for residential land use. Based*

on this, the project is anticipated to generate 1 new vehicle on the road network every 1-2 minutes at peak times. This is not considered to be significant." (Page I, TIA, Attachment #4)

The three intersections that were studied for this proposal included:

- Cliffe Avenue and 11th Street,
- Cliffe Avenue & 13th Street, and
- 11th Street & Beckensell Avenue/Site Access (future).

Notably, all intersections continued to operate within an acceptable performance range with the additional traffic generated from the development currently (opening day). The study however did find future operation (+10 years) was likely to result in failure at the two intersections on Cliffe, with the Level of Service (LOS) projected to be E during peak midday hours. As a result of this and other findings, the applicant will be required or has agreed to the following transportation improvements which will be secured with a section 219 covenant:

- Financial contribution toward the future construction of a signalized intersection at Cliffe and 11th Avenue as part of the Building Permit application process. This is an infrastructure upgrade identified in the Transportation Master Plan.
- An additional leg (east) of the intersection at 11th and Beckensell will be created, acting as the sole access to the property. The TIA recommends a 4-leg all-way stop controlled intersection.
- The proposal currently requests that the City create a 'no stopping' zone along the south edge of Beckensell Avenue, for a length of 20 metres to ensure parked/stopped vehicles to not obstruct the outbound vehicle's minimum required sight distance of 35 metres. This looks to protect uses of the multi-use path by providing clear sight lines for vehicles exciting the development but will result in 20 less metres of on-street parking.
- Provide additional improvements around the newly created intersection. This includes, stop signs and painted stop bars and zebra crossing and Pedestrian crossing signs for the intersections south leg.
- The applicant has indicated willingness to install benches at the north and south bound bus stops on Cliffe Avenue.
- Traffic Demand Management (TDM) Strategies will be incorporated into the development including providing a bicycle repair station on the property and promotional material to the residents about active and alternative transportation, in addition to the car share opportunity described above.

<u>On Site Parking</u>

Vehicle Parking

Off-street parking for this project is located at grade and underneath the elevated residential building. The standard parking requirement for multi-residential dwellings is 1.2 per dwelling unit with 10% of the required spaces being provided and retained for visitor parking. This parking ratio would generate a requirement for 125 parking stalls for 104 dwelling units. The current proposal provides 100 parking stalls, 11 of which are small car stalls. In addition to the designated small car stalls, the parking proposal also requests that a number of the other parking stalls be permitted to be dimensioned smaller than standard parking stall size. The proposal includes 10 of the parking stalls reserved for visitors, 20 of the parking stalls are outfitted with electric vehicle charging stations, 3 of the parking stalls are accessible and 1 is provided permanently for a car share available to the residents. As commercial and larger non-profit car share providers are not available to the Comox Valley at this time, the applicant is proposing to establish a car share option, including purchase of a car, for exclusive use of the residents. The coop car share program would be secured by a section 219 covenant as part of the rezoning amendment process.

Bicycle Parking

The standard bike parking requirement multi-residential dwellings is 2 bike parking stalls per dwelling unit for the use of residents (Class II), as well as an additional 10% of the minimum number of bike stalls for visitors (Class I). This bike parking ratio would generate a requirement for 229 bicycle stalls, including 208 Class II and 21 Class I. The development is proposing a ratio closer to 1.3 stalls for each unit and increasing the visitor parking to 42. The proposal also includes different designs for the bike parking than zoning standard requirements, such as allowing for slightly fewer of the oversized bike parking stalls (from 20 to 16), allowing for wall mounted options, and allowing for some of the residential stalls to be located within tenant units instead of only within a centralized location part of the residential building. There has been improvements in wall mounting technology that is not reflected in the current zoning bylaw and movement to bike storage being preferred in units where they can be accommodated.

Site specific parking ratios and dimensions may be written into a Comprehensive Development (CD) zone, thus not requiring a Development Variance Permit should Council wish to support the parking proposals.

Landscaping

In addition to the perimeter and open space landscaping described in the environmental development permit and tree bylaw section above, landscaping will include the retention of the existing landscape feature wall and mature cedar hedges that currently runs most of the length of the subject property, and which are located on City property (Figure 7). The applicant has offered to retain this existing landscaping and enter into a section 219 covenant that provides for the retention and maintenance of existing frontage landscaping in city right of way. This agreement will be registered on title.

While landscape setbacks are generally deeper on private property, staff evaluate this as an appropriate street frontage landscape proposal given particular street context, balance of greenspace across the proposal, and recognition to this property being close to the downtown urban form which does not require deep landscape setbacks.

Figure 7: Existing landscape feature wall and mature cedar hedges located on Beckensell Avenue.

Proposed Conditions of Rezoning

As part of the rezoning application the following conditions must be met prior to consideration of adoption of any bylaws:

- An executed Purchase and Sale Agreement
- Consolidation Plan
- Section 219 covenant for the retention and maintenance of existing frontage landscaping on City ROW
- A Housing Agreement bylaw registered as Section 219 covenant on title.
- A section 219 covenant to secure a coop car share program
- A section 219 covenant to secure transportation and infrastructure requirements.
- A section 219 covenant to secure environmental setback requirements.

FINANCIAL IMPLICATIONS:
If rezoning and subdivision advance as proposed by the applicant and detailed in this report, the subdivision will trigger Development Cost Charges to be paid by the applicant prior to Building Permit approval.

The appraised value of the public land estimated at $360,000 would be received by the City through a purchase and sale agreement and the funds will be allocated to be used for future purchase or improvements of public lands.

ADMINISTRATIVE IMPLICATIONS:
Processing Zoning Bylaw amendments is a statutory component of the corporate work plan and a core duty of the Development Services Department. Work to date has primarily been carried out by Development Services staff, although other departments have provided referral comments.

Should the zoning bylaw amendment receive favourable consideration by Council, two Development Permit Applications (Environmental and Form and Character) will be processed separately and considered by the Director of Development Services. To determine the developable area of the site, inform the proposed site plan and the draft CD zone, Staff have already begun substantial work on drafting the Environmental Development Permit.

STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following strategic housing priorities:

- Good Governance - Review and streamline development process and set targets for application processing times
    - Through adoption of *Development Procedures Bylaw No. 3106,* the Delegate was able to waive the Public Hearing for a rezoning that conforms to Courtenay's OCP. This reduced the number of times this rezoning has to be considered by Council and allowed for a shorter timeframe for being considered for adoption.

- Buildings and Landscape - Update Development Cost Charges (DCC) Bylaw
    - This project will be subject to the new Development Cost Charges as recently set through *Development Cost Charges Amendment Bylaw No. 3116, 2023.*

PUBLIC ENGAGEMENT:

The Community Information Meeting requirements for this development have been waived at the discretion of the Director of Development Services, as per Section 7.2 of *Development Procedures Bylaw No. 3106, 2023*.

The applicant, Pacific Swell Developments, voluntarily held a community engagement on Wednesday, July 3, for neighbouring tenants and property owners to see drawings of the proposed redevelopment. The applicant's consultants were available to answer questions and provide feedback. The primary concern of those who attended related to privacy. Based on these conversations, the developer adjusted the site plan by moving the garbage/recycling from the south side of the property to the centre to avoid smell and noise, removed the bike racks along the south property line to reduce activity and noise and is engaged in ongoing discussion with the owners of the lot to the south about adding fencing and a row of hedges.

As defined in section 464 (3) of the *Local Government Act*, a public hearing for this proposed rezoning is prohibited as it meets the criteria laid out in this section. Specifically,

(a) there is an official community plan is in effect for the area that is the subject of the zoning bylaw amendment;
(b) the proposed zoning bylaw amendment is consistent with the official community plan,
(c) the sole purpose of the he proposed zoning bylaw amendment is to permit a development that is, in whole or in part, a residential development, and
(d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.

Notification in accordance with section 467 of the *Local Government Act* will be given in advance of First reading of the proposed *Zoning Amendment Bylaw No. 3059*. The public notification will take the form of an advertisement posted on the City's website and social media channels for two consecutive weeks in advance of bylaw reading, and mailed out to residents within 100 metres. The public notification will be given prior to the regular council meeting where Council will consider first, second and third reading of proposed *Zoning Amendment Bylaw No. 3059* and as per Development Procedures Bylaw No. 3106, 2023.

OPTIONS:

1. THAT Council direct staff to bring forward the application for consideration of 1st, 2nd and 3rd reading at a reguarly scheduled Council Meeting.
2. THAT Council provide alternative direction to staff.

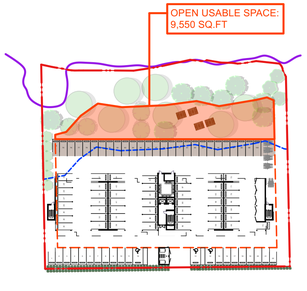
ATTACHMENTS:

1. *Attachment No. 1 – Architectural Drawings*
2. *Attachment No. 2– Landscape Plan*

Prepared by: Jacob Cramer, Planner 1 – Development Planning
Reviewed by: Nancy Gothard, RPP, MCIP, Manager of Community and Sustainability Planning
Marianne Wade, RPP, MCIP, Director of Development Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

1 SITE PLAN
Scale: 1:250

AVERAGE NATURAL GRADE ALONG FRONTAGE = 5.42 M GEO
FCL 5.7 M GEO



2 USABLE OPEN SPACE PLAN
Scale: 1:1000

PROJECT INFORMATION FOR 120 11TH ST

Authority	City Of Courtenay
Street Address	120 11th St
Legal Description	LOT A, PLAN 32204 and LOT 1 & 2, Section 69, Comox District, Plan 6674
Property Identification Number	PID:005-876-672 & 005-876-681
Project Description	The developer is seeking to densify this existing sigle family lot into a five storey multi unit apartment building.

ZONING SUMMARY	**MU-2**	**PERMITTED**	**PROPOSED**
SETBACKS			See Plans
LOT COVERAGE		40%	TOTAL BUILDING AREA 14376.9 sq ft TOTAL LOT AREA 66851.6 sq ft TOTAL LOT COVERAGE 22%
BUILDING HEIGHT		Max 10M	See Elevations for Building Heights

BUILDING STATISTICS

FSR	**0.87**
Total Gross Floor Area	58,136 Sq/ft
Total Buildable Gross Floor Area	57,508 Sq/ft

Gross floor area as defined by the city of Courtenay. Interior face of outside walls.

Residential Unit MIx

Description	Unit Count	Total Area Sq/ft	Total Area Sq/M
Studio	40	14,842 Sq/ft	1380 Sq/M
Executive suite	22	9,971 Sq/ft	927 Sq/M
Executive suite ACC	10	4,532 Sq/ft	421 Sq/M
One Bedroom	24	13,928 Sq/ft	1295 Sq/M
Two Bedroom	8	5,939 Sq/ft	552 Sq/M
Total Residential	104	49,212.53 Sq/ft	4,576.77 Sq/M

Circulation + Service

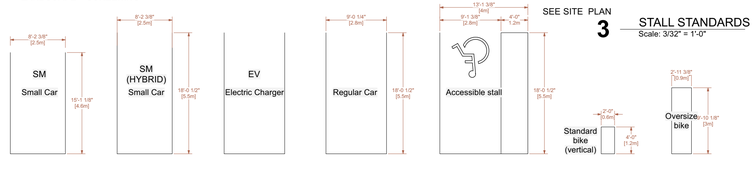
Circulation	7,449 Sq/ft	692.73 Sq/M
Storage	283 Sq/ft	26.30 Sq/M
Electrical + Mechanical	624 Sq/ft	58.00 Sq/M
Bike Parking	569 Sq/ft	52.89 Sq/M
Refuse	0 Sq/ft	0.00 Sq/M
Total Circulation and Service	8,923.86Sq/ft	829.92 Sq/M

Outdoor areas

Decks	6,786 Sq/ft	631.13 Sq/M
Additional open area	9,550Sq/ft	888.15 Sq/M
Total Open areas	16,336 Sq/ft	1,519.28 Sq/M
	Required	2,080.00 Sq/M
	deficit	-560.72 Sq/M

OFF STREET PARKING + LOADING	**Required**	**1.2 Per Unit**	**Provided**	
		124.8	**100**	
Of Which	Regular	90%	89 (89%)	
	Small	10%	11 (11%)	
Of Which	EV Charge	n/a	20	
	Accessible	3	3	
	Visitor	10%	10	
	Car Share	n/a	1	
	125	**TOTAL PARKING**	**100**	
	Required		**Provided**	110v access
BICYCLE PARKING	208	CLASS II (2 per dwelling unit)	**126**	
Of Which	188	90% Standard, wall mount (1.01mX.6m)	110	100%
Of Which		In Storage Rooms	38	
		In Tenant Units	72	
Of Which	20	10% Oversized (3mX.9m)	16	100%
	21	CLASS I (10% of class II)	**42**	
Of Which	19	90% Standard (1.8mX.6m)	40	25%
Of Which		Visitor	16	
Of Which	2	10% Oversized (3mX.9m)	2	50%
	229	**TOTAL BIKE PARKING**	**168**	

LANDSCAPE + SCREENING



SEE SITE PLAN

3 STALL STANDARDS
Scale: 3/32" = 1'-0"

MacDonald Hagarty Architects Ltd.
1622 Unit E Comox Ave Comox BC V9M 3M7

REGISTERED ARCHITECT
PROVINCE OF BRITISH COLUMBIA
OLIVER MACDONALD
2024-07-11

11TH STREET DEVELOPMENT
COURTENAY BC

NO.	Y M D	ISSUE
G	2024-07-11	Issued for DP R5
F	2024-03-28	Issued for DP R2
E	2024-03-08	Issued for Coordination

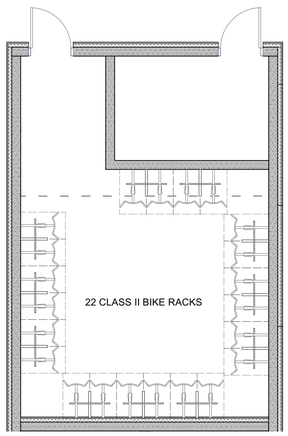
ISSUE

NO.	Y M D	ISSUE

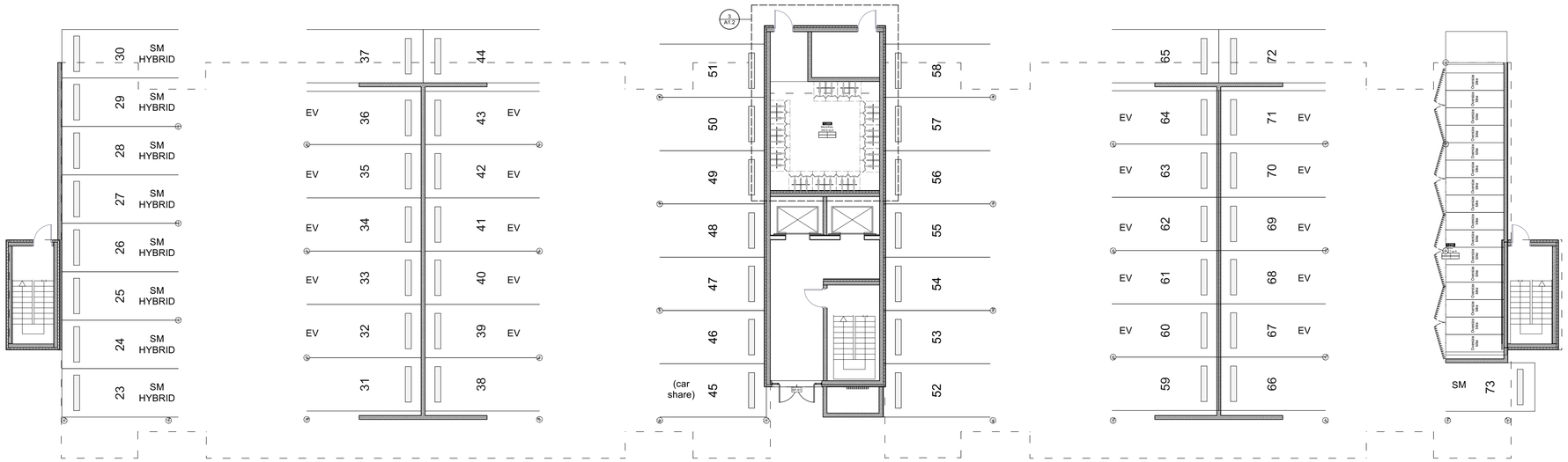
REVISION

SHEET TITLE
Site plan

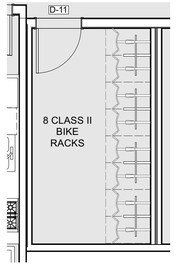
DRAWING NO.
A0.2



3 PARKADE CLASS II BIKE STORAGE RM
Scale: 3/16" = 1'-0"



1 PARKADE PLAN
Scale: 3/32" = 1'-0"



4 LEVEL 2&4 CLASS II BIKE STORAGE RM
Scale: 3/16" = 1'-0"

2 TYPICAL FLOOR PLAN
Scale: 3/32" = 1'-0"

MacDonald Hagarty Architects Ltd.
1622 Unit E Comox Ave Comox BC V9M 3M7

REGISTERED ARCHITECT
MACDONALD
OLIVER
BRITISH COLUMBIA
2024-07-11

11TH STREET DEVELOPMENT

COURTENAY BC

NO.	Y M D	ISSUE
G	2024-07-11	Issued for DP R5
C	2023-12-06	Issued for DP R1
B	2023-09-06	Issued for Re-zoning

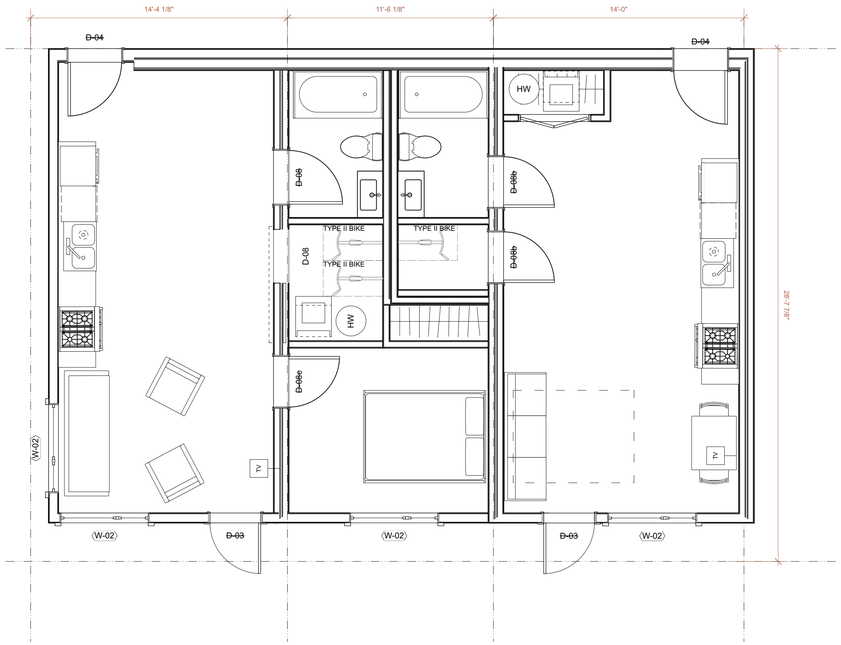
ISSUE

NO.	Y M D	ISSUE

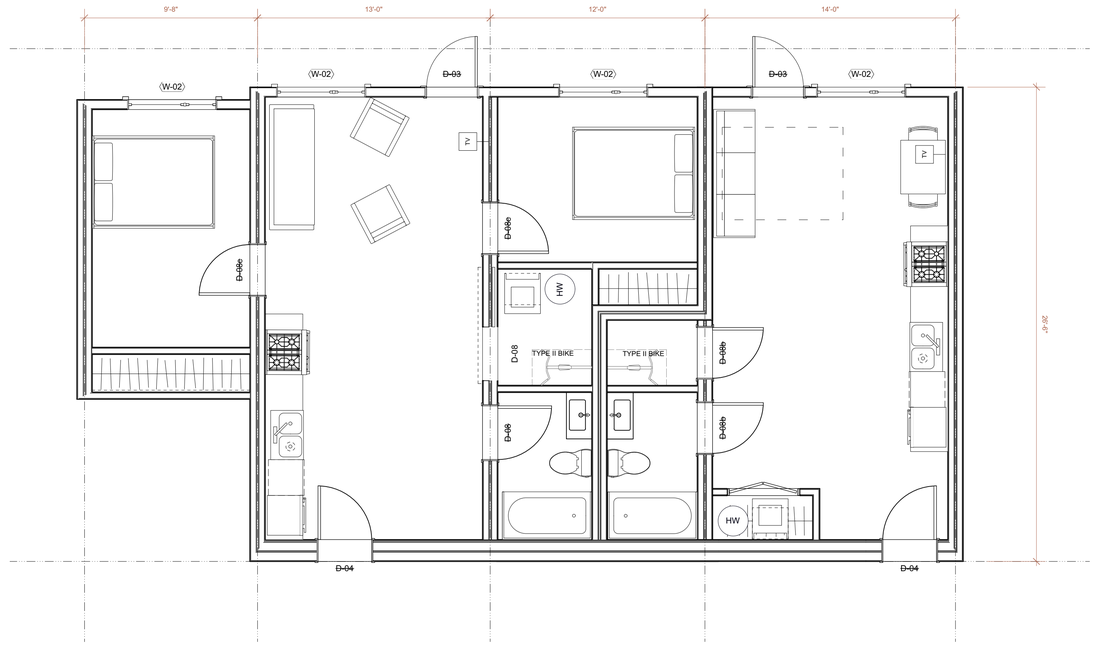
REVISION

SHEET TITLE
Parkade & Typical Floor Plans

DRAWING NO.
A1.2



1 typical coner 1 bedroom and Executive
Scale: 1/4" = 1'-0"



2 typical 2 bedroom and Executive
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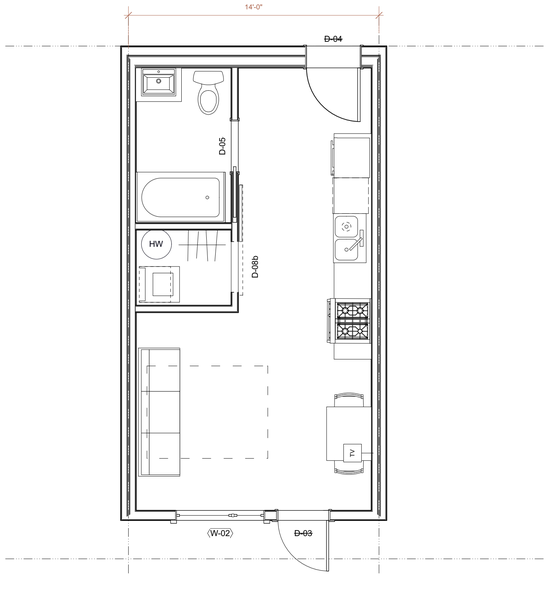
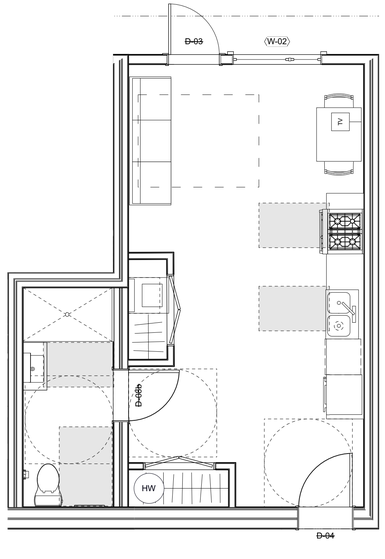


3 typical Studio Unit
Scale: 1/4" = 1'-0"



4 typical Executive ACC Unit
Scale: 1/4" = 1'-0"

MacDonald Hagarty Architects Ltd.
1622 Unit E Comox Ave Comox BC V9M 3M7

REGISTERED ARCHITECT
MASSIMO SILVER MACDONALD
BRITISH COLUMBIA
2024-07-11

11TH STREET DEVELOPMENT

COURTENAY BC

NO.	Y M D	ISSUE
G	2024-07-11	Issued for DP R5
C	2023-12-06	Issued for DP R1

ISSUE

NO.	Y M D	ISSUE

REVISION

SHEET TITLE

Detailed Unit plans

DRAWING NO.

A1.5

3 West ELEVATION (11TH)
Scale: 3/32" = 1'-0"

5 East ELEVATION
Scale: 3/32" = 1'-0"

MATERIALS

4 NORTH ELEVATION
Scale: 3/32" = 1'-0"

2 SOUTH ELEVATION
Scale: 3/32" = 1'-0"

MacDonald Hagarty Architects Ltd.
1622 Unit E Comox Ave Comox BC V9M 3M7

REGISTERED ARCHITECT
MACDONALD HAGARTY OLIVER MacDONALD
BRITISH COLUMBIA
2024-07-11

11TH STREET DEVELOPMENT

COURTENAY BC

NO.	Y	M	D	ISSUE
G	2024	07	11	Issued for DP R5
C	2023	12	06	Issued for DP R1
B	2023	09	06	Issued for Re-zoning

ISSUE

NO.	Y	M	D	ISSUE

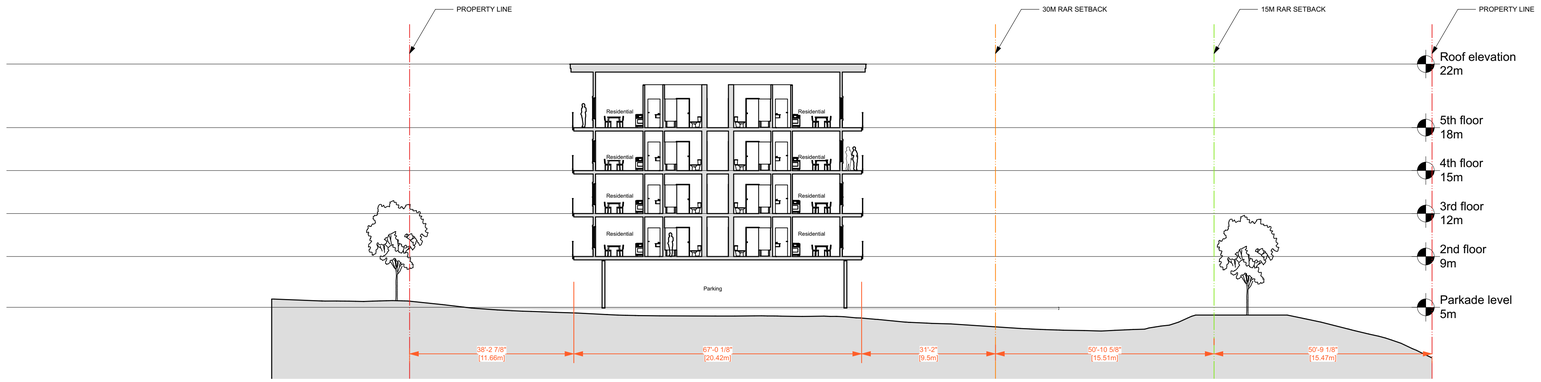
REVISION

SHEET TITLE

Elevations

DRAWING NO.

A2.1



3 Typical Site section
Scale: 1:200

2 Perspective
Scale: 1/4" = 1'-0"

1 Perspective
Scale: 1/4" = 1'-0"

MacDonald Hagarty Architects Ltd.
1622 Unit E Comox Ave Comox BC V9M 3M7

REGISTERED ARCHITECT
MARGARET OLIVER MACDONALD
BRITISH COLUMBIA
2024-07-11

11TH STREET DEVELOPMENT

COURTENAY BC

NO.	Y M D	ISSUE
G	2024-07-11	Issued for DP R5
C	2023-12-06	Issued for DP R1
A	2023-08-10	Issued for Review

ISSUE

NO. Y M D ISSUE

REVISION

SHEET TITLE

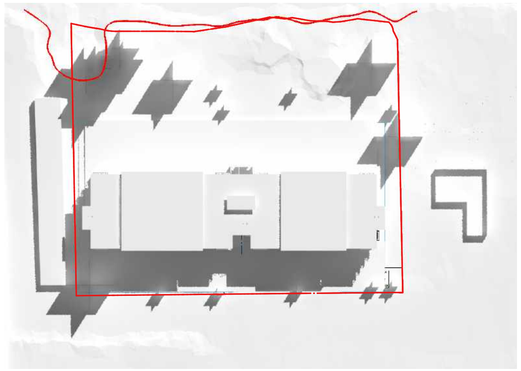
Renders

DRAWING NO.

A2.2

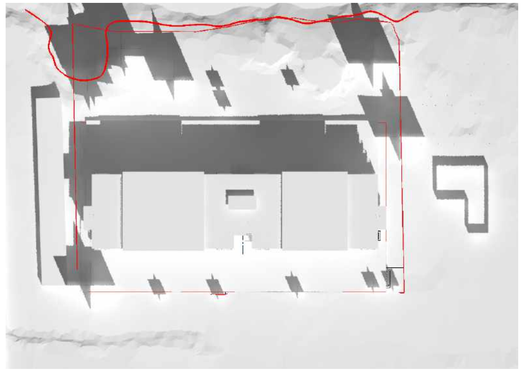
SHADOW ANALYSIS

10 AM



1 PM

3 PM



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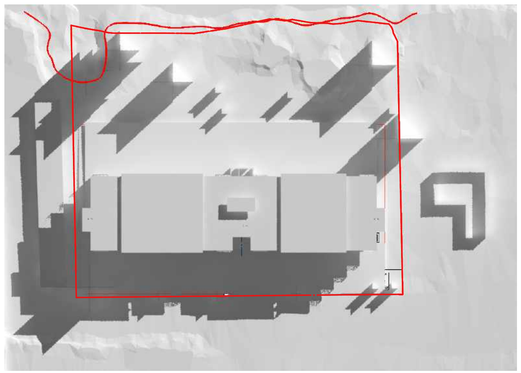
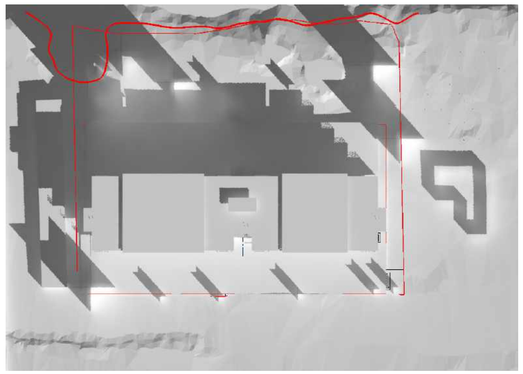
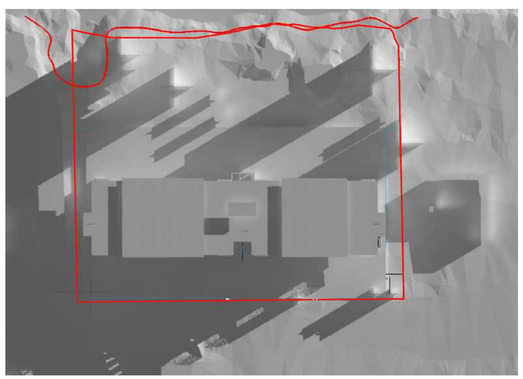
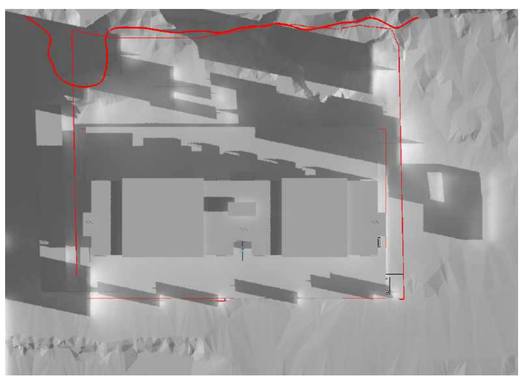
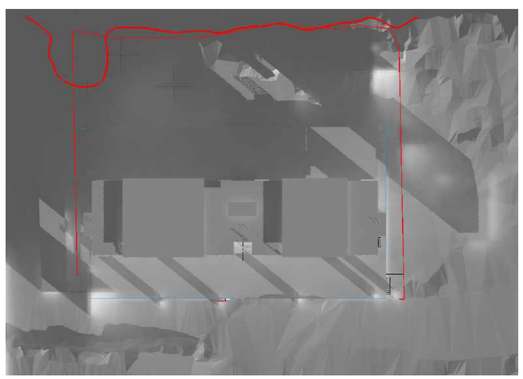




MARCH/SEPTEMBER







DECEMBER

MacDonald Hagarty Architects Ltd.
1622 Unit E Comox Ave Comox BC V9M 3M7

REGISTERED ARCHITECT
MARGARET OLIVER MACDONALD
BRITISH COLUMBIA
2024-07-11

11TH STREET DEVELOPMENT
COURTENAY BC

NO.	Y M D	ISSUE
G	2024-07-11	Issued for DP R5
C	2023-12-06	Issued for DP R1
A	2023-08-10	Issued for Review

ISSUE

NO.	Y M D	ISSUE

REVISION

SHEET TITLE

Shadow study

DRAWING NO.

A2.3

11TH STREET

120 11TH ST. COURTENAY, BC

SHEET LIST

L0.01 TREE MANAGEMENT & REMOVAL PLAN
L1.01 MATERIALS PLAN
L2.01 LAYOUT PLAN
L3.01 GRADING PLAN
L4.01 TREE PLANTING PLAN
L4.02 PLANTING PLAN
L4.11 SOIL DEPTH PLAN
L5.01 LIGHTING PLAN

GENERAL LANDSCAPE NOTES

GENERAL:
1. DO NOT PROCEED IN UNCERTAINTY.
2. DO NOT SCALE DRAWINGS.
3. DRAWINGS AND SPECIFICATIONS ARE TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS/SPECIFICATIONS IN THIS PROJECT SET. ANY DISCREPANCIES AMONG DRAWINGS, SPECIFICATIONS AND INDUSTRY BEST PRACTICES TO BE REPORTED TO THE PROJECT / CONSTRUCTION MANAGER AND THE LANDSCAPE CONSULTANT FOR DIRECTION.
4. ALL LANDSCAPE SPECIFICATION SECTIONS AND DRAWINGS ARE AFFECTED BY REQUIREMENTS OF DIVISION 01 SECTIONS (PROVIDED IN THE PROJECT MANUAL).
5. CONTRACTOR TO FAMILIARIZE THEMSELVES WITH ALL SITE CONDITIONS, INCLUDING THE LIMITS OF WORK AND EXISTING FEATURES TO BE PROTECTED, PRIOR TO SUBMITTING BIDS/QUOTES.
6. CONTRACTOR TO CONFIRM LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES/FEATURES PRIOR TO COMMENCING WORK.
7. CONTRACTOR TO TAKE NECESSARY PRECAUTIONS TO PROTECT SITE FEATURES / CONDITIONS, WITHIN AND BEYOND THE LIMITS OF WORK EXISTING AT THE TIME OF CONSTRUCTION. ALL DISTURBED SURFACES, AREAS, STRUCTURES, VEGETATION, HABITAT ETC. ON PUBLIC / PRIVATE PROPERTY TO PROMPTLY BE RESTORED TO EQUAL OR BETTER CONDITION THAN EXISTING AND TO THE SATISFACTION OF THE MUNICIPALITY HAVING JURISDICTION / PROPERTY OWNER.
8. CONTRACTOR TO MAINTAIN THE SITE IN A SAFE AND TIDY CONDITION AT ALL TIMES. DO NOT OBSTRUCT PEDESTRIAN OR VEHICULAR CIRCULATION. DO NOT LEAVE UNPROTECTED HOLES / PITS / OPENINGS OVERNIGHT. ALL EXCESS MATERIALS AND REFUSE TO BE REMOVED FROM THE SITE DAILY UNLESS OTHERWISE DIRECTED BY THE CONSTRUCTION MANAGER.

STANDARDS:
1. ALL WORK ON MUNICIPAL PROPERTY TO CONFORM TO THE CITY OF COURTENAY DEVELOPMENT STANDARDS (AUTHORITY HAVING JURISDICTION) INCLUDING BUT NOT LIMITED TO:
   1.1. CITY OF COURTENAY SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 2919
   1.2. CITY OF COURTENAY 2919 SUPPLEMENTARY DESIGN GUIDELINES
   1.3. CITY OF COURTENAY 2919 SUPPLEMENTARY STANDARD DETAIL DRAWING
   1.4. CITY OF COURTENAY 2919 SUPPLEMENTARY CONSTRUCTION SPECIFICATIONS
   1.5. CITY OF COURTENAY APPROVED PRODUCTS LIST

2. ALL LANDSCAPE WORK ON THE DEVELOPMENT SITE TO CONFORM TO THE CURRENT EDITION AT TIME OF ISSUE OF THE Canadian Landscape Standard (CLS), UNLESS SPECIFICALLY STATED OTHERWISE IN WRITTEN SPECIFICATIONS AND ON DRAWINGS.
3. ALL HARD SURFACE (INCLUDING BUT NOT LIMITED TO PAVING, CONCRETE RETAINING WALLS AND CONCRETE PLANTERS) TO CONFORM TO THE Master Municipal Construction Documents Association PLATINUM EDITION (MMCD) AND MMCD SUPPLEMENTAL DRAWINGS AND SPECIFICATIONS, UNLESS SPECIFICALLY STATED OTHERWISE IN WRITTEN SPECIFICATIONS AND ON DRAWINGS.
4. IN CASES OF CONFLICT BETWEEN THE CLS AND THE MMCD, THE MORE STRINGENT REQUIREMENT WILL TAKE PRECEDENCE.
5. LANDSCAPE CONTRACTOR TO BE FAMILIAR WITH MUNICIPAL DEVELOPMENT STANDARDS AND BE IN POSSESSION OF THE CLS AND MMCD MANUALS AND SUPPLEMENTAL DRAWINGS AND SPECIFICATIONS.
6. GROWING MEDIUM AND GROWING MEDIUM TESTING TO CLS Section 5.
7. IRRIGATION DESIGN AND INSTALLATION TO IIABC STANDARDS AND CLS Section 10.

COORDINATION:
1. CONTRACTOR TO COORDINATE INSTALLATION OF IRRIGATION AND ELECTRICAL SLEEVES WITH ARCHITECTURAL, MECHANICAL, ELECTRICAL AND CIVIL WORKS.

SUBMITTALS:
1. CONTRACTOR TO PROVIDE SAMPLES, TEST RESULTS AND SHOP DRAWINGS TO LANDSCAPE CONSULTANT FOR REVIEW AND APPROVAL 45 DAYS PRIOR TO INSTALLATION.
2. SEE ALSO SUBMITTALS TABLE BELOW FOR ADDITIONAL INFORMATION.

GROWING MEDIUM TESTING:
1. GROWING MEDIUM TEST RESULTS ARE MANDATORY.
2. TEST RESULTS TO INCLUDE ANALYSIS OF ALL GROWING MEDIUM NUTRIENTS NOTED IN CLS 5.2.7 AND ARE TO BE REPORTED IN THE SAME UNITS AS NOTED IN THAT SECTION.
3. TEST RESULTS TO INCLUDE ANALYSIS OF SOIL TEXTURE, ORGANIC CONTENT AND ACIDITY AS PER CLS 5.3.5 AND BE REPORTED IN THE SAME UNITS AS NOTED IN THAT SECTION.
4. TEST RESULTS TO INCLUDE RECOMMENDATIONS FOR AMENDMENTS TO MEET THE REQUIREMENTS FOR EACH GROWING MEDIUM TYPE.
5. RECOMMENDED GROWING MEDIUM TESTING FACILITY: Pacific Soil Analysis Inc. 11720 Voyageur Way, Richmond, BC V6X 3G9 OR APPROVED EQUAL.

COMPACTION TESTING:
1. COMPACTION TESTS FOR HARD SURFACE SUBGRADE, GRANULAR SUB-BASE, AND GRANULAR BASE ARE MANDATORY.

INSPECTIONS:
1. CONTRACTOR TO ALERT THE LANDSCAPE CONSULTANT A MINIMUM OF 3 WORKING DAYS PRIOR TO REQUIRED LANDSCAPE INSPECTIONS.

SUBSTITUTIONS:
1. REQUESTS FOR SUBSTITUTIONS TO CONFORM TO THE DIVISION 01 SECTION AND BE SUBMITTED TO THE LANDSCAPE CONSULTANT, THROUGH THE PROJECT ADMINISTRATOR, A MINIMUM OF 45 DAYS PRIOR TO SCHEDULED WORK.
2. PLEASE NOTE THAT SOME SUBSTITUTIONS MAY REQUIRE MUNICIPAL APPROVAL.

WARRANTY:
1. CONTRACTOR SHALL WARRANTY ALL WORKMANSHIP AND MATERIALS FOR 1 FULL YEAR FOLLOWING THE DATE OF TOTAL PERFORMANCE AS PER MMCD UNLESS SPECIFICALLY NOTED OTHERWISE. FAULTY MATERIALS AND WORKMANSHIP SHALL BE PROMPTLY REPAIRED / REPLACED TO THE SATISFACTION OF THE LANDSCAPE CONSULTANT.

ENVIRONMENTAL PROTECTION:
1. CONTRACTOR TO INSTALL AND MAINTAIN SEDIMENTATION FILTRATION MEASURES AS REQUIRED FOR LANDSCAPE WORKS TO PREVENT MATERIALS FROM LEAVING THE SITE AND / OR ENTERING STORM DRAINS; STOCKPILED LANDSCAPE MATERIALS ARE TO BE KEPT TARPED.

BIO PHILIA

BRITISH COLUMBIA SOCIETY OF LANDSCAPE ARCHITECTS
REGISTERED MEMBER
ELIZABETH ALDERSTON
332

2024-07-10

LEGEND

- PROPERTY LINE
- BUILDING OVERHANG
- LATERAL SETBACKS
- NATURAL SETBACKS
- NATURAL BOUNDARY

TMP LEGEND

- TREE TO RETAIN OR POTENTIALLY REMOVE + ROOT PROTECTION AREA
- TREE TO REMOVE + ROOT PROTECTION AREA
- TREE TO REMOVE
- TREE TO RETAIN

Table 1. Trees assessed on or adjacent to 120/125 11th St Courtenay BC potentially impacted by proposed development plans.

ID	Species	DBH (cm)	Condition	Risk rating	Defect	RPA (m)	Action	Notes
A	Ornamental cherry	35	Good	Low	None	2.1	None	Crown extends 5m into property
B	Pacific dogwood	30	Fair	Low	Possible basal stem defect.	1.8	None	Possible lower stem defect.
C	Ornamental cherry	40	Good	Low	None	2.4	None	Branches extend 3m into property
D	English walnut	50	Good	Low	None	3	None	Canopy extends 5-6m into property
E	Ornamental apple	20	Fair	Low	None	1.2	None	Canopy extends 2m into property
F	Ornamental apple	20	Good	Low	None	1.2	None	Canopy extends 2m into property
G	Ornamental apple	25	Fair	Low	None	1.5	None	3.5m into property
1204	Sitka spruce	90	Fair	Low	Previously topped	5.4	Retained and Monitor	
1206	Western redcedar	50	Good	Low	None	3	Retained and Monitor	
1226	Bigleaf maple	35	Good	Low	None	2.1	Remove	Growing at fence line. Good condition
10	Wild cherry	30	Poor	Low	Poor structure	1.8	Remove	stems between fence and old shed. Poor candidates for retention with poor structure and incorporation with chain link
11	Big leaf maple	40	Poor	Low	Significant crown decline with large deadwood	2.4	Remove	
1205	Douglas fir	125	Fair	Low	Previously topped	7.5	Remove	
1207	Grand fir	46	Poor	Low	Poor structure	2.76	Remove	
1208	Ornamental weeping birch	44	Good	Low	None	2.64	Remove	
1209	Cypress	45	Fair	Low	Previously topped. Multiple tops with poor structure.	2.7	Remove	
1210	Cypress	40	Fair	Low	Previously topped. Multiple tops with poor structure.	2.4	Remove	
1211	Cypress	35	Dead	Low	Previously topped. Multiple tops with poor structure.	2.1	Remove	
1212	Cypress	55	Fair	Low	Previously topped. Multiple tops with poor structure.	3.3	Remove	Crown in decline
1213	Cypress	35	Dead	Low	Previously topped. Multiple tops with poor structure.	2.1	Remove	
1214	Cypress	30	Fair	Low	Previously topped. Multiple tops with poor structure.	1.8	Remove	
1215	Cypress	48	Good	Low	Previously topped. Multiple tops with poor structure.	2.88	Remove	
1216	Cypress	28	Fair	Low	Previously topped. Multiple tops with poor structure.	1.68	Remove	
1217	Cypress	40	Good	Low	None	2.4	Remove	
1218	Cypress	50	Fair	Low	Previously topped. Multiple tops with poor structure.	3	Remove	
1219	Cypress	50	Fair	Low	Previously topped. Multiple tops with poor structure.	3	Remove	
1220	Cypress	68	Good	Low	None	4.08	Remove	
1221	Cypress	26	Fair	Low	Previously topped. Multiple tops with poor structure.	1.56	Remove	
1222	Cypress	33	Fair	Low	Previously topped. Possible weak attachments of upper leaders due to stem decay.	1.98	Remove	
1223	Cypress	36	Poor	Low	Previously topped. Multiple tops with poor structure.	2.16	Remove	Previously failed top
1224	Cypress	31	Fair	Low	Previously topped. Multiple tops with poor structure.	1.86	Remove	
1225	Cypress	38	Fair	Low	Previously topped. Multiple tops with poor structure.	2.28	Remove	
1	Red alder	30	Fair	Low	Small cavity in upper crown	1.8	Retain and Monitor	
2	Red alder	50	Fair	Low	Upper crown decline with decay	3	Retain and Monitor	
3	Red alder	25	Poor	Low	Upper crown decline with decay	1.5	Retain and Monitor	property
4	Red alder	25	Poor	Low	Upper crown decline with decay	1.5	Retain and Monitor	small remaining canopy originating at 2m leaning towards river
5	Red alder	35	Fair	Low	Upper crown decline with decay	2.1	Retain and Monitor	
6	Red alder	25	Poor	Low	Stem defect at 3m with crown leaning towards property	1.5	Retain and Monitor	
7	Red alder	40	Fair	Low	Some crown decline	2.4	Retain and Monitor	
8	Red alder	30	Good	Low	None	1.8	Retain and Monitor	river
9	Red alder	50	Good	Low	None	3	Retain and Monitor	
1201	Black cottonwood	110	Fair	Low	Basal defect from previous failure of secondary stem in recent history, no current decay present. Continue to monitor	6.6	Retain and Monitor	
1202	Red alder	37	Good	Low	Cavity at ground level. Crown leans toward river	2.22	Retain and Monitor	
1203	Red alder	80	Fair	Low	Small crown defects. Multi-stemmed tree	4.8	Retain and Monitor	

1 L0.01 TREE INVENTORY TABLE, SEE ARBORIST REPORT
NTS

Tree Protection Zone (TPZ)

No grade changes, trenching, storage of materials or equipment, liquid disposal, hard surfacing or vehicular traffic are permitted within this area.

The tree protection barrier and sign must not be removed, without authorization of City of Courtenay, Development Services Department. Failure to comply may result in fines.

If you see this sign or protection barriers being tampered with, please report to the number listed below.

For more information call the Development Services Department at 250 334 4441

1 L0.01 TREE PROTECTION SIGNAGE
NTS

BIOPHILIA

1608 Camosun Street, Victoria BC V8T 3E6
Info@biophiliacollective.ca 250 590 1156

OWNER/CLIENT:
THE LANDING ON 11TH LIMITED PARTNERSHIP

PROJECT NAME:
11TH ST

PROJECT ADDRESS:
120 11TH ST, COURTENAY, BC

DESIGNED BY: BIANCA BODLEY
DRAWN BY: LUCIA BLANCO

NO.	ISSUE	YY/MM/DD
4	ISSUED FOR DP RE-SUBMISSON	24/07/10
3	ISSUED FOR DP REVIEW	24/06/27
2	ISSUED FOR DP	24/03/26
1	ISSUED FOR RZ	23/8/29

SEAL

NORTH ARROW

DRAWING TITLE:
TREE MANAGEMENT PLAN

DWG NO: L0.01

SCALE: 1:200

LEGEND

- PROPERTY LINE
- BUILDING OVERHANG
- LATERAL SETBACKS
- NATURAL SETBACKS
- NATURAL BOUNDARY
- PROPOSED TREES
- EXISTING TREES TO BE RETAINED
- PICNIC TABLE
- BIKE RACKS

MATERIALS SCHEDULE

SYMBOL	DESCRIPTION	QTY
	PAVING TYPE 1: CIP CONCRETE -LIGHT BROOM FINISH -NATURAL COLOR	2,994 m²
	PAVING TYPE 2: CRUSHED GRAVEL	189.2 m²
	PAVING TYPE 4: PERMEABLE PARKING SURFACE - CORE Gravel	444.0 m²
	PAVING TYPE 5: OFF-SITE CIP CONCRETE -LIGHT BROOM FINISH -NATURAL COLOR	69.1 m²
	RIPARIAN RESTORATION AREA -SEE PLANTING PLAN	1,311 m²
	NATIVE AND ORNAMENTAL PLANTING -SEE PLANTING PLAN	167.0 m²
	NATIVE RIPARIAN PLANTING -SEE PLANTING PLAN	814.9 m²
	EXISTING CEDAR HEDGE	198.3 m²

LANDSCAPE NOTES - GENERAL

1. LANDSCAPE INSTALLATION NOTES:
   - ALL SOFT LANDSCAPE MATERIALS AND INSTALLATION TO CONFORM TO THE CURRENT EDITION OF THE BCSLA/BCLNA B.C. LANDSCAPE STANDARD UNLESS SPECIFICALLY STATED OTHERWISE ON THESE DRAWINGS OR CITY OF COURTENAY SPECIFICATION DOCUMENTS.
   - All HARD SURFACE LANDSCAPE MATERIALS AND INSTALLATION TO CONFORM TO THE CURRENT EDITION OF THE MASTER MUNICIPAL CONSTRUCTION DOCUMENTS (MMCD) UNLESS SPECIFICALLY STATED OTHERWISE ON THE DRAWINGS OR CITY OF COURTENAY SPECIFICATION DOCUMENTS.
2. IRRIGATION TO NOTES:
   - AUTOMATIC UNDERGROUND IRRIGATION SYSTEM TO BE DESIGNED BY AN IIABC CERTIFIED IRRIGATION DESIGNER AND INSTALLED TO IIABC STANDARDS
   - WATER WISE MP ROTATOR SPRAY HEADS
   - BACKFLOW PREVENTION DEVICE AND WINTERIZATION BLOW OUT
   - WIFI TIMER

LANDSCAPE NOTES - BYLAW NO. 2820

1. TREE CUTTING PERMIT:
   - A TREE CUTTING PERMIT IS REQUIRED TO BE OBTAINED PRIOR TO THE REMOVAL OF ANY TREE OVER 20 cm DIAMETER AT BREAST HEIGHT OR A PROTECTED TREE:
     a. ON ANY GREENFIELD PROPERTY;
     b. ON ANY INFILL PROPERTY WHERE THE REMOVAL OF SAID TREES WILL RESULT IN THE NUMBER OF TREES RETAINED ON THE PROPERTY FALLING BELOW THE REQUIRED TREE DENSITY TARGET FOR THAT PROPERTY.
2. TREE PROTECTION BARRIER AND SIGNAGE:
   - TO SCHEDULE B - BYLAW 2820.
   - TO BE INSTALLED PRIOR TO ANY DISTURBANCE ON SITE AND MAINTAINED UNTIL CONSTRUCTION COMPLETION.
   - PROOF (PHOTOGRAPH) OF TREE PROTECTION BARRIER INSTALLATION TO BE PROVIDED TO THE CITY.
3. REPLACEMENT TREES:
   - REPLACEMENT TREES MUST MEET THE PLANT CONDITION AND STRUCTURE REQUIREMENTS SET OUT IN THE LATEST EDITION OF THE BCSLA/BCLNA B.C. LANDSCAPE STANDARD AND THE CNTA CANADIAN STANDARD FOR NURSERY STOCK.
   - REPLACEMENT TREES SHALL BE PLANTED AND MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS SET OUT IN THE LATEST EDITION OF THE BCSLA/BCLNA B.C. LANDSCAPE STANDARD.
   - TREE CAGING WILL BE REQUIRED IN AREAS PRONE TO DEER BROWSING UNTIL THE TREE IS 6 FEET IN HEIGHT.
   - REPLACEMENT TREES SHALL BE PLANTED DURING THE SUITABLE LOCAL PLANTING SEASONS GENERALLY DEFINED AS FALL (SEPTEMBER - NOVEMBER) AND SPRING (FEBRUARY - APRIL). WHERE PLANTING MUST OCCUR OUTSIDE OF THESE TIME PERIODS, THEN A STRATEGY FOR ENSURING THE TREES ARE WATERED (IN THE SUMMER) OR PROTECTED FROM COLD WEATHER (IN THE WINTER) MUST BE INCLUDED AS PART OF THE TREE CUTTING PERMIT APPLICATION.
4. GROWING MEDIUM NOTES:
   - ORGANIC MATTER CONTENT OF 15% DRY WEIGHT IN PLANTING BEDS.
   - DEPTH OF 450 mm FOR SHRUB/ TREE BEDS.
   - pH BETWEEN 6.0 TO 8.0.
   - SUBSOIL SCARIFIED TO A DEPTH OF MINIMUM 100 mm WITH SOME TOPSOIL TO BE INCORPORATED INTO THE SUBSOIL.
   - PLANTING BEDS TO BE MULCHED WITH A MINIMUM OF 50 mm OF ORGANIC MATERIALS.

PRECEDENTS

Natural Pathway

Forested Amenity Area

BIOPHILIA

1608 Camosun Street, Victoria BC V8T 3E6
Info@biophiliacollective.ca 250 590 1156

OWNER/CLIENT:
THE LANDING ON 11TH LIMITED PARTNERSHIP

PROJECT NAME:
11TH ST

PROJECT ADDRESS:
120 11TH ST, COURTENAY, BC

DESIGNED BY: BIANCA BODLEY
DRAWN BY: LUCIA BLANCO

NO.	ISSUE	YY/MM/DD
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3	ISSUED FOR DP REVIEW	24/06/27
2	ISSUED FOR DP	24/03/26
1	ISSUED FOR RZ	23/8/29

SEAL

NORTH ARROW

DRAWING TITLE:
MATERIALS PLAN

DWG NO: L1.01

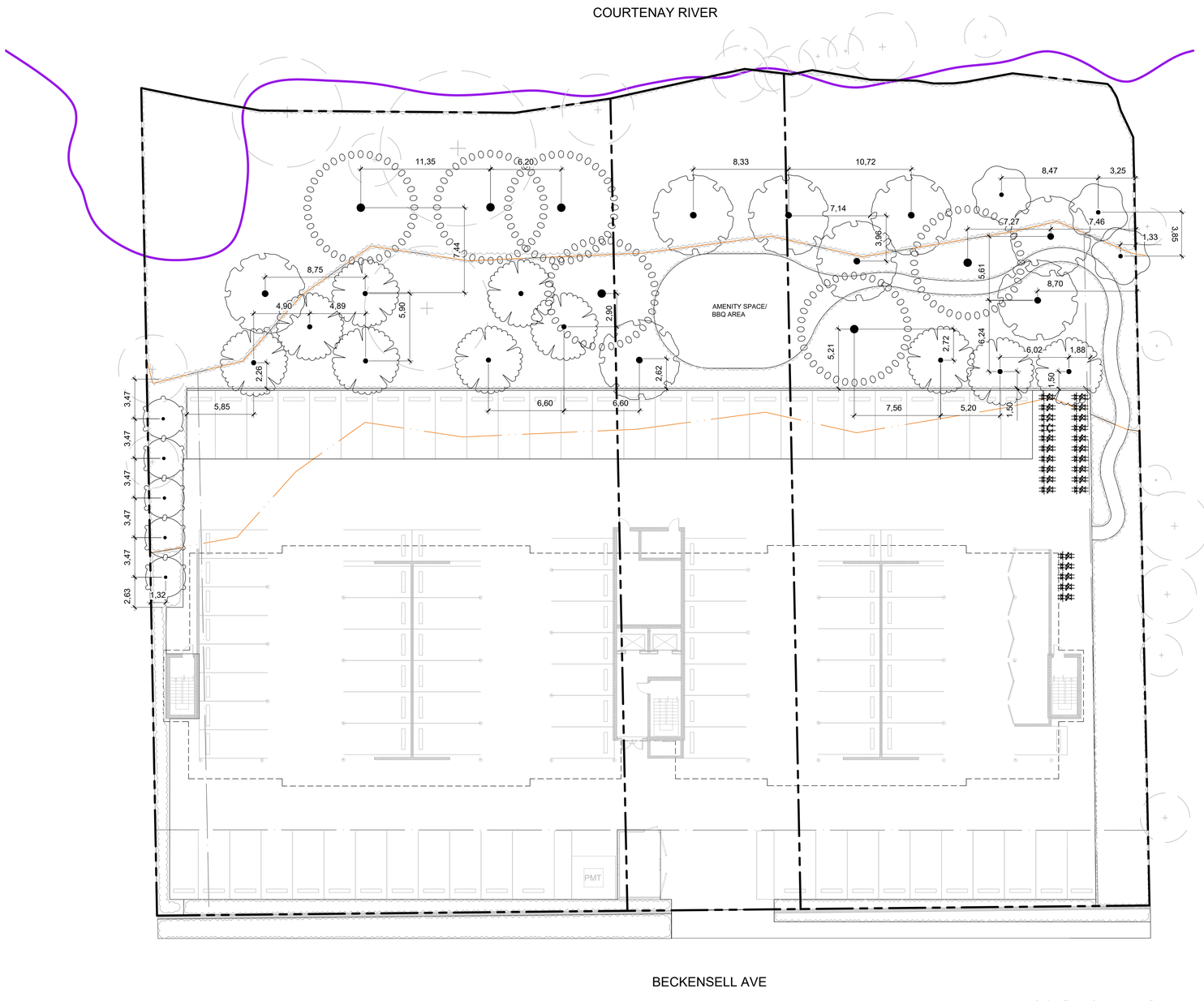
SCALE: 1:200

LEGEND

- PROPERTY LINE
- BUILDING OVERHANG
- LATERAL SETBACKS
- NATURAL SETBACKS
- NATURAL BOUNDARY

LAYOUT PLAN NOTES

- ALL DIMENSIONS ARE NOMINAL.
- REFER TO GRADING PLAN FOR ELEVATIONS.
- ALL SITE FURNISHED TO BE CONFIRMED WITH LANDSCAPE ARCHITECT PRIOR TO INSTALLATION .



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1	ISSUED FOR RZ	23/8/29

SEAL
REGISTERED ELIZABETH GILDERSTON 332 ASSOCIATE ARCHITECT
2024-07-10

NORTH ARROW

DRAWING TITLE:
LAYOUT PLAN

DWG NO: L2.01

SCALE: 1:200

LEGEND

- PROPERTY LINE
- BUILDING OVERHANG
- LATERAL SETBACKS
- NATURAL SETBACKS
- NATURAL BOUNDARY

GRADING LEGEND

- 3.5 — EXISTING CONTOURS/ELEVATIONS
- 2% — LANDSCAPE PROPOSED SLOPE
- -3.30% — CIVIL PROPOSED SLOPE
- + 4.57 — CIVIL PROPOSED ELEVATION
- TOP 2.00 — TOP OF STAIRS
- BOT 1.80 2.00 — BOTTOM OF STAIRS

GRADING PLAN NOTES

- ALL ELEVATIONS ARE NOMINAL. CONTRACTOR TO VERIFY SPOT ELEVATION PRIOR THE START OF CONSTRUCTION.
- ALL ELEVATIONS ARE TO TOP OF FINISHED GRADE UNLESS NOTED OTHERWISE.
- SEE CIVIL FOR OFF-SITE ELEVATIONS.
- SEE ARCHITECTURE FOR ON-SITE HARDSCAPE ELEVATIONS.

BIOPHILIA

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OWNER/CLIENT:
THE LANDING ON 11TH LIMITED PARTNERSHIP

PROJECT NAME:
11TH ST

PROJECT ADDRESS:
120 11TH ST,
COURTENAY, BC

DESIGNED BY: BIANCA BODLEY
DRAWN BY: LUCIA BLANCO

NO.	ISSUE	YY/MM/DD
4	ISSUED FOR DP RE-SUBMISSON	24/07/10
3	ISSUED FOR DP REVIEW	24/06/27
2	ISSUED FOR DP	24/03/26
1	ISSUED FOR RZ	23/8/29

SEAL

BRITISH COLUMBIA SOCIETY OF LANDSCAPE ARCHITECTS
REGISTERED MEMBER
ELIZABETH GALLOGLY
332
LANDSCAPE ARCHITECT
2024-07-10

NORTH ARROW

DRAWING TITLE:
GRADING PLAN

DWG NO: L3.01

SCALE: 1:200

LEGEND

- PROPERTY LINE
- BUILDING OVERHANG
- LATERAL SETBACKS
- NATURAL SETBACKS
- NATURAL BOUNDARY
- DESIGNATED REPLACEMENT TREE

REPLACEMENT TREE PLANTING RESTRICTIONS BYLAW 2820

- 1.0 m FROM PROPERTY LINE
- 3.0 m FROM BUILDING FOUNDATION OR WALL

PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME	SIZE	SPACING	COMMENTS	QTY
TREES						
	AV	Acer circinatum / Vine Maple	5 Gallon	As Shown	B&B, Well Established, Multi-Stem	5
	AB	Acer macrophyllum / Big Leaf Maple	5 Gallon	As Shown	B&B, Well Established	6
	AL	Alnus rubra / Red Alder	5 Gallon	As Shown	B&B, Dense, Uniform Tree	8
	BP	Betula papyrifera / Paper Birch	5 Gallon	B&B	B&B, Well Established	3
	MP	Malus fusca / Western Crabapple	5 Gallon	As Shown	B&B, Well Established	10
+		Existing Tree to be Retained				

LANDSCAPE NOTES - BYLAW NO. 2820

1. TREE CUTTING PERMIT:
   - A TREE CUTTING PERMIT IS REQUIRED TO BE OBTAINED PRIOR TO THE REMOVAL OF ANY TREE OVER 20 cm DIAMETER AT BREAST HEIGHT OR A PROTECTED TREE:
     a. ON ANY GREENFIELD PROPERTY;
     b. ON ANY INFILL PROPERTY WHERE THE REMOVAL OF SAID TREES WILL RESULT IN THE NUMBER OF TREES RETAINED ON THE PROPERTY FALLING BELOW THE REQUIRED TREE DENSITY TARGET FOR THAT PROPERTY.
2. TREE PROTECTION BARRIER AND SIGNAGE:
   - TO SCHEDULE B - BYLAW 2820.
   - TO BE INSTALLED PRIOR TO ANY DISTURBANCE ON SITE AND MAINTAINED UNTIL CONSTRUCTION COMPLETION.
   - PROOF (PHOTOGRAPH) OF TREE PROTECTION BARRIER INSTALLATION TO BE PROVIDED TO THE CITY.
3. REPLACEMENT TREES:
   - REPLACEMENT TREES MUST MEET THE PLANT CONDITION AND STRUCTURE REQUIREMENTS SET OUT IN THE LATEST EDITION OF THE BCSLA/BCLNA B.C. LANDSCAPE STANDARD AND THE CNTA CANADIAN STANDARD FOR NURSERY STOCK.
   - REPLACEMENT TREES SHALL BE PLANTED AND MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS SET OUT IN THE LATEST EDITION OF THE BCSLA/BCLNA B.C. LANDSCAPE STANDARD.
   - TREE CAGING WILL BE REQUIRED IN AREAS PRONE TO DEER BROWSING UNTIL THE TREE IS 6 FEET IN HEIGHT.
   - REPLACEMENT TREES SHALL BE PLANTED DURING THE SUITABLE LOCAL PLANTING SEASONS GENERALLY DEFINED AS FALL (SEPTEMBER - NOVEMBER) AND SPRING (FEBRUARY - APRIL). WHERE PLANTING MUST OCCUR OUTSIDE OF THESE TIME PERIODS, THEN A STRATEGY FOR ENSURING THE TREES ARE WATERED (IN THE SUMMER) OR PROTECTED FROM COLD WEATHER (IN THE WINTER) MUST BE INCLUDED AS PART OF THE TREE CUTTING PERMIT APPLICATION.
4. GROWING MEDIUM NOTES:
   - ORGANIC MATTER CONTENT OF 15% DRY WEIGHT IN PLANTING BEDS.
   - DEPTH OF 450 mm FOR SHRUB/ TREE BEDS.
   - pH BETWEEN 6.0 TO 8.0.
   - SUBSOIL SCARIFIED TO A DEPTH OF MINIMUM 100 mm WITH SOME TOPSOIL TO BE INCORPORATED INTO THE SUBSOIL.
   - PLANTING BEDS TO BE MULCHED WITH A MINIMUM OF 50 mm OF ORGANIC MATERIALS.

TREE DENSITY TARGET - BYLAW NO. 2820

- 50 TREES PER NET DEVELOPABLE HECTARE
- TOTAL SITE AREA: 6,209.12 m² (0.62 ha)
- NET DEVELOPABLE HECTARE: 4,901.45 (0.49 ha)
- TREE DENSITY TARGET: 25 TREES
- EXISTING TREES ON SITE TO REMAIN: 2 TREES
- REPLACEMENT TREES REQUIRED FOR INFILL PROPERTY: 23

SCHEDULE A
- MIN. 50% OF THE TREES ON THE PROPERTY MUST BE NATIVE

Paper birch Betula papyrifera

Red alder - Alnus rubra

Big-leaf maple - Acer macrophyllum

Pacific crabapple - Malus fusca

Vine maple - Acer circinatum

BIOPHILIA

1608 Camosun Street, Victoria BC V8T 3E6
Info@biophiliacollective.ca 250 590 1156

OWNER/CLIENT:
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DESIGNED BY: BIANCA BODLEY
DRAWN BY: LUCIA BLANCO

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SEAL

NORTH ARROW

DRAWING TITLE:
TREE PLANTING PLAN

DWG NO: L4.01

SCALE: 1:200

LEGEND

- PROPERTY LINE
- BUILDING OVERHANG
- LATERAL SETBACKS
- NATURAL SETBACKS
- NATURAL BOUNDARY

PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME	SIZE	SPACING	COMMENTS	QTY
SHRUBS						
	Hd	Holodiscus discolor / Oceanspray	#2 POT	As Shown	Full, Well Established	14
	Sh	Salix hookeriana / Dune Willow	#2 POT	As Shown	Full, Well Established	24
	Sa	Symphoricarpos albus / Common White Snowberry	#2 POT	As Shown	Full, Well Established	27

CONCEPT PLANT SCHEDULE

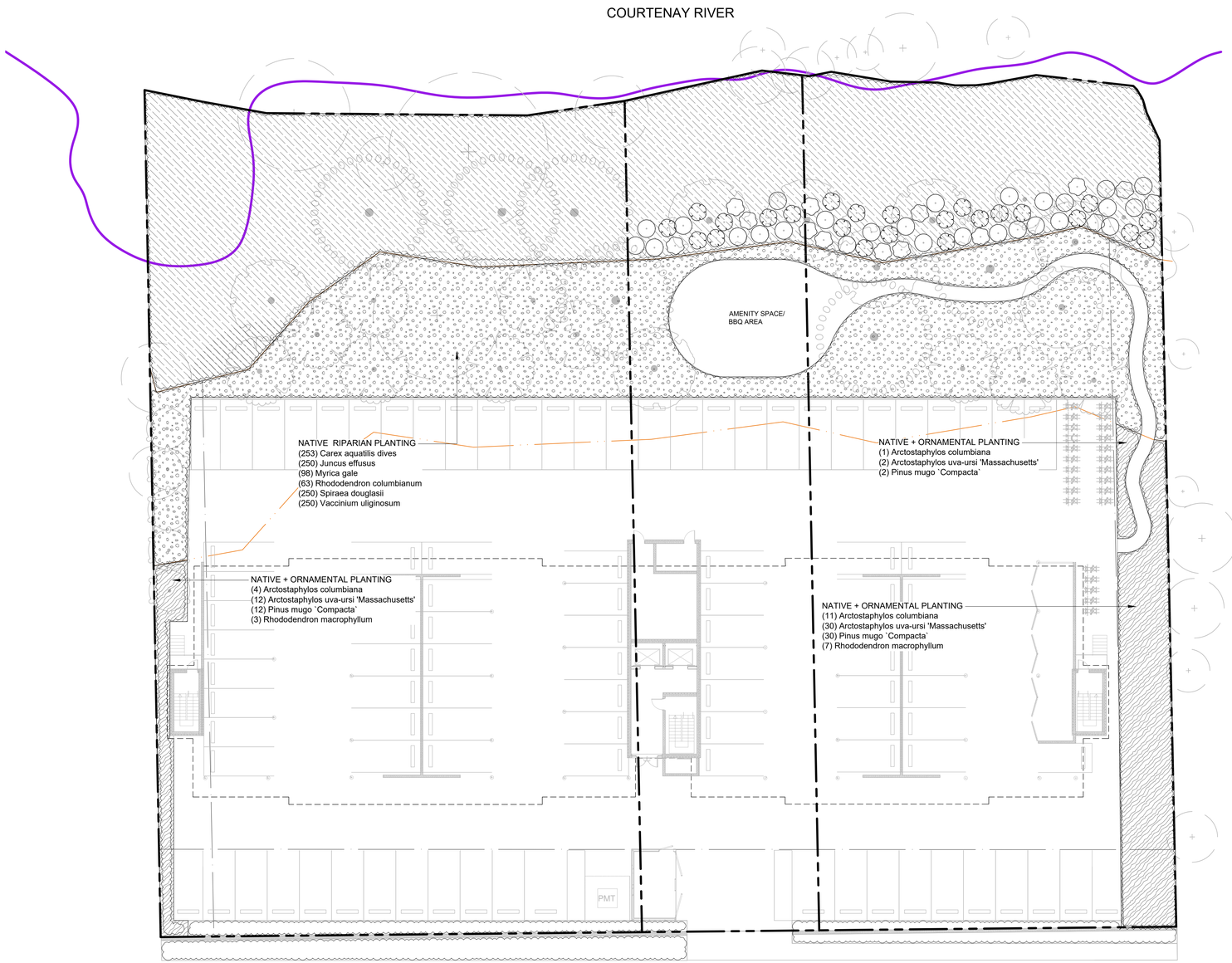
RIPARIAN RESTORATION AREA Disturbance within this area will be limited to the selective removal of invasives (where possible and per biologist recommendations and by approval of the City of Courtenay), and limited pocket planting of native riparian trees and shrubs to enhance the ecology of this zone, while minimizing disturbance.	1,334 m²				
NATIVE RIPARIAN PLANTING	815 m²				
Carex aquatilis dives / Sitka Sedge	253	#2 POT	16.8% @ 0.75m oc		
Juncus effusus / Soft Rush	250	#1 POT	16.6% @ 0.75m oc		
Myrica gale / Sweetgale	98	#2 POT	16.6% @ 1.2m oc		
Rhododendron columbianum / Western Labrador Tea	63	#2 POT	16.8% @ 1.5m oc		
Spiraea douglasii / Western Spirea	250	#2 POT	16.6% @ 0.75m oc		
Vaccinium uliginosum / Bog Blueberry	250	#2 POT	16.6% @ 0.75m oc		
NATIVE + ORNAMENTAL PLANTING	227.3 m²				
Arctostaphylos columbiana / Hairy Manzanita	15	#2 POT	25% @ 2m oc		
Arctostaphylos uva-ursi 'Massachusetts' / Massachusetts Kinnikinnick	41	#2 POT	25% @ 1.2m oc		
Pinus mugo `Compacta` / Dwarf Mugo Pine	41	#2 POT	25% @ 1.2m oc		
Rhododendron macrophyllum / Pacific Rhododendron	10	#2 POT	25% @ 2.5m oc		

PLANTING PLAN NOTES

- PLANTS IN PLANT LISTS ARE SPECIFIED ACCORDING TO THE CANADIAN NURSERY LANDSCAPE ASSOCIATION CANADIAN STANDARDS FOR NURSERY STOCK AND SECTION 12, CONTAINER GROWN PLANTS FROM THE BC LANDSCAPE STANDARD, CURRENT EDITION.

GROWING MEDIUM NOTES:

- ORGANIC MATTER CONTENT OF 15% DRY WEIGHT IN PLANTING BEDS.
- DEPTH OF 450 mm FOR SHRUB/ TREE BEDS.
- pH BETWEEN 6.0 TO 8.0.
- SUBSOIL SCARIFIED TO A DEPTH OF MINIMUM 100 mm WITH SOME TOPSOIL TO BE INCORPORATED INTO THE SUBSOIL.
- PLANTING BEDS TO BE MULCHED WITH A MINIMUM OF 50 mm OF ORGANIC MATERIALS.



Dune willow - Salix hookeriana

Western spiraea - Spiraea douglasii

Oceanspray - Holodiscus discolor

Snowberry - Symphoricarpos albus

BIOPHILIA
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SEAL
REGISTERED ELIZABETH A. CHILDERSTON 332 ASSOCIATE ARCHITECT
2024-07-10

NORTH ARROW

DRAWING TITLE:
PLANTING PLAN

DWG NO: L4.02

SCALE: 1:200

LEGEND

- PROPERTY LINE
- BUILDING OVERHANG
- LATERAL SETBACKS
- NATURAL SETBACKS
- NATURAL BOUNDARY
- DESIGNATED REPLACEMENT TREE

SOIL DEPTH SCHEDULE

SYMBOL	DESCRIPTION	QTY
	900 mm MIN. SOIL DEPTH - GROWING MEDIUM TO CANADIAN LANDSCAPE STANDARDS	259.4 m²
	450 mm MIN. SOIL DEPTH - GROWING MEDIUM TO CANADIAN LANDSCAPE STANDARDS	781.5 m²
	150 mm MIN. SOIL DEPTH - GROWING MEDIUM TO CANADIAN LANDSCAPE STANDARDS	1,311 m²

SOIL PLANTING NOTES

- ORGANIC MATTER CONTENT OF 15% DRY WEIGHT IN PLANTING BEDS.
- DEPTH OF 450 mm FOR SHRUB/ TREE BEDS.
- pH BETWEEN 6.0 TO 8.0.
- SUBSOIL SCARIFIED TO A DEPTH OF MINIMUM 100 mm WITH SOME TOPSOIL TO BE INCORPORATED INTO THE SUBSOIL.
- PLANTING BEDS TO BE MULCHED WITH A MINIMUM OF 50 mm OF ORGANIC MATERIALS.
- A COMPREHENSIVE SOIL ANALYSIS WILL BE CONDUCTED TO EVALUATE THE QUALITY OF THE EXISTING SOIL AND ITS FEASIBILITY FOR SUPPORTING NEWLY PROPOSED PLANTING.

BIOPHILIA

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SEAL

NORTH ARROW

DRAWING TITLE:
SOIL DEPTH PLAN

DWG NO: L4.11

SCALE: 1:200

LEGEND

- PROPERTY LINE
- BUILDING OVERHANG
- LATERAL SETBACKS
- NATURAL SETBACKS
- NATURAL BOUNDARY

LIGHTING SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	QTY
	BOLLARD LIGHT	28
	WELL LIGTH	8
	WALL LIGTH	15

LIGHTING PLAN NOTES

- LANDSCAPE LIGHTING TO BE DARK SKY COMPLIANT.
- LANDSCAPE LIGHTING TO BE COORDINATED WITH ELECTRICAL.

BIO PHI LIA

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SEAL

NORTH ARROW

DRAWING TITLE:
LIGHTING PLAN

DWG NO: L5.01

SCALE: 1:200

The Corporation of the City of Courtenay

Staff Report

To:	Council	**File No.:**	2380-20
From:	Director of Development Services	**Date:**	July 31, 2024
	Director of Recreation, Culture, and Community Services		
Subject:	**Report Back on Temporary Shelter, Washrooms and Storage**		

PURPOSE: To provide Council with an update regarding temporary shelter, washrooms, and storage and to seek Council's approval to advance the work necessary to locate temporary washrooms and storage adjacent to the Connect Centre.

BACKGROUND:
Over the past year, Council has directed staff to proceed with work related to investigating options and reporting back on considerations related to temporary shelter, washrooms, and storage.

At the October 25, 2023 Council meeting, the following resolution was adopted:

> *THAT Council direct staff to explore the placement of a temporary washroom facility adjacent to the Connect Centre and report back to Council with recommendation.*

At the March 13, 2024 Council meeting, Council made the following rise and report resolutions:

1) *THAT Council direct staff to write to the Minister of Housing requesting that the City of Courtenay be identified as a priority community for Encampment & Homelessness Response: HEART & HEARTH program funding due to the urgent need for shelter space and supportive housing, and*

   THAT Council rise and report this resolution at the February 28, 2024 Council meeting.

2) *THAT Council direct staff to write to the Minister of Housing requesting that the City of Courtenay be identified as a priority community for Encampment & Homelessness Response: HEART & HEARTH program funding due to the urgent need for shelter space and supportive housing, and*

   THAT Council rise and report this resolution at the February 28, 2024 Council meeting.

At the March 13, 2024 Council meeting, the following resolution was also adopted:

> *THAT Council direct staff to bring back a report at the April 10th, 2024 Council Meeting, outlining a range of temporary sheltering options including but not limited to: managed encampments, temporary modular housing and other options identified by staff; and*
>
> *THAT the report include preliminary consideration of the following details for each option presented:*

- *Anticipated operational impact*
- *Budget estimates*
- *Potential number of individuals supported*
- *Potential partnerships for the provision of services, and*
- *Any other impacts or considerations.*

On March 28, 2024, BC Housing announced the purchase of 925 Braidwood. BC Housing shared that the land purchase will be used to facilitate the development of permanent, purpose-built supportive housing and temporary shelter, including potential Extreme Weather Response (EWR) shelter beds. BC Housing has now initiated community engagement on their proposed use of the site.

The staff report "Update on Temporary Shelter Housing Options" [1] was presented to Council on April 10, 2024 and outlined the considerations and implications of various temporary shelter options as well as the opportunity for the City to work with BC Housing and the Ministry of Housing to identify opportunities to work together on addressing the significant gaps in shelter and services in the Comox Valley and Courtenay. The report identified that all options for temporary shelter require significant capital and operating funding, as well as the identification of suitable land and or locations for service provision.

At the April 10, 2024 Council meeting, the following resolution was adopted in response to the staff report:

> *THAT Council direct staff to include storage options for the belongings of unhoused individuals in the next update on temporary housing.*

On May 8, 2024 Council received a letter from the Ministry of Housing in response to the City's request to be identified as a priority community for Encampment and Homelessness Response HEART and HEARTH program funding. The letter identified that the Province is looking to prioritize communities with complex encampment challenges, site prospects, and partnership opportunities and acknowledged the City's commitment to identifying land and opportunities for shelter and housing.

DISCUSSION:
Staff have been actively working on investigating and responding to the aforementioned Council resolutions since last fall. This work has included preliminary cost estimates and options considerations, research with other municipalities, relationship building with key partners such as BC Housing, as well as pursuing funding strategies with the Province.

The complexity related to building and fire code, zoning, and funding requirements has delayed the progression of this work without dedicated staff. As such, the City has engaged M'akola Development Services (M'akola) to provide the resources necessary to carry forward this work into feasibility and options analysis, and implementation pending Council direction.

Temporary Washrooms and Storage
Staff have been having ongoing dialogue with BC Housing and the Comox Valley Transition Society (CVTS) regarding the need for additional and temporary washrooms for Connect. Recently, BC Housing has offered the City a washroom trailer for one dollar ($1.00) to respond to this need. Concurrently, BC Housing has agreed to provide CVTS with the necessary funding for CVTS to add an additional temporary facility to provide

[1] Update on Temporary Shelter Housing Options (escribemeetings.com)

a dedicated staff washroom and meeting space necessary to address operational and staff requirements at Connect. Staff and CTVS are also in discussions with BC Housing to request the provision of operating funding towards the temporary washroom trailer costs within the CVTS and BC Housing operating agreement for Connect.

If the City agrees to accept the temporary washroom trailer, the City would also be responsible for connecting the trailer to the necessary infrastructure or services, as well as completing any required construction works to support the facility (such as stairs and decking). Staff estimate the costs to be up to $150,000. As such, staff are seeking Council's direction to proceed with accepting the trailer and authorizing staff to expend up to $150,000 to facilitate the implementation of the washroom trailer on a temporary basis until a permanent shelter is constructed.

The City currently has a lease agreement with CVTS for the operation of Connect, including a small outside area in the parking lot. In order to facilitate the implementation of temporary washroom and staff trailers, as well as storage, an expansion to the leased area would be necessary and require an amendment to the lease.

Proposed Work
Based on preliminary work and discussions with M'akola, as well as the recent announcement from BC Housing regarding 925 Braidwood, staff are recommending the following approach:

- Phase 1: Temporary Washrooms & Storage at Connect Centre
  - Staff recommend prioritizing this phase to focus on implementation of the washroom trailer and storage on city lands adjacent to the Connect Centre until a permanent shelter is constructed.
  - The work would include identifying costs, operational implications, infrastructure requirements, and consultation with relevant parties (BC Housing and CVTS) and leading the work required for implementation of the trailers and storage facilities.
  - This approach would not include assessing alternative locations or strategies to the expansion of washroom facilities in Courtenay and would only allow for the informing of interested parties such as the DCBIA and property neighbours.
    - Should Council want further consultation or engagement with interested parties, this would add significant time to the process and delay implementation.
  - To proceed with this option, staff are seeking Council direction:
    - To accept the washroom facility from BC Housing for $1.00 and to locate it on city lands adjacent to Connect.
    - To amend the lease agreement with CVTS to expand their current lease area to include the land necessary to locate temporary washroom trailers and storage.
    - To allocate up to $150,000 towards installation of the temporary washroom trailer and storage solutions including infrastructure connections and or servicing, and construction elements such as stairs, decking, and fencing.
    - 1, Section 1.1.1.1
  - Given the emergency situation to provide critical community services and shelter, locating the temporary trailers falls under the BC Building Code Division, A, Part 1, 1.1.1.1. (2) (f) iv emergency facilities.
- Phase 2: Temporary Shelter Options Analysis
  - As Phase 1 is being implemented, M'akola will also assist in identifying possible temporary shelter options, including locations.

- Staff will need to report back to Council with recommended locations including costs and operational implications, infrastructure requirements, funding strategies, and consultation with relevant parties.
- Should Council support a specific location, staff would then proceed with exploring and confirming partnership opportunities.

Funding Strategies & Implications

In previous reports to Council staff have provided high level estimates of both operational and capital costs likely required to bring solutions for temporary shelter and washrooms to fruition. These estimated costs are summarized below:

- Operating costs for temporary washrooms (supervised 12 hours per day): $15,000 to $20,000 per month or $185,000 to $240,000 per year.[2]
- Infrastructure costs for temporary washrooms:
  - Rental and servicing of temporary trailers: $15,000 to $20,000 per month (operating)[3]
  - Infrastructure connections for more permanent facilities: $50,000 to $100,000 (capital)[4]
- Temporary shelter options:[5]
  - Tiny Shelters on vacant land: annual operating costs of approximately $850,000 plus capital costs of approximately $965,000 plus connection fees (for 30 units)
  - Managed encampments: $100,000 per month for direct costs plus in-kind costs associated with by-law, police, fire, and staff time. Remediation costs range from $500,000 to $750,000 (capital).

Financial implications for storage solutions have not yet been estimated and will form part of M'akola's work and staff will report back to Council if there are funding implications. However, staff have engaged with other municipalities who have implemented storage processes and will look to build off those programs.

Staff continue to advocate to BC Housing for additional operating funding to support the operations of the temporary washroom trailer at Connect. Staff expect that once the City has a clear path forward and has articulated its commitment to the above items (i.e. in the form of financial or land contributions) discussions regarding remaining funding gaps will be met with greater success.

POLICY ANALYSIS:

OCP, 2022

Affordable Housing

- AH 13: Identify undeveloped and underdeveloped municipal sites for future affordable housing projects with emphasis on providing a mix of tenures including supportive housing.
- AH 18: Advocate for senior government funding for affordable housing projects and initiatives.

Social Infrastructure

- SI 6: Identify an appropriate role for the City in the delivery of social infrastructure in relation to other organizations, agencies, and jurisdictions that provide services for equity-priority groups.

[2] Downtown Public Washroom – Urbaloo 24 Hour Pilot Update (escribemeetings.com)
[3] Ibid.
[4] 685 Cliffe Avenue – Lease Renewal and Temporary Washroom Consideration (escribemeetings.com)
[5] Update on Temporary Shelter Housing Options (escribemeetings.com)

- SI 8: Continue to support regional partners on program administration and delivery for homelessness, poverty prevention, mental health, addiction, and overdose prevention programs.
- SI 16: Provide sufficient, high-quality public spaces that promote social connectedness. Include amenities to support all ages and abilities such as public washrooms, seating areas, and drinking fountains.
- SI 17: Develop a strategy to address community need for public washrooms, including hand washing stations and access to secure potable water.
- SI 21: Support volunteers, organizations, and other social assets to continue undertaking their work within the community.

Land Use Discussion

The city owned lands that Connect is currently located on at 685 Cliffe Avenue and the adjoining two lots at 665 and 645 Cliffe Avenue which are proposed to be used for the temporary trailers, are designated Downtown in the Official Community Plan (OCP) which permits supportive and transitional housing. The lands are zoned C1 which permits community service, day care, facilities for adults with disabilities and medical clinic but does not permit shelter. As such Council had previously passed a resolution to make a policy decision not to enforce the zoning bylaw on the land that currently Connect is operating on and will have to extend this to the other two City owned lots at 665 and 645 Cliffe Avenue in recognition of the 2016 Public Health Emergency as declared in response to the overdose crisis by the Provincial Health Officer to consider the temporary provision and expansion of emergency services and facilities.

The BC Building Code recognizes Emergency facilities under Division A, Part 1, 1.1.1.1. (2) (f) iv, The Building code does not apply with the permission of the authority have jurisdiction (Council and Building Inspector), for temporary buildings including emergency facilities.

FINANCIAL IMPLICATIONS:
The estimated budget of retaining M'Akola Development Services for this work is $10,000 and will be sourced from Development Services community and sustainability professional services budget line.

Staff are recommending that Council authorize the expenditure of up to $150,000 from 2023 surplus to support the infrastructure and construction works necessary to locate temporary washroom trailers and storage solutions adjacent to Connect.

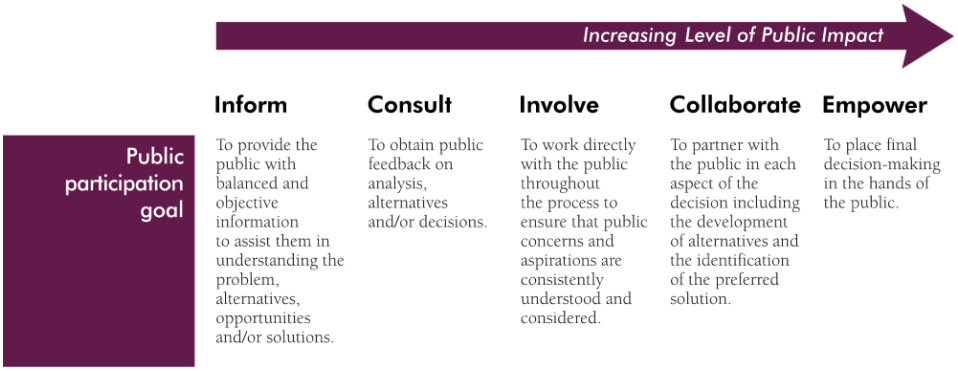
Staff will continue to request operational funding support from BC Housing for the provision of temporary washrooms and recommend that Council direct staff to pursue additional funding sources for any remaining operating gaps, including requesting funds from the Comox Valley Regional District (CVRD) via function 451 as well as the Town of Comox who are not participants in that function. Any further cost implications for implementation of temporary shelter, washroom, and storage programs would come back to Council at a future date for Council's consideration.

ADMINISTRATIVE IMPLICATIONS:
Development Services and Recreation, Culture, and Community Services are working collaboratively to progress the work outlined in this report. Without dedicated staff resources, even with the assistance of M'akola, other work priorities will be adjusted to focus on this priority.

STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following strategic priorities:

- Social Infrastructure - Continue working with community agencies to deliver day services. Explore role in the provision of social support services, including future of Connect Centre.

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



© International Association for Public Participation www.iap2.org

OPTIONS:

1. THAT Council, in recognition of the 2016 Public Health Emergency as declared in response to the overdose crisis by the Provincial Health Officer, consider the temporary provision and expansion of emergency services; and,

   THAT Council exercise their authority and make a policy decision to not enforce the City of Courtenay Zoning Bylaw No 2500, 2007 to permit day and overnight services for unhoused and other marginalized community members, including but not limited to: overnight sheltering, washrooms, personal belonging storage, administrative support, health and housing support services, distribution of survival materials/food/supplies, and other related services to the satisfaction of the Building Inspector and Fire Chief; and,

   THAT Council delegate authority to the Director of Recreation, Culture and Community Services, to negotiate amendments to the lease agreement between the City of Courtenay and the Comox Valley Transition Society, for the property having a legal description of PID: 006-102-930, Lot 3, Section 61 Comox District Plan VIP3817, (685 Cliffe Avenue – Connect Center), including the expansion of the leased area to include the property having the legal description of PID:005-101-018, Lot 1, Plan VIP3817, Section 661, Comox Land District (665 Cliffe Avenue – adjacent parking lot) for the purposes of permitting the following temporary uses: client belonging storage, additional client washrooms, additional staff washrooms, additional administrative work space; and,

   THAT Council approve the purchase of a washroom trailer from BC Housing for $1; and,

   THAT Council allocate up to $150,000 from the 2023 surplus towards the installation of the temporary washroom trailer and storage solutions; and,

   THAT Council direct staff to request operating funding contributions for the temporary washroom and/or storage facility from: BC Housing, Comox Valley Regional District (Function 451), Town of

Comox, and other appropriate funders.

2. THAT Council provide alternative direction to staff.

ATTACHMENTS:

Prepared by: Susie Saunders, Director of Recreation, Culture, and Community Services
Marianne Wade, Director of Development Services
Concurrence: Kate O'Connell, Director of Corporate Services, Acting City Manager (CAO)
Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 1855-01

From: Director of Infrastructure and Environmental Engineering **Date:** July 31, 2024

Subject: 2024 UBCM Asset Management Planning Grant Program Application

PURPOSE:

The purpose of this report is to seek a resolution to approve submission of an application to the UBCM Asset Management Planning Grant Program in the amount of $25,000 to support the development of a systematic performance-based asset management renewal framework for capital assets within the right of way.

BACKGROUND:

Local governments in British Columbia are working to implement asset management practices as a way to deal with aging infrastructure, the costs of replacing assets, expectations for service levels, and risks to the sustainable delivery of public services.

This grant opportunity, the UBCM Asset Management Planning Grant Program, was created in 2014. The intent of the grant is to assist local governments deliver sustainable services by extending and deepening asset management practices within their organizations.

In terms of developing an effective project scope, the Asset Management for Sustainable Service Delivery: A BC Framework ("the Framework") was developed in 2019 to provide local governments with an overview of asset management, based on current international best practices, as well as best practices developed and endorsed by BC local government practitioners.

The Framework recognizes there are many components within the asset management process and provides a circular, continuous pathway to link all components of the process together. The inner components of the framework are proposed to guide this project as they encourage communities to engage, review and communicate around information, finances, people, and assets.

Further detail for this project scope was collected from the, "Lessons Learned and Practitioner Toolkit" published by the Transportation Association of Canada (TAC) in 2021 which encourages fiscal responsibility, accountability and transparency in governance. The toolkit provides practical guidance to advance asset management practices, obtain value for money, and optimize network investments as financial resources become more limited.

DISCUSSION:

The City of Courtenay is responsible for managing over $1 billion in infrastructure. Furthermore, the most recent Sustainable Infrastructure Investment Plan evaluated the need for capital works and renewal planning. These investments are suggested to be initially targeted within the right of way (a legal term for the land allocated to roads, rail, and utilities) for capital assets related to water, wastewater, stormwater, and transportation services including, to the extent possible, sidewalks and active transportation facilities.

This project, the development of a performance-based renewal system (PBRS), will focus on evaluating and managing risk to optimize funding allocations and investments for aforementioned capital assets in the right of way. The PBRS project will involve both planning and assessment activities to develop a transparent and accountable framework that complies with good governance practices.

This is aligned with the UBCM Asset Management Planning Grant Program requirements and the management cycle defined by AMBC, bringing together the skills, expertise, and activities of people in planning, finance, engineering, and operations. The project will engage departments to assess existing data and technologies that integrate various sources of asset information to measure and report on the current state of assets and direct investment strategies.

The project will provide the City with a performance-based decision-making tool for analysing and optimizing multiple asset renewal objectives and trade-offs including risk and cost. Deliverables will be intended to help staff identify, confirm, prioritize and coordinate asset renewal work programs, across asset types.

The "Lessons Learned and Practitioner Toolkit" published by the Transportation Association of Canada (TAC) will be relied on to guide this project as the assessment and management of infrastructure risks requires a significant level of effort and expertise. The PBRS project will involve three broad categories including data management, analysis and evaluation, and communication. Attachment 1 includes a detailed description.

POLICY ANALYSIS:

There are no policy implications associated with approving this grant application however protocols for communicating risks to decision makers and other stakeholders will need to be documented.

Implementation is expected to require the consideration of a policy framework to ensure relationships between the PBRS inputs and outcomes are continually improved such that the types of projects that get prioritized relate to the City's strategic goals and objectives while aligning with broad economic, social and environmental criteria, and sound engineering judgement. While the tool is expected to focus on existing in-service assets, it may evaluate scenarios for the Official Community Plan and provide analysis of various new and existing strategic initiatives, as they relate to impacts on sustainable service supported by infrastructure systems within the right of way.

In terms of next steps after project completion and to help increase the robustness of the PBRS, the TAC Toolkit recommends bolstering existing commitments to knowledge management by developing agency-wide data governance strategies, appointing data stewards, and implementing flexible data warehousing systems.

FINANCIAL IMPLICATIONS:

A maximum grant amount of $25,000 can be provided for each approved project for 50% of the approved costs. Total project costs are estimated to be $60,000. Staff recommend any remaining project costs be provided by the City from the Asset Management business area, estimated to be $35,000.

ADMINISTRATIVE IMPLICATIONS:

Designing, developing and implementing a performance-based asset management program takes vision and good leadership, collaboration and commitment. Further effort is expected after the PBRS project to ensure design and maintenance practices are adapted to renewal plans adopted by the Financial Plan (i.e., the budgeting and allocation of funds for operations and capital investments).

Staff time from various departments including Infrastructure and Environmental Engineering Services and Operational Services will be required for interdepartmental coordination and collaboration. These activities are expected to include workshops, information sharing, and deliverable reviews to ensure the full spectrum of users, use cases and system interfaces are captured. Physical condition assessment projects in 2024 will be delayed to future years as a result of the recommended funding source.

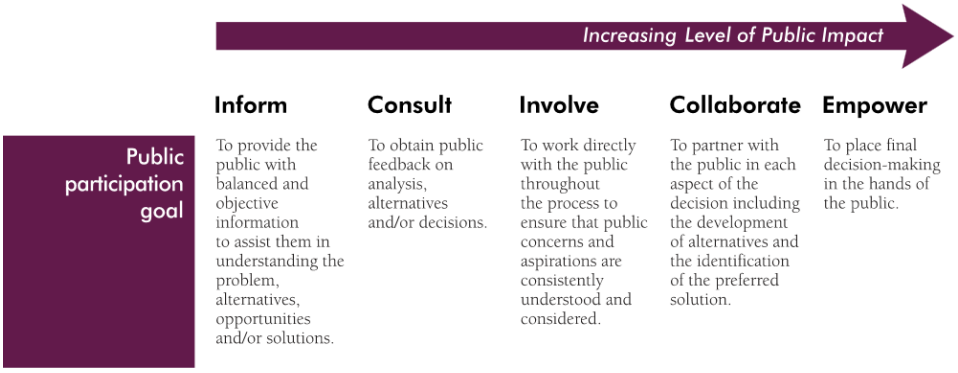
Staff time from the Asset Management area is also required to manage the project and associated grant activities to its completion along with engagement with the various staff across departments in various project activities including workshops, information sharing, and deliverable reviews.

A project management approach will be taken in the future for further efforts that are expected to follow for the City's asset management system regarding data management, staff training, performance monitoring and continuous improvement including any subsequent opportunities for technology integrations.

STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following strategic priorities:

- Organizational Well-Being and Sustainability - Ensure capacity to accommodate big change resulting from direct and indirect impacts to our community
- Financial Sustainability - Ensure capacity to accommodate big change

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



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OPTIONS:

1. THAT Council approve submission of an application to the UBCM Asset Management Planning Grant Program in the amount of $25,000 for the development of a performance-based asset management renewal framework for capital assets in the right of way;
   AND THAT Council support the provision of in-house contributions of $35,000 of funds sourced from the Asset Management business area including in kind contributions of staff time to match the grant application amount, this 31st day of July, 2024
2. THAT Council provide alternative direction to staff.

ATTACHMENTS:
1. 2021 TAC Performance Based Decision Making Toolkit - Cross Asset Optimization Description

Prepared by: Michael Wright, Manager of Asset Management
Reviewed by: Chris Davidson, Director of Infrastructure and Environmental Engineering
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

B.2.6 Cross-asset optimization

Overview

Cross-asset optimization (CAO) is a tool to help agencies allocate resources across asset classes. Traditionally, resources are allocated based on precedent and/or engineering judgement. This approach is likely sub-optimal in that decision making is exposed to the biases of decision makers and precedents may be outdated and not representative of contemporary priorities.

Modern CAO tools typically use a Delphi approach and/or a multi-objective decision analysis (MODA) approach.

In a Delphi approach, resource allocation decisions are made by a committee of agency decision makers and experts (either internal to the agency or from a third party) from different subject areas. The approach uses an iterative process to forecast outcomes of different resource allocation decisions and then refine decision making until a consensus is reached.

A MODA approach has many similarities with multiple-objective optimization approaches (see the Multi-Objective Optimization Tool). Optimal resource allocation decisions can be identified considering multiple interrelated and/or conflicting objectives. The MODA approach can be conducted in a top-down or bottom-up fashion.

In a top-down approach, program level trade-off analysis is conducted to identify funding levels based on how each asset or program will respond to a given funding level. The responses (i.e. performance) are used to create response curves, showing performance measures as a function of the funding level. Projects are then prioritized based on the level of funding available for that asset and the ability to satisfy the goals identified for that asset or program.

In a bottom-up approach, a set of projects are selected from potential projects spanning all assets, which maximize the overall measure of performance (i.e. utility). The trade-off analysis is conducted at the project level. Unlike the top-down approach, there are no direct results showing the implications of the level of funding applied to an asset class. This approach can have technical challenges associated with developing robust and universal algorithms and the collection of quality data.

Both approaches can provide insight into how projects or asset classes can perform at different funding levels, how projects can affect multiple objectives and how projects can have different effects when combined with each other.

Characteristics

	Low	Med	High	Unable to assess
Effectiveness	☐	☐	☑	☐
Data needs	☐	☐	☑	☐
Required level of expertise	☐	☐	☑	☐
Effort for implementation	☐	☐	☑	☐
Overall performance	☐	☐	☑	☐

Key sources

- Spy Pond Partners (2019)
- Bryce et al. (2018)
- Porras-Alvarado et al. (2016)
- Maggiore & Ford (2015)
- Fwa and Farhan (2012)
- Geiger et al. (2005)

Agencies can implement the following framework, which uses similar themes to the MODA approach but leans toward a more finance-oriented perspective:

- *Use the agency's goals and objectives to guide its priorities* – The framework begins with strategic planning, including goals, resource allocation philosophy and objectives which govern the operation and performance measurement of agencies.
- *Categorize various assets* – In this step, assets are identified in terms of a physical asset class, asset ownership and other relevant information (e.g. urban versus rural, functional class, traffic volume, usage type).
- *Develop performance metrics to evaluate progress toward goals and objectives and assess performance* – The objective is to evaluate the condition of the infrastructure system, to generate an overall score for each of the assets being analyzed. An asset performance prediction model is essential for predicting asset value conditions in the future. As part of this step, performance-funding relationships should be developed and used to measure the effects of funding levels on overall condition scores for each asset. Transportation agencies can use historical funding and performance data to develop and calibrate the asset performance models.
- *Apply decision science (the approach that guides the selection of alternatives through weighting, scaling, scoring, prioritization and optimization techniques) to score differing projects on a level playing field* – Selection is optimized based on the relative importance of benefits to the decision maker, often based on the expected value of a project per dollar spent.
- *Conduct trade-off analysis to refine scenario planning and to compare priorities with fiscal constraints* – Optimization accounts for fair allocation of budget to investment categories in relation to the total available budget. In a transportation asset management decision-making context, there are often multiple objectives that need to be achieved and fair allocation is important. In general, there are three categories of equity that should be considered in transportation funding allocation: rate of return, performance and need:
  - *Rate of return* – Programs should receive the same percentage of resources as they contribute.
  - *Performance* – This is concerned with the allocation of resources between programs or districts that differ in performance or condition. Funding allocation policies are considered equitable if they favour conditionally disadvantaged programs, therefore compensating for overall inequities.
  - *Need* – This concept is used to support allocation based on demand, which means that resources should be allocated according to the actual needs of different programs or districts.

Advantages

- Considers performance against multiple, diverse, potentially interrelated and/or conflicting objectives
- Compares overall impact of projects in different asset classes
- Illustrates how different levels of funding enable or hinder the achievement of policy goals
- Identifies trade-offs present at various funding levels

Disadvantages

- Requires careful definition of optimization functions, which can be difficult when many variables exist
- Complex optimization function definitions can make it difficult for stakeholders to understand the analysis
- Reliability of evaluations depends on how accurately project impacts are assessed against each criterion
- Requires subject-matter experts from many fields

Examples of available software

The following software programs were identified through the literature review but have not been evaluated as part of this study. Practitioners interested in applying any of these software packages are encouraged to investigate their effectiveness prior to application.

Asset Optimizer. Cloud-based software-as-a-service (SaaS) application accessible from a web browser. Algorithms generate risk-based, system-wide multi-year asset renewal plans. Optimization settings can be tweaked to maximize network-level condition improvement, minimize risk, or minimize life-cycle costs. Output can help users to assess how funding levels and investment strategies impact risk at the level of individual assets, asset classes and the entire system.

Cross-Asset Resource Allocation Tool. Spreadsheet or web-based tool initially developed as part of an NCHRP project, allowing users to set weights for various objectives and optimize resource allocation based on scoring.

AgileAssets. Asset management software for planning and analysis, as well as operations management. Includes functions for internal rate of return on investment, trade-off analysis and cross-asset optimization and can consider transit assets including vehicles, stops, garages and other facilities.

The Corporation of the City of Courtenay

Staff Report

To:	Council	**File No.:**	1855-01
From:	Director of Infrastructure and Environmental Engineering	**Date:**	July 31, 2024
Subject:	**2024 MMA Infrastructure Planning Grant Program Application**		

PURPOSE:
The purpose of this report is to describe a potential grant opportunity, nominate a project for the grant, and secure a council resolution supporting the project.

EXECUTIVE SUMMARY:
This report describes an intended grant application to produce an enterprise-wide technology blueprint for asset management applications and data to document and illustrate how technology, applications and supporting data are connected to integrate asset management information and support infrastructure decisions for sustainable service delivery including long term financial planning.

BACKGROUND:
The Local Government Infrastructure Planning Grant Program is a provincial grant provided by the Ministry of Municipal Affairs (MMA) for local governments to support asset management objectives. A maximum grant amount of $10,000 can be provided for each approved project for 100% of the first $5,000 and 50% of the next $10,000 of approved costs. Criteria include the principles of sustainability and resilience.

The primary focus of this grant application and project is proposed to be data, software and tools. The International Infrastructure Management Manual (IIMM) defines an Asset Management Information System (AMIS) as a "combination of processes, data, software, and hardware applied to provide the essential outputs for effective AM such as reduced risk and optimum infrastructure investment".

The City's AMIS is comprised of many parts and has become an essential tool for managing infrastructure assets. Various technology tools are implemented to effectively deal with the extent of analysis required to support the City's community infrastructure systems and their operations as well as current practices that optimize and justify capital renewal investments.

Asset Management for Sustainable Service Delivery: A BC Framework ("the Framework") was developed to provide local governments with a high-level overview of the process of asset management. The Framework aligns with the BC approach for asset management which is being led by Asset Management British Columbia (AMBC). It is based on current international best practices, as well as best practices that have been developed and endorsed by BC local government practitioners.

The Framework recognizes the need for sharing information, transferring knowledge, and building sustainable service delivery, and identifies "strategies for data, software and tools" in both basic and advanced asset management practices.

Lastly, this project is aligned with other industry leading best practices. International Standard (ISO) 55001 (Asset Management System Requirements) recommends reporting on the asset management system to management, documenting information necessary for its effectiveness and establishing priorities to improve its performance.

DISCUSSION:

Asset knowledge management is important as it is concerned with defining the asset information needed, how it is gathered, analysed, interpreted and managed, and then applied.

Currently, the asset management technology used at the City is composed of centralized and decentralized technology systems that require different levels of manual processing and human resources to maintain the information requirements of core business functions. Digital platforms requiring hardware, software, data, procedures and standards are used by staff every day to deliver cost-effective management of assets and efficient customer service. Some platforms are owned and managed by the City, others are third party.

By documenting a line of sight across all relevant data, software and tools, an enterprise-level blueprint will provide the City with a consistent corporate approach to system development and the foundation to enable ease and efficiency for AMIS users.

An enterprise-level blueprint also enables a governance and management structure, which is critical to provide overall direction and control of the City's AMIS. Without this documentation in place, many AMIS components that required thoughtful effort to produce are at risk of losing advanced capabilities, and over time may no longer be able to accommodate regulatory requirements, creating data silos that limit decision makers from viewing asset information in a holistic fashion.

This project is proposed to use a facilitator who will leverage a collaborative approach with internal departments to capture how their asset data, accounting information, work history and decision tools are currently implemented and to what extent information is passed between systems including the City's geographical information system (GIS) and other corporate systems.

The intended outcome of this project is to optimize the performance of City assets throughout their lifecycle and improve asset management practices across all departments by capturing how information is stored in technology systems including where time is spent to reconcile information, manage assets and create reports needed by multiple stakeholders.

With this blueprint in hand, longer-term impacts from this project would be streamlining and standardizing asset management data governance practices to enable data consistency, reliability and timeliness.

With a consistent corporate approach for technology systems across different activity areas, it is envisioned this project will simplify continuous improvement and equip office and field staff with modern and easy to use tools that provide advanced analytics for the needs of generic business functions through data sharing between systems without requiring additional resources to conduct technical and manual integrations.

POLICY ANALYSIS:

There are no policy implications associated with approving this grant application as it will be focused on capturing the current state of existing applications that support business processes and procedures.

FINANCIAL IMPLICATIONS:

A maximum grant amount of $10,000 can be provided for each approved project for 100% of the first $5,000 and 50% of the next $10,000 of approved costs. Total project costs are estimated to be $25,000.

ADMINISTRATIVE IMPLICATIONS:

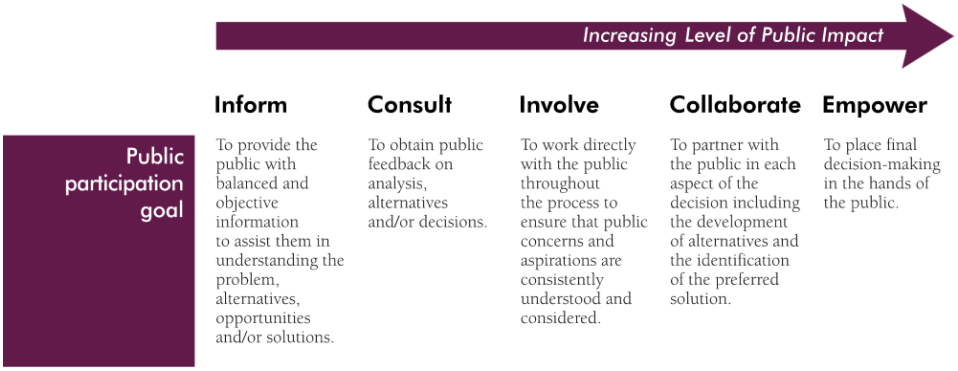
Staff time from various departments including Infrastructure and Environmental Engineering Services and Operational Services will be required for interdepartmental coordination and collaboration. These activities are expected to include workshops, information sharing, and deliverable reviews to ensure the full spectrum of users, use cases and system interfaces are captured. Physical condition assessment projects in 2024 will be delayed to future years as a result of the recommended funding source.

A project management approach will be taken in the future for further efforts that are expected to follow for the City's asset management system regarding data management, staff training, performance monitoring and continuous improvement including any subsequent opportunities for technology integrations.

STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following strategic priorities:

- Organizational Well-Being and Sustainability - Ensure capacity to accommodate big change resulting from direct and indirect impacts to our community
- Financial Sustainability - Ensure capacity to accommodate big change

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



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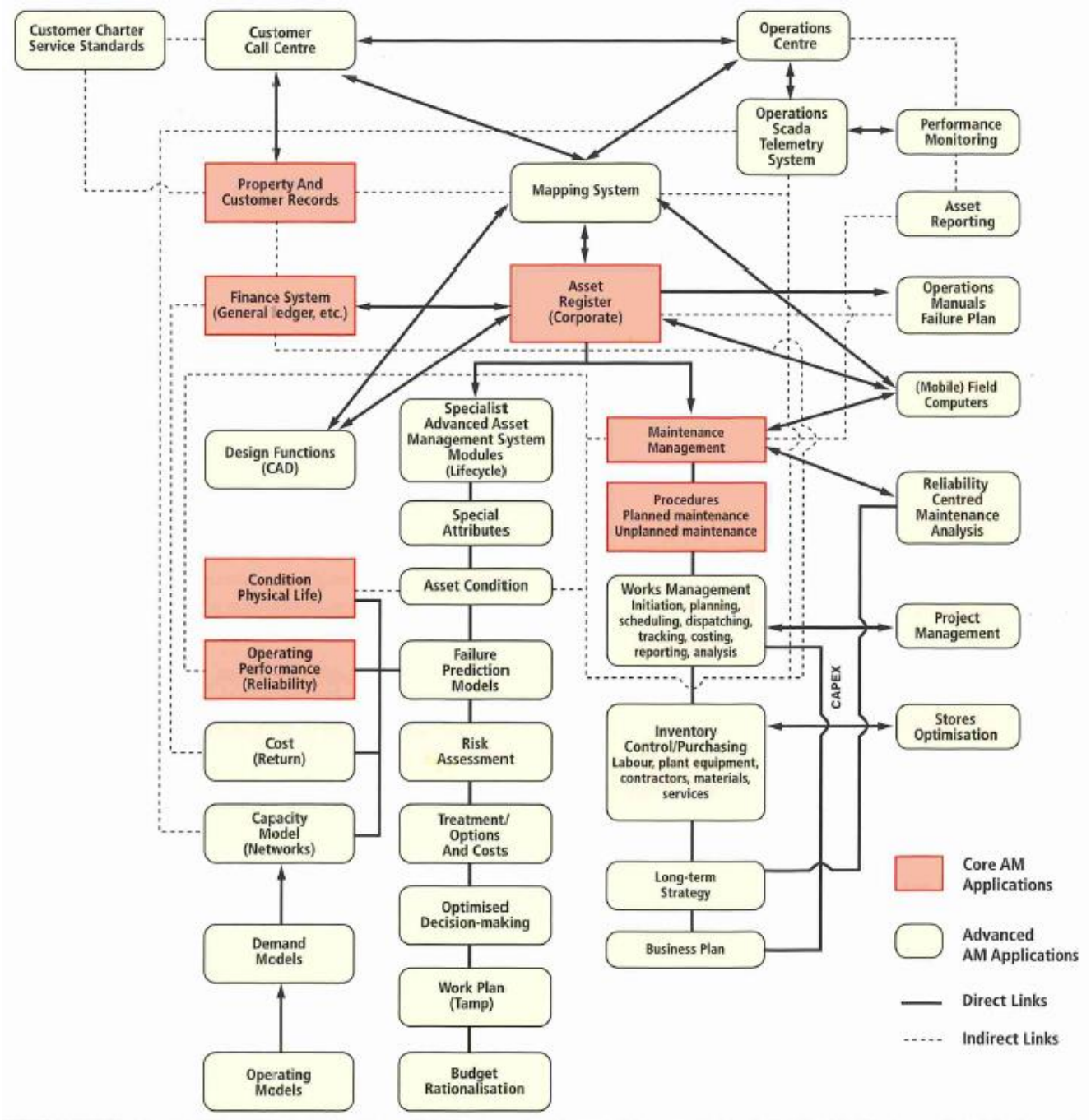
OPTIONS:

1. THAT Council approve submission of an application to the Local Government Infrastructure Planning Grant program for $10,000 for the documentation of an enterprise-wide technology blueprint for asset management applications and data.
2. THAT Council provide alternative direction to staff.

ATTACHMENTS:
1. Example of Advanced Asset Management Information System Modules and Interfaces

Prepared by: Michael Wright, P.Eng, MPA, Manager of Asset Management
Reviewed by: Chris Davidson, Director of Infrastructure and Environmental Engineering Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

Attachment 1: Example of Advanced Asset Management Information System Modules and Interfaces[1]



[1] Institute of Public Works Engineering Australia, and Association of Local Government Engineers of New Zealand. National Asset Management Steering Group. *International Infrastructure Management Manual*. Sydney, NSW, IPWEA; [Wellington, N.Z, 2011, p.4|33]

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 5335-20

From: Director of Infrastructure and Environmental Engineering **Date:** July 31, 2024

Subject: McPhee Meadows Update

PURPOSE:

The purpose of this report is to summarize the potential access options for the construction of McPhee Meadows Park and request Council to provide direction on a recommended option in order to complete design and proceed into construction.

BACKGROUND:

In 2011, the City of Courtenay and Nature Trust BC jointly received an 11.8-acre (4.78 hectare) land donation, through the Federal Ecological Gifts Program, from Robert McPhee, now referred to as McPhee Meadows.

The late donor, Robert McPhee, wanted to ensure this property would be maintained by the City as a public wetland park. The current conditions of the site do not allow for safe public use and therefore the site has remained closed since 2011.

A draft concept plan and report was presented to Council at the June 27, 2022 Council Meeting in which staff requested Council's approval to apply for the Union of British Columbia Municipalities (UBCM) grant in the amount of $2,900,000. The June 10th draft concept plan included the following key features:

- Formalized river access point
- Orchard expansion to allow for demonstration gardens and cultural/heritage learning spaces
- Pedestrian trails around meadow and through west panhandle
- Access points from Menzies Avenue and 3rd Street
- Washroom facility
- Parking
- Select invasive species removal
- Native tree/shrub planting for riparian restoration and adjacent property privacy

Following the recommendations outlined by the Parks and Recreation Master Plan (PRMP) 2019, the park design included input through a full community engagement process that considered feedback from K'ómoks First Nation, the late donor's family, Nature Trust BC, adjacent property holders previously engaged and the community through an online survey.

At the June 27, 2022 Council Meeting, Council approved the following resolution:

> *THAT based on the June 27, 2022 staff report "McPhee Meadows UBCM Grant Application and Project Update", Council approve OPTION 1 and direct Staff to submit an application for grant funding for the proposed park improvement for McPhee Meadows Park project through the Canada Community-Building Fund in British Columbia under the 2022 Strategic Priorities fund capital infrastructure stream and capacity building stream; and*

THAT this resolution confirms Council's support for the proposed activities and willingness to provide overall grant management.

At the August 29, 2022 Council Meeting, staff presented a final concept plan and requested Council:

1. Approve the final McPhee Meadows Nature Park Concept Plan as appended in the McPhee Meadows Concept Plan Report (Attachment 1); and
2. Direct staff to proceed with detailed design within the approved budget allocation in the 2022 capital budget; and
3. Direct staff to Include a provision for a Class D detailed design and construction budget cost of $3,350,000 for consideration in the 2023 Capital Budget and 2023-2027 Financial Plan to support potential construction in 2024 subject to a successful UBCM SPF grant funding application.

At the August 29, 2022 Council Meeting, Council approved the following resolution:

THAT based on the August 29, 2022 staff report "McPhee Meadows Nature Park Final Concept Plan", Council approve OPTION 1, and:

1. *Approve the final McPhee Meadows Nature Park Concept Plan as appended in the McPhee Meadows Concept Plan Report (Attachment 1); and*
2. *Direct staff to proceed with detailed design within the approved budget allocation in the 2022 capital budget; and*
3. *Include a provision for a Class D detailed design and construction budget cost of $3,350,000 for consideration in the 2023 Capital Budget and 2023-2027 Financial Plan to support potential construction in 2024, subject to a successful UBCM SPF grant funding application.*

DISCUSSION:

Following Council approval of the concept plan, staff included costs for detailed design and construction in the 2023-2027 Financial Plan. In 2023, detailed design began with an in-depth analysis of the natural features of the site as well as considerations to make the entrance to the park as accessible as possible.

The initial design direction for the property was determined primarily by the intentions of the donor and the terms of the Federal Ecological Gifts Program requirements, which state that biodiversity and environmental heritage features of the property must be maintained. The current access to the park at 3rd Street and Harmston Avenue is very steep and does not provide easy access to many people who would like to access the park. The natural grade of the existing access road is approximately 12-15% which is considered quite steep and far from an accessible or comfortable walk. In order to meet accessible guidelines, a maximum grade of 8% with landings every 50m is required. The initial design included only minor upgrades to the existing access. The design included minimal tree clearing and minimal upgrades to the access itself.

Initial designs were shared with the Comox Valley Social Planning/Accessibility Committee to receive feedback. The Accessibility Committee were not supportive of any design that is not accessible for all ages and abilities to access the park.

Since that time, the project team have been working on design options that would attempt to meet the requirements for all ages and abilities as defined by BC Active Transportation Design guidelines while also maintaining the environmental features and heritage of the park and adhering to the terms of the Federal Ecological Gifts Program.

Federal Ecological Gifts Program

The Federal Ecological Gifts Program is a program that provides a way for Canadians with ecologically sensitive land to protect nature and leave a legacy for future generations. It offers significant tax benefits to landowners who donate land or a partial interest in land to a qualified recipient. Recipients ensure that the land's biodiversity and environmental heritage are conserved in perpetuity.

In 2011, McPhee Meadows was donated to the City of Courtenay as well as to Nature Trust BC under this program. As part of this donation, the City of Courtenay and Nature Trust BC became joint owners with the City of Courtenay owning 60% and the remaining 40% held by Nature Trust BC. As part of the agreement, the land's ecological values need to be maintained. Any changes to the land need to be approved by the Federal Ministry of the Environment. Any changes to the land that were not approved by the Ministry could result in a tax equal to 50% of the current fair market value to the recipients of the Federal Ecological Gifts Program.

Included in the Ecological Gifts Program, there is the ability to apply for a Change in Use. In order to apply, an application needs to detail the changes in use, how the change will result in a protection that is at least equal to or better than provided under the existing arrangement and if it is beneficial to the long-term conservation and management of the ecologically sensitive features on the property.

Accessible Design Options

Staff have been working to develop an option that allows better access to the park without increasing the environmental impacts to the park beyond what had been previously planned. This has been a difficult task and staff have been unable to find a solution that meets both of the goals.

In an effort to help staff and Council evaluate potential options, an evaluation matrix was developed and is shown below in Figure 1. Green represents low impacts or meets requirements, yellow represents medium impacts and meets requirements and red does not meet requirements or has the highest impact.

Figure 1: Design Evaluation

	Option 1 – Maintain Current Access	**Option 2 - 8% Grade (BCAT Accessible)**	**Option 35% Grade/BCAT Accessible**
Compliance with BC Active Transportation Design	Does not meet BCAT accessibility standards	Meets BCAT accessibility standards	Meets BCAT accessibility standards.
Ambulance and Maintenance Vehicle Access	Yes	Yes	Yes
Environmental Regulatory	Potential to need an approval under the Water Sustainability Act. Potential for offsetting however the smallest area for replacement would be required.	Option 2 requires an approval under the Water Sustainability Act. Relatively large offsetting requirements – minimum 2:1 replacement ratio.	Option 3 requires an approval under the Water Sustainability Act. Offsetting area to be the largest for this option and difficult to accommodate.
Environmental Impact	Preferred option from a reduction of environmental impact perspective because it minimizes	Large area of wetland infilling proposed with the potential to negatively impact the adjacent	Largest area of wetland infilling proposed with the potential to negatively impact the adjacent

	impacts to the wetlands and crosses the wetland in a relatively perpendicular, linear way, which is easy to maintain the existing drainage patterns.	property which drains through the site. Potential for direct and indirect impacts to the wetland. Changes to site hydrology and changes to drainage patterns can cause negative impacts to portions of wetland that are retained onsite.	property which drains through the site. There are also potential impacts to the wetland footprint downstream on-site based on changes to flow regime which could impact ground and surface water levels and make the remaining wetland area non-viable.
Archeological Permitting	All options require archaeology permitting	All options require archaeology permitting	All options require archaeology permitting
Geotechnical	Geotechnically this option would have lower risk, with limited modification of existing conditions and no soil retention requirements.	Moderate risk due to stripping, placement of engineered fill and installation of 130m of retaining wall on a steep slope.	Increased design complexity and risk due to approximately 200m of retaining wall in a terraced switchback configuration on a steep slope. Significant engineered fill embankment required.
Class D Cost Estimate	$890,000	$1,400,000	$2,600,000

Summarized below are three options that have been developed by staff.

Option 1 – Maintain Current Access (Minor Upgrades)

Option 1 includes re-surfacing and minor widening of the existing access road off 3rd Street. This option is presented as a low-impact, low-cost option. The existing access would be resurfaced with gravels and widened to 3.0m with 0.5m shoulders to allow ambulance and maintenance vehicle access, however, the existing road grades would not be altered, and as such would remain at 12%-15%. This does not meet BC Active Transportation Guidelines for accessibility.

Cost: $890,000

Option 2 - 8% Grade

To address accessibility concerns caused by the existing steep slopes, the access road profile from 3rd Street to the Meadows was adjusted to a maximum grade of 8% to align with BC Active Transportation Guidelines for accessibility. To reduce the grade to 8% from 15%, and provide landings spaces to meet accessibility standards, additional cut and import fill are required along the access profile.

Retaining walls would have to be added in some areas to reduce fill requirements and lessen the impact on the surrounding environmentally sensitive areas. The Option 2 trail is designed with an overall width of 3.5m to accommodate ambulance and maintenance vehicles.

Cost: $1,400,000

Option 3 - 5% Grade

A Universally Accessible design option was also studied which would consist of a 5% maximum slope.

To achieve a maximum of 5% grade, a modified trail alignment was required to increase the length of the access thereby reducing slope. Option 3 involves adding a switch-back and nearly doubling the length of the access road. Retaining walls would have to be added in some areas where dictated by topography, and to reduce fill requirements, however significant areas of fill remain. The Option 3 trail is designed with an overall width of 3.5m to accommodate ambulance and maintenance vehicles.

Cost: $2,600,000

Proposed Next steps

Depending on the direction Council provides, proposed schedules for each option are presented below.

Option 1 – Maintain Existing Access

This option is the most straightforward. Staff would continue with the design that was originally presented and approved by Council and would not be anticipating any challenges or issues with Nature Trust BC or with regulatory permitting. This is also the design that has been circulated within the community and with the McPhee family. No further check-ins with Council would be planned.

Schedule for Option 1 – Maintain Existing Access

Task	Q3 2024	Q4 2024	Q1 2025	Q2 2025	Q3 2025	Q4 2025
Communicate decision with McPhee Family and Community groups						
Finalize permits						
Complete Detailed Design						
Construction Tender						
Construction						

Option 2 – 8% Grade/BCAT Accessible (Recommended Option)

Option 2 is the recommended option. Although, it will result in additional schedule delays and cost increases, it is the option that is in closest alignment with the Official Community Plan. Option 2 is the most equitable of the design options and staff believe that protection of the environment can be maintained through additional design work. Additional analysis can be found in the Policy Analysis section of the report.

Option 2 will require approval from Environment Canada and Nature Trust BC. Additional design work will need to be completed to include additional environmental works that would result in environmental protection that is at least equal to or better than provided under the existing agreement and that is beneficial to the long-term conservation and management of the ecologically sensitive features on the property. Although staff have had discussions with Environment Canada about this option, there is a

possibility that this option would not be approved. The additional works will cost more money to construct. If this option is not approved by Environment Canada and Nature Trust BC, staff would return to Council to request direction from Council, likely with a recommendation to proceed with Option 1.

As shown in the proposed schedule, it's expected that this option would extend the project schedule by another year due to the time and uncertainties with applying for this change in use as well as the layers of complexity associated with the additional layers of government. This option would also be more expensive and is detailed in the financial section of this report.

Schedule for Option 2 – 8% Grade/BCAT Accessible

Task	Q3 2024	Q4 2024	Q1 2025	Q2 2025	Q3 2025	Q4 2025	Q1 2026	Q2 2026	Q3 2026	Q4 2026
Communicate decision with McPhee Family and Community groups										
Additional design to finalize extent of enviro impacts and determine offsetting requirements										
Prepare Change in Use application/Submit application/receive decision										
Finalize permits										
Complete Detailed Design										
Construction Tender										
Construction										

Option 3 – 5% Grade/BCAT Accessible

This option will also require approval from Environment Canada, and Nature Trust BC and will require the same environmental mitigation measures as detailed in Option 2. Additionally, agreements with property owners on adjacent properties would be required as this option would encroach on these properties in order to build this option. Although staff have had discussions with Environment Canada about this option, there is a strong possibility that this option would not be approved.

As shown in the proposed schedule, it's expected that this option would extend the project schedule by another year due to the time and uncertainties with applying for this change in use as well as the negotiations with adjacent property owners. This option would also be the most expensive and far more complex.

Schedule for Option 3 – 5% Grade/BCAT Accessible

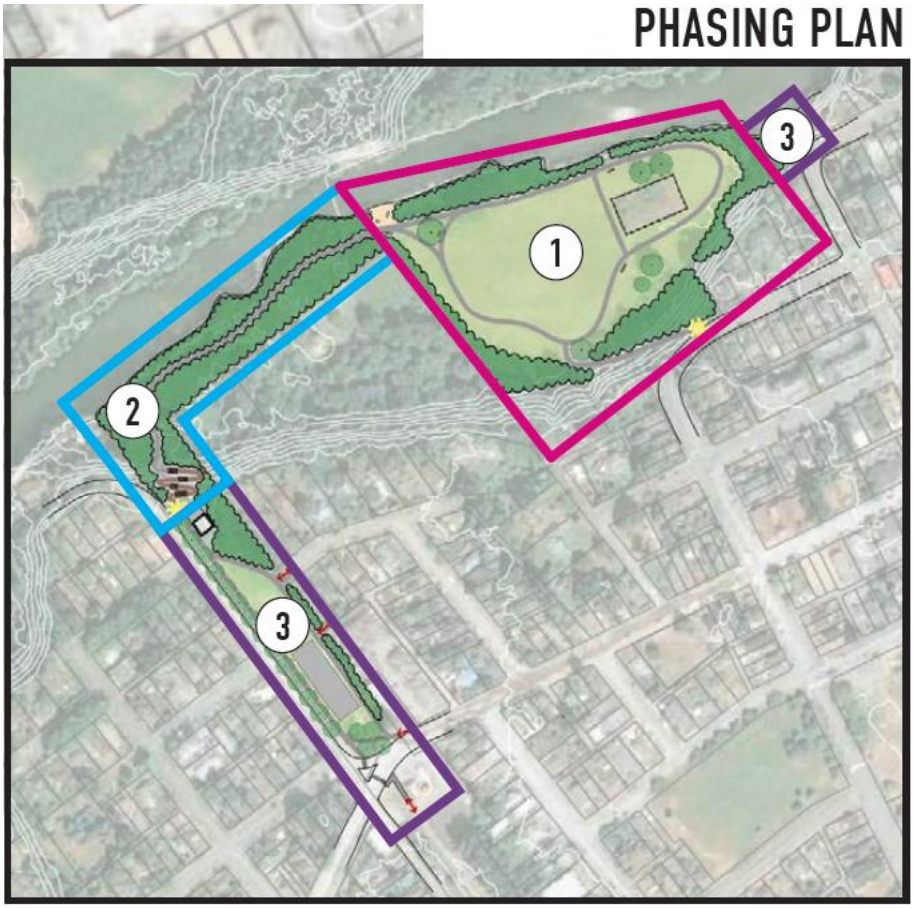
Task	Q3 2024	Q4 2024	Q1 2025	Q2 2025	Q3 2025	Q4 2025	Q1 2026	Q2 2026	Q3 2026	Q4 2026
Communicate decision with McPhee Family and Community groups										
Additional design to finalize extent of enviro impacts and determine offsetting requirements										

Prepare Change in Use application/Submit application/receive decision										
Finalize permits										
Complete Detailed Design										
Construction Tender										
Construction										

Project Phasing

The preliminary design that was completed in 2022 included phasing for the project with the orchard area included as Phase 1, the fisherman's walk/panhandle as Phase 2 and the development of the Island Corridor Foundation (ICF) lands as Phase 3. The phasing plan is shown in Figure 2 below. When staff initially included this project in the 2023-2027 Financial Plan, it was included as one line item for the entire project. In the 2024-2028 Financial Plan, the McPhee Meadows capital project was divided into 2 separate line items, a line item for Phase 1 and a line item for Phase 2 and 3. This allowed staff the flexibility to not have to carry the entire project budget in one year but also reflected the complications of delivering the entire project in one phase. Additional information about the project phases can be found lower in the report.

Figure 2: Phasing Plan



The scope of Phase 1 is to improve the access point at 3rd Street and Harmston Avenue, improve the trail around the meadow as well as remove invasive species. Phase 1 is considered to be relatively constructible once a decision is made on the direction of the design although there are cost and schedule risks as the application for a change in use with Environment Canada and Nature Trust BC presents an unknown risk.

The scope of Phase 2 is to construct the path through the panhandle or fisherman's walk as well as provide a connection between the lower portions of the meadow in Phase 1 and Phase 3 with a switchback trail across the same steep slopes in Phase 1. This phase is considered to be much less constructible than Phase 1 for two reasons. There are large trees that will need to be removed in order to accommodate a switchback trail. This will require additional geotechnical work to ensure bank stability as well as additional consultation with Nature Trust BC/Environment Canada for the tree removal. The second reason this phase is less constructible is the proximity of the proposed trail to the banks of the river. Although this work is possible, the environmental mitigation that will be required of a contractor and the accompanying environmental permitting and monitoring will be high. This will result in schedule and budget increases. It should also be expected that any work in the panhandle would require additional upgrading work in other areas of the park to offset the environmental impacts of the construction work in the panhandle. It should also be noted that staff did receive correspondence from the public stating that any work in the panhandle should be removed from the project or generally avoided due to the sensitive nature of the environment in this area.

The scope of Phase 3 was to focus primarily on additional amenities like washroom facilities, upgrades to the parking lot for vehicles and bikes and a viewpoint at 2nd Street and Fitzgerald Avenue. This area is owned by the ICF and requires their input and approval of any work the City would like to undertake. In 2019, the City of Courtenay and ICF signed a memorandum of understanding confirming mutual interest and desire for each organization to cooperatively establish a plan for the public use of the ICF lands between Cumberland Road and Puntledge River. If Phase 2 was not constructed, these lands may be less attractive as a piece of the McPhee Meadows project, but this area would still hold park value, likely with different amenities or requirements.

Planning for the Harmston Local Area Plan is currently underway with the boundaries of the proposed area plan adjacent to the ICF lands. Staff could consider additional options for these lands in the context of the Harmston Local Area Plan.

POLICY ANALYSIS:

This project is supported by the Official Community Plan, 2022, Parks and Recreation Master Plan, 2019, and the Regional Growth Strategy. If Council directs staff to proceed with Option 2, the following policies and objectives of the OCP will be achieved.

Parks and Recreation

1. Parkland in the form of natural areas, open spaces, and outdoor recreation is of sufficient amounts, is well-connected, equitably distributed, and is of high quality to enhance liveability throughout the city.
2. Recreation amenities, services, and programming are expanded and enhanced to support increased health, wellness, and social connections for all residents.
3. Parks, greenways, and streets are better integrated to create a seamless and enjoyable active transportation system.
4. The parks and recreation system exemplifies leadership in reconciliation, climate action, equity, and community well-being through its services, programs, and partnerships.

5. Partnerships are in place to achieve parks and recreation objectives.

Natural Environment

1. Remaining sensitive ecosystems are protected; lost or degraded sensitive ecosystems are restored

Accessible BC Act

In June 2021, the provincial government passed the Accessible BC Act which requires local governments and over 750 other public sector organizations to establish:

1. An accessibility committee
2. An accessibility plan
3. A tool to receive feedback on accessibility

The Act does not currently require prescribed organizations to demonstrably make their services more accessible. For example, prescribed organizations are not currently required to carry out any renovations to the built environment or provide accessibility services (such as interpretive services) beyond what is already required by law.

The City of Courtenay is a participant in the Comox Valley Local Governments Accessibility Framework. The Comox Valley local government partners are taking steps to create connected, accessible and inclusive communities that promote well-being and belonging. This collaborative framework reflects this commitment. This framework aims to help local governments identify, eliminate and prevent accessibility barriers. This framework acknowledges that many local government programs, services and infrastructure have been introduced without full consideration of how these measures may affect people with different abilities. This framework aims to help government identify opportunities to treat everyone fairly by acknowledging their unique situation and addressing systemic barriers to ensure that everyone has access to benefits and outcomes determined through an equity lens.

As noted in this report, staff have consulted with the Comox Valley Accessibility Committee about this specific project, and the committee were not supportive of an option that isn't accessible.

FINANCIAL IMPLICATIONS:
The budget for Phase 1 and Phase 2 of the project from the current 5-year Capital Plan is shown below.

Project Description	2024 Budget	2025 Budget	2026 Budget	2027 Budget	2028 Budget
Park Design and Development McPhee Meadows - Phase 1	1,605,100				
Park Design and Development McPhee Meadows - Phase 2 and 3		282,500	2,598,000		

Cost estimates for each option are shown in the table below.

	Option 1	Option 2	Option 3
Class D Cost Estimate	**$890,000**	**$1,400,000**	**$2,600,000**

Each of the options presented are shown with the costs estimated above. The cost estimates are Class D cost estimates that include 30% contingency and are based on only limited information. The costs are in 2024 dollars.

Option 1 and 2 are both within the 2024 budget for Phase 1 but Option 3 is not. A budget reallocation would be required from future project phases or other funding sources.

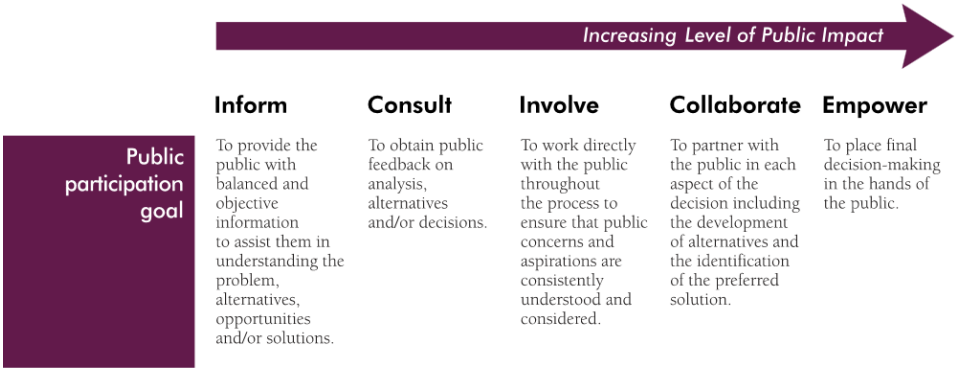
If Environment Canada does not approve a change in use for Option 2 or 3 and the City proceeds with either of these options, a federal tax of equal to 50% of the current fair market value of the land may be imposed.

ADMINISTRATIVE IMPLICATIONS:
This project is led by the Infrastructure and Environmental Engineering Department who is working closely with Recreation, Culture & Community Services. Consultants with technical knowledge specific to this work have been utilized in developing the concept designs and cost estimates.

STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following strategic priorities:

- Parks and Recreation - Optimize active public spaces to respond to density increases and increased park use
- Social Infrastructure - Review City operations with a social equity, reconciliation and anti-racism lens and develop corporate policy
- Buildings and Landscape - Develop a local area plan for Harmston Avenue Civic Precinct

PUBLIC ENGAGEMENT:
Regardless of the option, Staff would inform the McPhee Family, the Comox Valley Social Planning/Accessibility Committee, Environment Canada, Nature Trust BC as well as the public based on the IAP2 Spectrum of Public Participation:



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OPTIONS:

1. THAT Council direct staff to proceed with detailed design of Option 2, request a change in use for the park from Environment Canada, notify the McPhee Family, the Comox Valley Social Planning/Accessibility Committee, Environment Canada, Nature Trust BC as well as the public of the decision and begin construction as soon as possible. **(Recommended)**

2. THAT Council direct staff to proceed with detailed design of Option 1, notify the McPhee Family, the Comox Valley Social Planning/Accessibility Committee, Environment Canada, Nature Trust BC as well as the public of the decision and begin construction as soon as possible.
3. THAT Council direct staff to proceed with detailed design of Option 3, request a change in use for the park from Environment Canada, notify the McPhee Family, the Comox Valley Social Planning/Accessibility Committee, Environment Canada, Nature Trust BC as well as the public of the decision and begin construction as soon as possible.
4. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. McPhee Meadows Options Analysis Report

Prepared by: Adam Pitcher, AScT, PMP, Manager of Capital Projects
Reviewed by: Chris Davidson, P.Eng, PMP, Director of Infrastructure and Environmental Engineering
Susie Saunders, Director of Recreation, Culture, and Community Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

Our File: McElhanney Project # 2211-47614-16

TECHNICAL MEMO

To	From
Adam Pitcher, ASct, PMP Manager of Capital Projects City of Courtenay	Destry Glover, P.Eng. McElhanney Ltd.
Re	**Date**
McPhee Meadows Access Options Analysis	June 20, 2024

1. Introduction

The 3rd Street access route to the McPhee Meadows presents challenges to design based on site topography and environmentally sensitive areas. To address and balance these challenges in conjunction with accepted accessibility standards, three access route options have been prepared for the City's consideration.

To assist City staff in evaluating the options alongside the range of stakeholder needs, McElhanney has prepared an options analysis for the three proposed McPhee Meadow Access designs. This memo offers a high-level review of each option from the following perspectives:

- Accessibility (Compliance with BC Active Transportation Design Guide (BCAT))
- Environmental impact and approvals
- Archeological permitting and monitoring
- Geotechnical impacts
- Construction Cost (Class D)
- Connections to the City of Courtenay's Official Community Plan

Note that the focus of this memo is limited to the McPhee Meadow Access only. The Access route is defined as the section of trail/path that extends from 3rd Street to the intersection with the meadow loop. The implications to each option are summarized in table format in Section 3.

2. McPhee Meadows Access Options

The three access options to the McPhee meadows are as follows:

2.1. OPTION 1 – REFURBISHMENT TO EXISTING ACCESS RD. OFF 3RD ST. (15% SLOPE)

Option 1 includes re-surfacing and minor widening of the existing access road off 3rd. St. This option was presented as a low-impact, low-cost option. The existing access would be re-graveled and widened to 3.0m with 0.5m shoulders to allow maintenance vehicle and ambulance access, however the existing road grades would not be altered, and as such would remain at 12%-15%. See Sketch C1-200, overleaf.

2.2. OPTION 2 – 8% GRADE

To address accessibility concerns brought forth due to the steep slope of Option 1, the access road profile from 3rd Street to the Meadows was adjusted to a maximum grade of 8% to align with BC Active Transportation Guidelines for accessibility. To reduce the grade to 8% from 15%, and provide landings spaced to meet accessibility standards, additional cut and import fill are required along the access profile. Retaining walls have been added in some areas to reduce fill requirements and lessen the impact on the surrounding environmentally sensitive areas. The Option 2 trail is designed with an overall width of 3.5m to accommodate ambulance and maintenance vehicle. See Sketch SK11, double overleaf.

2.3. OPTION 3 – 5% GRADE

To contemplate the possibility of a Universally Accessible design, a 5% maximum slope option was considered. To achieve a maximum of 5% grade, a modified trail alignment was required to increase the length of the access thereby reducing slope. Option 3 involves adding a switch-back and nearly doubling the length of the access road. Retaining walls have been added in some areas where dictated by topography, and to reduce fill requirements, however significant areas of fill remain. The Option 3 trail is designed with an overall width of 3.5m to accommodate ambulance and maintenance vehicle. See Sketch SK13, triple overleaf. See Table 1 below for a summary of access options.

Table 1 - Access Option Properties

	Option 1	Option 2	Option 3
Maximum Slope	15%	8%	5%
Overall width	4.0m	3.5m	3.5m
Length	130m	200m	300m
Volume of Fill Required	200m3	3385m3	9495m3
Area of impact with Environmentally Sensitive Zones	360m2	1250m2	1550m2

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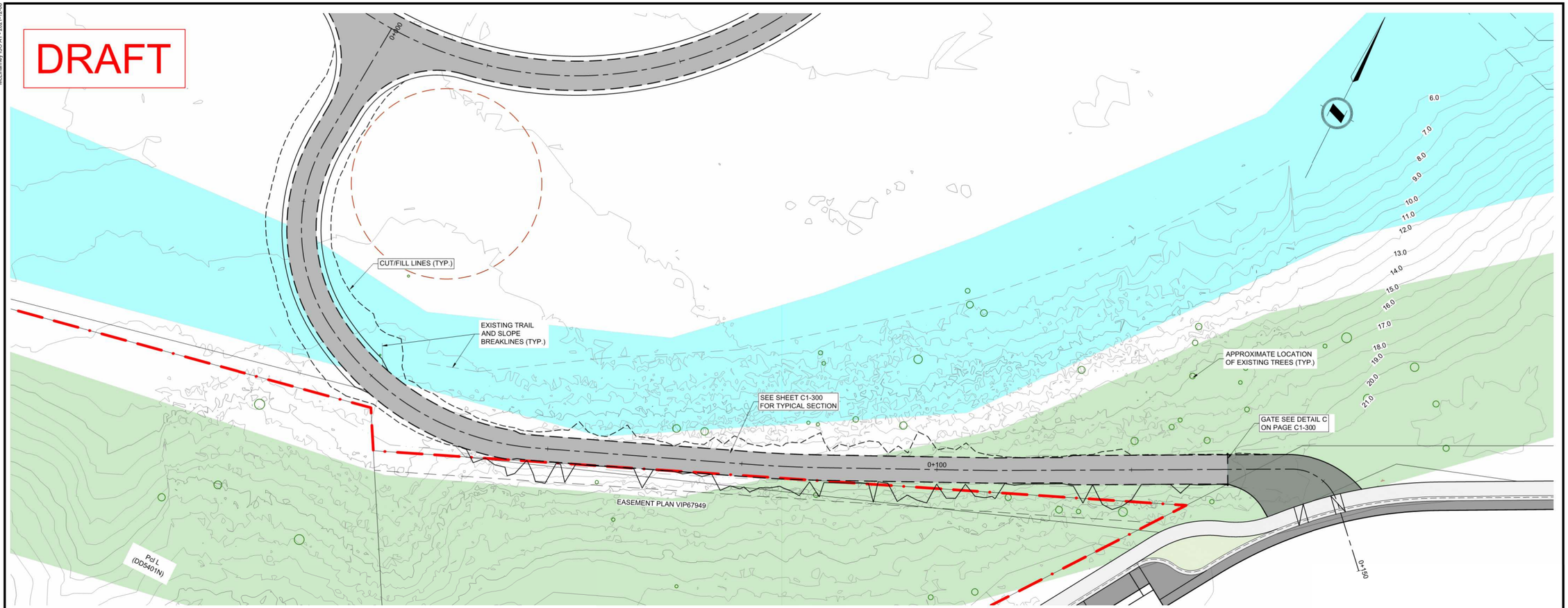
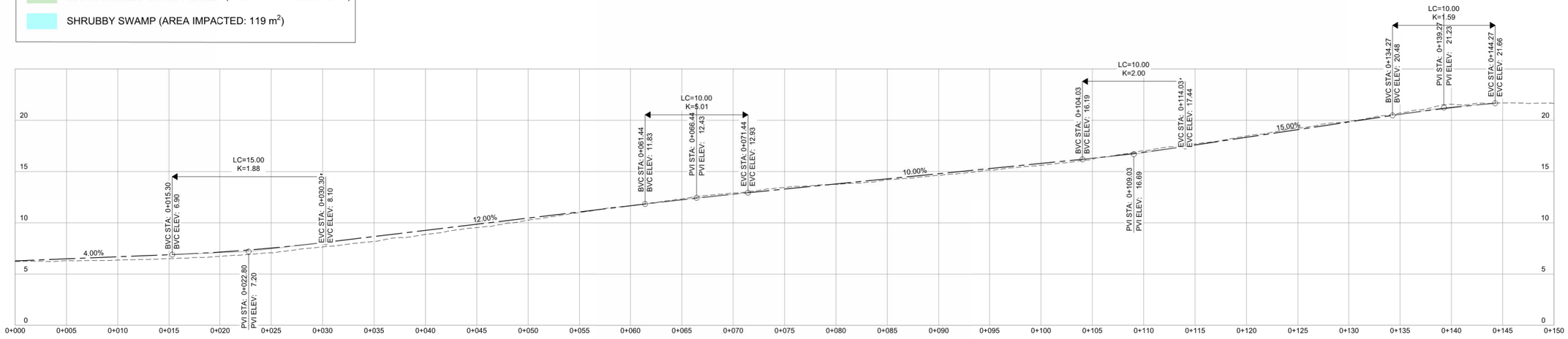


ENVIRONMENTAL AREAS

- MATURE MIXED WOOD FOREST (AREA IMPACTED: 242 m^2)
- SHRUBBY SWAMP (AREA IMPACTED: 119 m^2)



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PC	2024-06-20	ISSUED FOR OPTIONS ANALYSIS	ER	ER	DG
PB	2023-10-20	DRAFT - ISSUED FOR INFORMATION	ER	ER	MS
PA	2023-05-05	ISSUED FOR REVIEW	ER	ER	DG

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CITY OF COURTENAY

MCPHEE MEADOWS - PHASE 1
ACCESS PROFILE

Option 1 - 15% Grade

Drawing No.
C1-200

Project Number	Rev.
2211-47614-16	PC

DESTROY ALL PRINTS BEARING PREVIOUS REVISION

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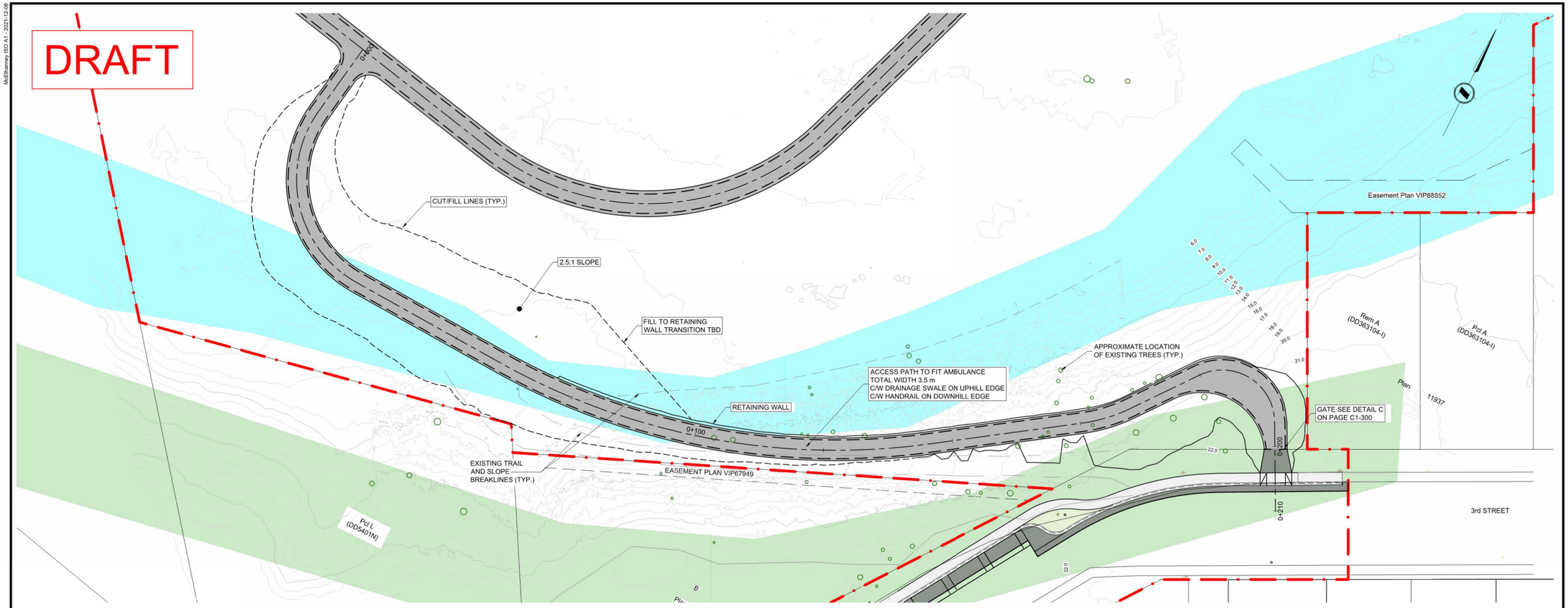
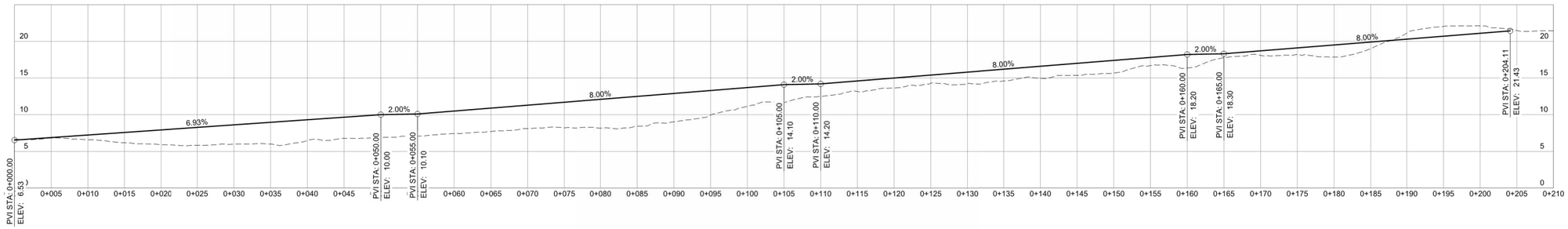


ENVIRONMENTAL AREAS

- MATURE MIXED WOOD FOREST (AREA IMPACTED: 539 m^2)
- SHRUBBY SWAMP (AREA IMPACTED: 716 m^2)



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PB	2024-06-20	ISSUED FOR OPTIONS ANALYSIS	ER	ER	DG
PA	2023-11-03	ISSUED FOR REVIEW	ER	ER	DG

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CITY OF COURTENAY

MCPHEE MEADOWS - PHASE 1 ACCESS PROFILE

Option 2 - 8% Grade

Drawing No. SK-11

Project Number 2211-47614-16

Rev. PB

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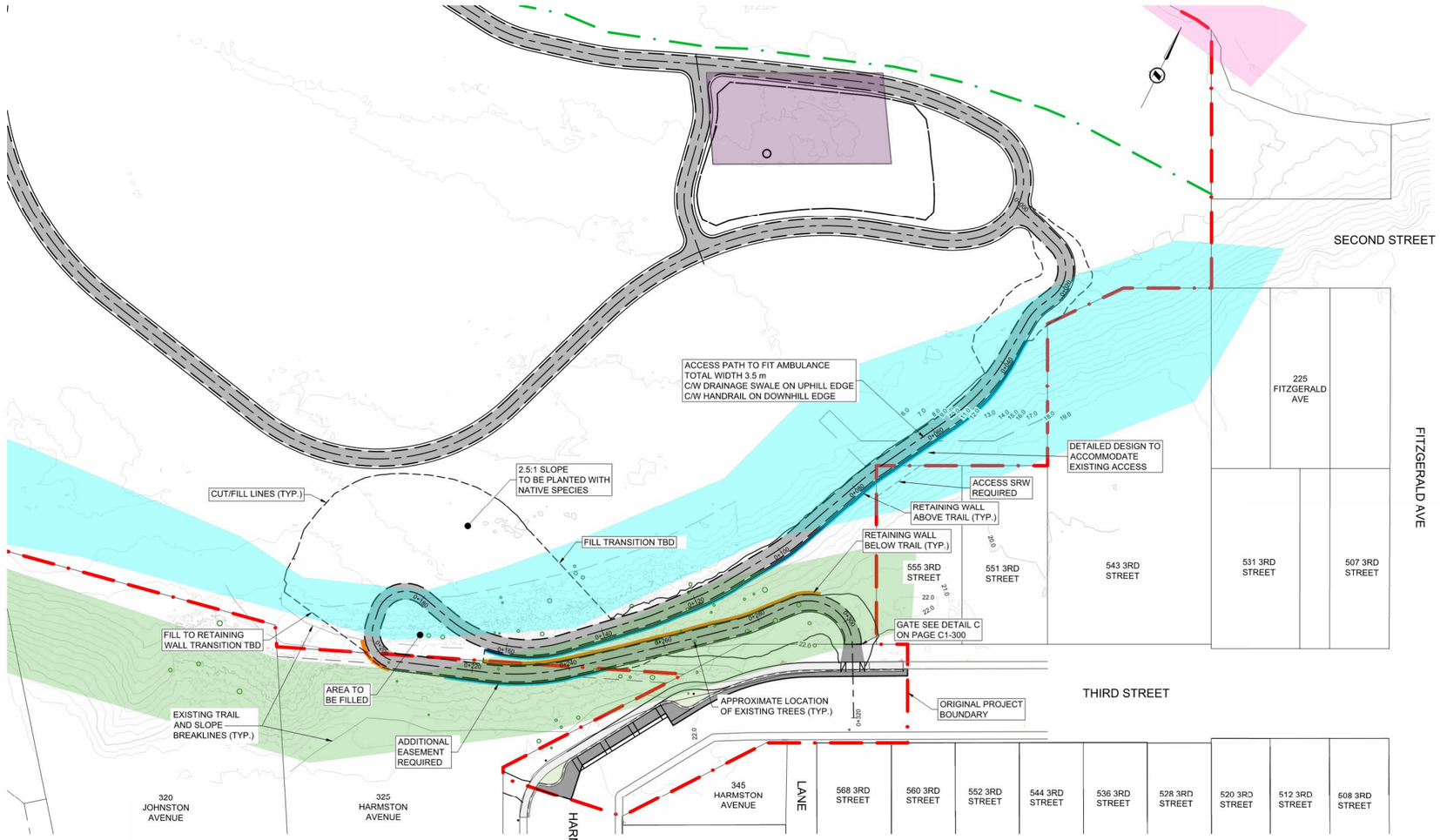
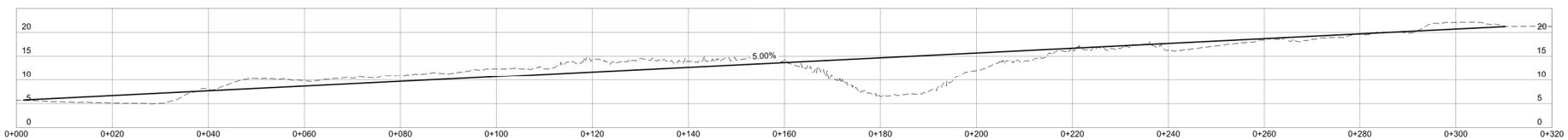


ENVIRONMENTAL AREAS

- FRAGMENTED RIPARIAN FOREST
- MATURE MIXED WOOD FOREST (AREA IMPACTED: 630 m^2)
- SHRUBBY SWAMP (AREA IMPACTED: 916 m^2)
- HISTORIC ORCHARD



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PA	2023-11-17	ISSUED FOR REVIEW	ER	ER	MS

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MCPHEE MEADOWS - PHASE 1
ACCESS PROFILE
5% SLOPE
Option 3 - 5% Grade

Drawing No.
SK-13

Project Number	Rev.
2211-47614-16	PB

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3. Evaluation Matrix

The evaluation matrix, overleaf, outlines the implications of each access option given the considerations outlined above. Options 1 through 3 are ranked for each consideration with a colour code as follows:

- Green – meets all requirements / low impact
- Yellow – meets all requirements / medium impact
- Red – Does not meet requirements / highest impact

This evaluation matrix is intended to provide technical information to support City staff as they consider the best option for the McPhee Meadows access.

Table 2 - Evaluation of Options

Consideration	Option 1 – Existing Access	Option 2 – 8% Access	Option 3 – 5% Access
Compliance with BC Active Transportation Design Guide (BCAT) *(See section 4.1)*	Grade exceeds 8.3% slope recommended in the BCAT design guideline. The BCAT guide notes strategies for mitigating the effects of steep topography, including Consistent maintenance, Rest areas, and Railings.	Grades of up to 8.3% meet BCAT accessibility standards if intermittent landings are provided at intervals of no more than 9.0m. (BCAT p.C16)	5% slope complies with "Universally Accessible" standards. (BCAT p.C16) No intermittent landings required.
Emergency and Maintenance Vehicle Access	Yes – width requirement met	Yes – width requirement met	Yes – width requirement met
Environmental Regulatory Approvals *(See section 4.2)*	Inferred to need an approval under the WSA. Potential for offsetting however the smallest area for replacement would be required.	Option 2 requires an approval under the WSA. Relatively large offsetting requirements. Replacement ratio requirements should be discussed with regulator but inferred to be a minimum of 2:1.	Option 3 requires an approval under the WSA. Offsetting area inferred to be the largest for this option and may be difficult to accommodate on-site to obtain permits.
Environmental Impact (See section 4.2)	This is the preferred option from a reduction of environmental impact perspective because it minimizes impacts to the wetlands and cross the wetland in a relatively perpendicular, linear way, which is easy to maintain the existing drainage patterns.	Large area of wetland infilling proposed with the potential to negatively impact the adjacent property which drains through the Site. Potential for direct and indirect impacts to the wetland. Changes to site hydrology and changes to drainage patterns can cause negative impacts to portions of wetland that are retained onsite.	Largest area of wetland infilling proposed with the potential to negatively impact the adjacent property which drains through the Site. There are also potential impacts to the wetland footprint downstream on-site based on changes to flow regime which could impact ground and surface water levels and make the remaining wetland area non viable.
Archeological Permitting	AIA will be conducted. KFN will be consulted (CHIP permit), we will align with provincial regulations. Details to be confirmed in detailed design. Based on a review of the options, it does not appear that there is a significant difference in archeology permitting requirements between Options 1 to 3.	AIA will be conducted. KFN will be consulted (CHIP permit), we will align with provincial regulations. Details to be confirmed in detailed design. Based on a review of the options, it does not appear that there is a significant difference in archeology permitting requirements between Options 1 to 3.	AIA will be conducted. KFN will be consulted (CHIP permit), we will align with provincial regulations. Details to be confirmed in detailed design. Based on a review of the options, it does not appear that there is a significant difference in archeology permitting requirements between Options 1 to 3.
Archeological Monitoring	While monitoring will be required for all construction, Option 1 involves only minor ground disturbance in and around an existing roadway. Archeological potential is low.	Additional areas of cut required for Option 2 will increase the potential for archaeological findings during construction.	The increase in pathway length and increased ground disturbance areas required in Option 3 will increase the potential for archaeological findings during construction. Longer construction duration will also increase archeological monitoring requirements.
Geotechnical	Geotechnically this option would have lower risk, with limited modification of existing conditions and no soil retention requirements. Geotechnical scope would include some field work to characterize slope conditions, and limited slope analysis to verify path stability.	Moderate risk due to stripping, placement of engineered fill and installation of 130m of retaining wall on a steep slope. Requires additional field work, stability analyses, geotechnical design effort, as well as additional engineering effort for construction phase monitoring and testing for fill placement and retaining wall construction. Details to be confirmed during detailed design.	Increased design complexity and risk due to approximately 200m of retaining wall in a terraced switchback configuration on a steep slope. Significant engineered fill embankment required to support shallower graded access road. Details to be confirmed during detailed design following comprehensive field investigation.
Class D Cost Estimate (For Access Pathway Only) *(See section 4.3)*	**Class D Estimate: $ 115,000** *(See detailed cost estimate Appendix A)*	**Class D Estimate: $1,200,000** *(See detailed cost estimate Appendix A)*	**Class D Estimate: $2,200,000** *(See detailed cost estimate Appendix A)*
Connection to OCP – Alignment with the OCP's Four Cardinal Directions.	• **Reconciliation** – All three options have shown a commitment to reconciliation with thorough Archaeological assessments and encouraging K'ómoks First Nation perspective and guidance through all stages and facets of the project.	• **Reconciliation** – All three options have shown a commitment to reconciliation with thorough Archaeological assessments and encouraging K'ómoks First Nation perspective and guidance through all stages and facets of the project.	• **Reconciliation** – All three options have shown a commitment to reconciliation with thorough Archaeological assessments and encouraging K'ómoks First Nation perspective and guidance through all stages and facets of the project.
	• **Climate Action** – Protecting to sensitive natural spaces is critical to reducing our impact on climate change. Option 1 involves the lowest impact to sensitive natural features.	• **Climate Action** – Protecting to sensitive natural spaces is critical to reducing our impact on climate change. Option 2 requires the second lowest impact to sensitive natural features.	• **Climate Action** – Protecting to sensitive natural spaces is critical to reducing our impact on climate change. Option 3 involves the greatest impact to sensitive natural features.
	• **Equity** – Option 1 does not provide an access route accessible to all abilities in line with the BCAT guide.	• **Equity** – Option 2 provides an access route accessible to all abilities in line with the BCAT guide.	• **Equity** – Option 3 provides an access in line with Universal Accessible Design
	• **Community Well-Being –** The OCP notes that our access to green space has a tremendous impact on our physical and mental health. All three options provide access to green space.	• **Community Well-Being –** The OCP notes that our access to green space has a tremendous impact on our physical and mental health. All three options provide access to green space.	• **Community Well-Being –** The OCP notes that our access to green space has a tremendous impact on our physical and mental health. All three options provide access to green space.

4. Key Considerations

The following additional background information has been provided for two key considerations, Compliance with BC Active Transportation Guidelines, and Environmental Impacts and Permitting.

4.1. COMPLIANCE WITH BC ACTIVE TRANSPORTATION GUIDELINES

Recommended longitudinal grades for pedestrian facilities are noted in the BC Active Transportation Guideline document. Longitudinal slopes of up to 8.3% are acceptable under the BCAT guide so long as landings are provided at 9.0m intervals (min.). A maximum grade of 5% is required for a pedestrian pathway to be considered Universally Accessible. For pedestrian routes with grades greater than 8.3%, the BCAT guide recommends alternative accommodations, such as:

- Regular maintenance to ensure pathways are clear of ice, snow, debris, and other slipping or tripping hazards,
- Frequent rest areas with benches or seating,
- Railings to assist those requiring extra support.

4.2. ENVIRONMENTAL IMPACTS AND PERMITTING

McElhanney has conducted a preliminary environmental site assessment, and a Qualified Environmental Professional conducted a site visit on January 3, 2023. Note that the completion of the environmental assessment report was put on hold while the City determined the appropriate design for access and use of the park.

At the base of the steep slope is a wet depression in which lies a shrubby swamp wetland. Mineral wetlands such as marshes and swamps are associated with dynamic water tables. Community composition in marshes and swamps are defined by the length and depth of flooding and the degree of waterflow. There is evidence that this area may have been a historic side channel to the river, however the full assessment of the wetland feature identified has not yet been completed.

The *BC Guide to Wetland Identification* defines wetlands as follows:

Wetlands are areas where soils are water-saturated for a sufficient length of time such that excess water and resulting low soil oxygen levels are principal determinants of vegetation and soil development. Wetlands will have a relative abundance of hydrophytes in the vegetation community and/or soils featuring "hydric" characters (MacKenzie and Moran 2004).

The wetland extends to the west onto neighbouring property in which large open ponds of water were observed during the 2023 site visit when the QEP was granted access to adjacent property. The drainage of the ponds through the swamp on-site was observed in a channel which flowed through a culvert under

the existing pathway (flow direction was video recorded in the 2023 site visit). Changes to the drainage patterns on-site can negatively impact offsite conditions which could result in flooding due and property damage. Additional assessments may be required to drainage volumes and hydrology both on-site and off-site.

This feature meets the definition of a “stream” under the *Water Sustainability Act* (WSA). Under the WSA a stream is defined as:

- A natural watercourse, including a natural glacier course, or a natural body of water, whether or not the stream channel of the stream has been modified, or

- A natural source of water supply, including, without limitation, a lake, pond, river, creek, spring, ravine, gulch, wetland, or glacier, whether or not usually containing water, including ice, but does not include an aquifer.

Therefore, changes in and about a stream require either Notification or Approval from the Province under Section 11 of the WSA, depending on the design selected. Avoidance and minimization of impacts to naturally occurring wetlands are recommended for this project. Replacement compensation or offsetting may be required to obtain an Approval under the *Water Sustainability Act*. Habitat compensation is considered the third element of the mitigation hierarchy, following avoidance and minimization of adverse effects (Lynch-Stewart *et al*. 1996).

A replacement ratio of 2:1 is often recommended for habitat compensation for impacts to wetlands. Some jurisdictions (i.e. Alberta) adjust the replacement ratio to be relative to the existing function and value of the wetland. For example, undisturbed wetlands that provide high value nesting and breeding habitat for birds and amphibians would use a 4:1 replacement ratio, whereas low value wetlands with substantial historic modification would use a 1:1 replacement ratio. It is recommended that the client meet with the regulator in the early stages of planning to determine the project requirements and potential additional assessments that may be required to infill wetlands on the Site and verify replacement ratios.

It is inferred that all options will require similar permitting pathways, however as the accessibility increases through grade change in the pathway, impacts to the wetland feature also increase. Therefore, habitat offsetting requirements and engineering to maintain drainage patterns will become more onerous with each option presented. Option 1 is the preferred option from an environmental impact perspective.

4.3. CONSTRUCTION COST

Class D cost estimates have been prepared for all three options. The cost estimates reflect **only** the construction of the access path from 3rd Street to the meadow loop trail, and does not include the meadow loop trail, other meadow improvement works, furnishings, signage, or 3rd. Street improvements. Class D cost estimates for the three options are included in Appendix A.

5. Closing

We trust that the information provided will assist the City in determining the best path forward for the McPhee Meadows access pathway. Please don't hesitate to contact the undersigned if you have any further questions.

Sincerely,

Prepared by:

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REVISION HISTORY

Date	Status	Revision	Author
June 20, 2024	Final	0	DG

LIMITATION

This report has been prepared for the exclusive use of the City of Courtenay. The material in it reflects the best judgement of the Consultant in light of the information available to the Consultant at the time of preparation. As such, McElhanney, its employees, sub-consultants and agents will not be liable for any losses or other consequences resulting from the use or reliance on the report by any third party.

APPENDIX A

Class D Cost Estimates

COST ESTIMATE - Class D
McPHEE MEADOWS - Alternate Access
CITY OF COURTENAY
OPTION #1 (15% Grade)

2211-47614-16
Rev. 0, 2023-06-07
Prepared by DG/ER
Checked by DG
Reviewed by __

ACCESSIBLE ALIGNMENT [EXCLUDES WORKS IN MEADOW]

Item		Unit	Quantity	Unit Price	Amount
	CLEARING AND REMOVALS				
1.01	Clearing and Grubbing	Lump Sum	1	$ 10,000.00	$ 10,000.00
1.03	Tree removals and pruning	Each	10	$ 750.00	$ 7,500.00
				Sub Total	**$ 17,500.00**
	PHASE 1 TRAIL WORKS - ACCESS TO MEADOW ONLY				
3.01	Common excavation (off-site disposal)	Cubic Metres	200	$ 55.00	$ 11,000.00
3.02	Imported Fill (pit-run - assume 300mm thick in all areas except access/loop junction)	Cubic Metres	200	$ 55.00	$ 11,000.00
3.03	Surface preparation	Square Metres	470	$ 5.00	$ 2,350.00
3.04	Gravel path - 150 mm thickness	Square Metres	470	$ 35.00	$ 16,450.00
3.05	Granular Base 200 mm thickness	Square Metres	470	$ 40.00	$ 18,800.00
3.06	Geotextile	Square Metres	470	$ 10.00	$ 4,700.00
				Sub Total	**$ 71,600.00**

Sub Total	**$ 89,100.00**
CONTINGENCY (30%)	**$ 26,730.00**
TOTAL	**$ 115,830.00**

Notes:

*- *Common Excavation and Imported Fill quantities are listed as 10% more than calculated volumes*

This estimate is:

- does not include engineering and design services

- based on recent tender pricing in the Comox Valley.

- based on McElhanney dwg. 2211-47614-16, sheet C1-100 to C1-300

- assuming no subsurface rock is encountered.

- 3rd Party utilities including BC Hydro, Telus, Shaw, or FortisBC. Not included

- internally rounded.

This construction cost has been prepared using the design and technical information currently available. The Consulting team cannot predict the market conditions, competitive environment, weather, or other unforeseen conditions that will prevail at the time that contractors will prepare their bids. The cost estimate is therefore subject to factors over which the Consulting team has no control, and its accuracy cannot be guaranteed

COST ESTIMATE - Class C
McPHEE MEADOWS - Alternate Access
CITY OF COURTENAY
OPTION #2 (8% Grade)

2211-47614-16
Rev. 0, 2023-11-06
Prepared by DG/ER
Checked by DG
Reviewed by __

ACCESSIBLE ALIGNMENT [EXCLUDES WORKS IN MEADOW]

Item			Unit	Quantity	Unit Price	Amount
	CLEARING AND REMOVALS					
1.01	Clearing and Grubbing		Lump Sum	1	$ 15,000.00	$ 15,000.00
1.03	Tree removals and pruning		Each	25	$ 1,500.00	$ 37,500.00
					Sub Total	**$ 52,500.00**
	PHASE 1 TRAIL WORKS - ACCESSIBLE ALIGNMENT					
3.01	Common excavation (off-site disposal)		Cubic Metres	785	$ 55.00	$ 43,175.00
3.02	Imported Fill (pit-run - assume 300mm thick under trail plus fill under raised path)		Cubic Metres	3385	$ 55.00	$ 186,175.00
3.04	Gravel path - 150 mm thickness		Square Metres	715	$ 35.00	$ 25,025.00
3.05	Granular Base 200 mm thickness		Square Metres	715	$ 40.00	$ 28,600.00
3.06	Geotextile		Square Metres	715	$ 10.00	$ 7,150.00
3.07	4ft chainlink fence (one side through wooded area, two sides on berm)		Lineal Meter	305	$ 175.00	$ 53,375.00
3.08	Re-plant native species on former meadow access		Lump Sum	1	$ 15,000.00	$ 15,000.00
					Sub Total	**$ 358,500.00**
	CONCRETE & STRUCTURAL STEEL					
	Retaining wall - (measued by sq.m of wall face)	Low end cost	Square Metres	425	$ 800.00	$ 340,000.00
	Retaining wall - (measued by sq.m of wall face)	High end cost	Square Metres	425	$ 1,500.00	$ 637,500.00

Low end range for retaining wall cost	**Sub Total**	**$ 751,000.00**
	CONTINGENCY (30%)	**$ 225,300.00**
	TOTAL	**$ 976,300.00**

High end range for retaining wall cost	**Sub Total**	**$ 1,048,500.00**
	CONTINGENCY (30%)	**$ 314,550.00**
	TOTAL	**$ 1,363,050.00**

Notes:

- *Common Excavation and Imported Fill quantities are listed as 10% more than calculated volumes

This estimate is:

- does not include engineering and design services
- based on recent tender pricing in the Comox Valley.
- based on McElhanney dwg. 2211-47614-16 SK11
- assuming no subsurface rock is encountered.
- 3rd Party utilities including BC Hydro, Telus, Shaw, or FortisBC. Not included
- internally rounded.

This construction cost has been prepared using the design and technical information currently available. The Consulting team cannot predict the market conditions, competitive environment, weather, or other unforeseen conditions that will prevail at the time that contractors will prepare their bids. The cost estimate is therefore subject to factors over which the Consulting team has no control, and its accuracy cannot be guaranteed

COST ESTIMATE - Class D
McPHEE MEADOWS - Alternate Access
CITY OF COURTENAY
OPTION #3 (5% Grade)

2211-47614-16
Rev. 0, 2023-11-22
Prepared by DG/ER
Checked by DG
Reviewed by DG

ACCESSIBLE ALIGNMENT [EXCLUDES WORKS IN MEADOW]

Item			Unit	Quantity	Unit Price	Amount
	CLEARING AND REMOVALS					
1.01	Clearing and Grubbing		Lump Sum	1	$ 30,000.00	$ 30,000.00
1.03	Tree removals and pruning		Lump Sum	1	$ 90,000.00	$ 90,000.00
					Sub Total	**$ 120,000.00**
	PHASE 1 TRAIL WORKS - ACCESSIBLE ALIGNMENT					
3.01	Common excavation (off-site disposal)*		Cubic Metres	2180	$ 55.00	$ 119,900.00
3.02	Imported Fill (pit-run - assume 300mm thick under trail plus fill under raised path)*		Cubic Metres	9495	$ 55.00	$ 522,225.00
3.04	Gravel path - 150 mm thickness		Square Metres	1140	$ 35.00	$ 39,900.00
3.05	Granular Base 200 mm thickness		Square Metres	1140	$ 40.00	$ 45,600.00
3.06	Geotextile		Square Metres	1140	$ 10.00	$ 11,400.00
3.07	4ft chainlink fence (one side through wooded area, two sides on berms)		Lineal Meter	350	$ 175.00	$ 61,250.00
3.08	Re-plant native species on former meadow access		Lump Sum	1	$ 15,000.00	$ 15,000.00
					Sub Total	**$ 815,275.00**
	CONCRETE & STRUCTURAL STEEL					
	Retaining wall - (measued by sq.m of wall face)	Low end cost	Square Metres	635	$ 800.00	$ 508,000.00
	Retaining wall - (measued by sq.m of wall face)	High end cost	Square Metres	635	$ 1,500.00	$ 952,500.00

Low end range for retaining wall cost	**Sub Total**	**$ 1,443,275.00**
	CONTINGENCY (30%)	**$ 432,982.50**
	TOTAL	**$ 1,876,257.50**

High end range for retaining wall cost	**Sub Total**	**$ 1,887,775.00**
	CONTINGENCY (30%)	**$ 566,332.50**
	TOTAL	**$ 2,454,107.50**

$ 2,165,182.50

Notes:

- *Common Excavation and Imported Fill quantities are listed as 10% more than calculated volumes

This estimate is:

- does not include engineering and design services
- based on recent tender pricing in the Comox Valley.
- based on McElhanney dwg. 2211-47614-16 SK13
- assuming no subsurface rock is encountered.
- 3rd Party utilities including BC Hydro, Telus, Shaw, or FortisBC not included
- internally rounded.

This construction cost has been prepared using the design and technical information currently available. The Consulting team cannot predict the market conditions, competitive environment, weather, or other unforeseen conditions that will prevail at the time that contractors will prepare their bids. The cost estimate is therefore subject to factors over which the Consulting team has no control, and its accuracy cannot be guaranteed

The Corporation of the City of Courtenay

Staff Report

To:	Council	**File No.:**	5080-01
From:	Director of Recreation, Culture, and Community Services	**Date:**	July 31, 2024
Subject:	**Community and Social Development Framework and Action Plan**		

PURPOSE: To provide an overview of the approach for the creation of a Community and Social Development (CSD) Framework and Action Plan and to seek council approval of the scope of the proposed work and next steps.

EXECUTIVE SUMMARY:

The primary goal of community development work is to build relationships around place, strengthening the social fabric of the community to make it healthier, stronger, and more resilient. The key deliverable of this proposed work is the creation of a Community and Social Development (CSD) framework and action plan illuminating the City of Courtenay's unique identity, role, and priorities within the community and social development domain. The CSD framework and action plan will be achieved by actioning and evaluating an asset-based community development and health promotion approach, as directed in the Official Community Plan, 2022 (OCP, 2022) via two distinct strategies:

- **Better Together Strategy**: Partnering with the community and social development sector to illuminate assets and to strengthen coordinated upstream action towards social well-being.
- **Neighbourhood Network Strategy**: Building neighbourhood networks in Courtenay.

The creation of a CSD framework is an iterative process and it is expected that it will evolve as these two strategic approaches are implemented. The two strategies, once fully developed, operationalized, and evaluated over the next two years will lay the foundation for a long-term action plan for Courtenay. While the framework and plan will initially serve the Recreation, Culture, and Community, Services department, it is anticipated that the framework and plan may have wider application within the City in the future.

BACKGROUND:

Courtenay is in transition moving from a small municipality to a larger urban centre. The community's population and households grew between 2016 and 2021 (9% and 11%, respectively). Similar trajectories continued from then to 2023 and are expected to continue over the next two decades. This population increase has been accompanied by a change in demographics, including a significant increase in the number seniors[1]. With this growth, the demand for basic needs such as housing, food, health care facilities, schools, and child care spaces has risen, as well as the need for municipal infrastructure and services to support those needs. Simultaneously, Courtenay has been dealing with significant health, social, economic, and environmental challenges – from a pandemic, a highly toxic drug supply, disruptions to supply chains, and inflation, to the existential threat of climate change. Exacerbating these challenges has been a rapid change in sources of information and the way people communicate with one another. The internet, with multiple

[1] Source: Stats Canada (2021) and BC P.E.O.P.L.E estimates and projections (2023)

social media platforms has become the "go to" source of knowledge leading to fractured and divisive communication among residents.[2] [3] [4] [5]

One visible impact of this confluence of challenges is the growing number of people on Courtenay streets who are experiencing homelessness, food insecurity, addictions to substances and brain injury. Less visible, though expressed more so online, is the erosion of the social contract, community connectivity, sense of belonging and an increase in loneliness. This erosion or loss of social connectivity, can have profound effect on community resilience, social well-being, and personal health. In fact, the World Health Organization (WHO) has declared loneliness to be as large a risk factor to health as smoking, excessive drinking, physical inactivity, obesity, and air pollution. Studies have revealed loss of social connectivity is linked to dropping out of school, missing social events, loss of employment, diabetes, cardiovascular disease, anxiety, depression and suicide.[6]

Increasingly, and with more urgency, Councillors and City staff are called to community and social issue tables for support. In the Comox Valley these tables are for the most part regional, given the close proximity of municipalities and districts, and the fact that these issues are common to all. There, nearly everyone relays that they are working at capacity and primarily reactively to crises - and collectively are questioning if there isn't a better way. Like partners at these tables, the City of Courtenay seeks to clarify its unique identity, approach, and role in the community and social development sector.

In December of 2023, the City established a Community Development Coordinator position to support and advance efforts to strengthen the social fabric and resiliency of the community. A key deliverable of this position is a long-term, integrated CSD framework and action plan, not only to clarify the City's distinct identity and approach, but to help the City and the community it serves, to think, act, and work together in new ways to change the conditions that impact social well-being.

DISCUSSION:

The need and support for a CSD framework and action plan, is a priority within the City of Courtenay's OCP. That the City of Courtenay values and seeks community and social well-being is clear in the vision and cardinal directions within the OCP. OCP goals clearly articulate the City's support for investing in relationships around place as a means to achieve community well-being, as well as advancing reconciliation efforts, as well as support a community development approach in the development and implementation of strategies to achieve priorities.

> *"The OCP is a collective vision and it is a collective action. Its implementation is a collective journey. The success of the OCP will depend on collective commitment to upholding the vision, directions, goals, and specific policies and actions identified."*

Municipal Role in Community and Social Development

The complex and interconnected social, economic, technological, and environmental challenges experienced in Courtenay are experienced globally, and have demanded that local authorities respond in new ways. Over

[2] Societal Consequences of COVID 19 (BC CDC, 2023)
[3] Climate Change and Health (BC CDC, 2023)
[4] More than 2,500 Lives Lost to Toxic Drugs in 2023 (BC GOV, January 2024)
[5] Global Views of Social Media and it's Impacts on Society (Pew Research Centre, December 2022)
[6] WHO Launches a Commission to Foster Social Connection, (WHO, November 2023)

the past decades, beacons of innovation have appeared as municipalities have experimented with different ways to address these challenges.[7]

The work of municipalities in the community and social development domain signals a need for a reimagining of the relationship between local government and community. One that re-distributes power with public services playing a revised role within an ecosystem that embraces communities and residents as partners, rather than customers or clients, in finding better solutions to complex challenges. The work also signals a need to find ways to mobilize community efforts upstream, to get at the factors giving rise to the issues in order to prevent problems before they occur.

> *"No Society has the money to buy at market prices, what it takes to raise children, make a neighbourhood safe, care for the elderly, make democracy work or address systemic changes…. The only way the world is going to address social problems is by enlisting the very people who are now classified as "clients" and consumers", and seeing them as co-workers, partners and re-builders"* [8]

Several Canadian municipalities have experimented with the establishment of tables of influential decision makers from local government, universities, NGOs, and funding agencies for the purpose of co-creating, implementing and evaluating CSD frameworks and plans. The frameworks are similar in that they generally state common vision and principles for working together as well as priority areas and goals linked to existing strategies or plans to achieve those goals. Each member at the table clarifies their unique role and responsibilities and members collectively decide upon outcomes and measures they will collect to determine impact of their collective investment.[9]

Community and Social Development Framework

Two widely embraced approaches generally underpin municipal innovations towards community and social well-being: 1) an Asset Based Community Development approach (ABCD) and 2) a Determinants of health or Health Promotion approach (HP). The City of Courtenay endorses both approaches in policy (OCP, 2022).

Asset Based Community Development (ABCD)

Asset Based Community Development (ABCD) is an approach to working in community and public spaces that recognizes, connects and mobilizes the assets (gifts, talents, and resources) of individuals and communities to build stronger more sustainable communities. See Table 1 for an overview of ABCD.

[7] Introducing New Operating Models for Local Governments (Nesta, UK September 2020)

[8] Asset Based Community Development for Local Authorities (Nesta UK, September 2020)

[9] Two examples of municipal innovation within BC: 1) A Healthy City For All: Vancouver's Healthy City Strategy 2014-2015 (Phase I) and Healthy City Strategy – Four Year Action Plan 2015 – 2018 (Phase II); and 2) The City of Penticton's 2023 – 2026 Social Development Framework (December 2023).

Table 1: Asset Based vs. Deficit Based Approaches to Community Development

- Community Driven
- Relationship Oriented
- Asset Based
- Place Based
- Inclusion Focused

	Deficit Based	Asset Based
Purpose	Changing Community through increased services	Changing community through community involvement
Method	Institutional reform	Community -oriented production
Accountability	Leaders are professional staff accountable to institutional leads	Leaders are widening circles of volunteers accountable to the community
Significance of Assets	Assets are systems inputs. Asset mapping is data collection	Assets are relationships to be discovered and connected. Asset mapping is self-realization and leadership development.
Production Resource	Money is the key resource. Fails without money.	Relationships are the key resource. Falls apart when money is the focus.
Operating Challenge	How do we get community involved?	How do we channel and build on all of this community participation?
System Dynamic	Tends to Spread itself thinner over time	Tends to snowball over time
Evaluation	Success is service outcomes measured by institutional leaders	Success is capacity measured mostly by relationships.

The flipside of a deficit-based approach, an asset-based approach is community rather than institutional driven, relationship rather than money oriented, asset rather than issue based, place based and inclusion focused. Through specific place-based relationship building strategies, the objective is to empower the community to utilize their assets in order to take action to realize the change they seek.

Health Promotion (HP)

Health promotion is the process of enabling people to increase control over, and to improve, their health and well-being. To reach a state of complete physical, mental and social well-being, an individual or group must be able to identify and to realize aspirations, to satisfy needs, and to change or cope with the environment.

A Health Promotion approach takes community development one step further, with the acknowledgement that achieving health and well-being requires not only the illumination and linking of assets, it entails mobilizing community action upstream to address the determinants of the health – or the fundamental conditions for health. [10]

This approach makes clear that achieving personal and community well-being requires systems change, building supportive environments and creating healthy public policy. Moreover, it typically requires re-orienting services to support efforts towards change.

Image 1: Ottawa charter for Health Promotion[11]

[10] Courtenay's OCP (2022) identifies 11 determinants impacting the quality of life and social well-being: Food, Housing, Education, Employment, Income and Social Status, Social Connections, Diversity and Inclusion, Connection to the Social Environment, Childhood Experiences, Transportation and Accessibility.

[11] Ottawa Charter for Health promotion (Ottawa, 1986)

Image 2: Asset Based Community Development and Health Promotion in Practice

ABCD & HP in Practice

Community Builders & System Change Agents:

-Convening
-Visioning
-Asset mapping
-Asset linking
-Pollinating ideas

In practice, community developers support the mobilization of community action along a continuum, using an asset-based approach, towards systems redesign to realize their stated community vision. Community action within one or more health determinant areas occurs in stages along this continuum, moving over time from the provision of service to provide immediate temporary relief, to engaging people who are experiencing the issue in the creation of parallel systems offering longer-term sustainable solutions. With the final stage involving the creation of healthy public policy to support systems redesign. The role of the community developer is to enable this activity, rather than to lead it. They may convene meetings, support visioning, asset mapping, and other activities to mobilize community action.

An Emerging Framework for Courtenay

Drawing from the literature, as well as preliminary observations, discussions, and with input from internal and external champions working in the community and social development domain in Courtenay and the Comox Valley, and building on existing plans and strategies, a CSD framework for Courtenay is emerging (see Image 3).

Image 3: Emerging Asset Based Community Development and Health Promotion Framework

The CSD framework is rooted in principles (described in the OCP) and built upon a solid strong foundation (Regional Growth Strategy (RGS) and the OCP, 2022). The circle in the centre illuminates the draft vision for this work: *vibrant, resilient, sustainable, connected communities*. The two large leaves below the circle illuminate the approach: an asset-based community development and health promotion approach focussed on *strengthening relationships* around *place.* The first ring of leaves around the centre circle are potential goals for this work – goals that optimally support existing plans and strategies in the outer set of leaves. A tree is an optimal image to illuminate the emerging CSD framework, as it is a living conceptualization reflecting the vision, values, and approach to this work of the City and partners at tables leading this work and the context they are working in. It is fully anticipated that the vision, goals, strategies, and plans will change over time reflecting the transitions in partners at the table, and in context over time.

Two specific strategies to advance the creation of an integrated community and social development framework and action plan have been identified that will build on the policies and objectives laid out in the OCP, 2022 while also integrating planning work that has already been completed or is underway both locally and regionally.

1. *Better Together Strategy: Partnering to Support Capacity Building, Coordination and Upstream Action*
    a. Strategic focus on strengthening partnerships to support, strengthen, and/or advance community efforts to build capacity and coordination of local social service agencies and tables.

   b. Plan and implement a series of community building events with the community of social service providers to illuminate and link their assets and mobilize their efforts along the continuum of community development.

2. *Neighbourhood Network Strategy: Building Neighbourhood Networks*
   a. Strategic focus on supporting place-based community development in neighbourhoods within Courtenay.
   b. Enable the establishment and / or strengthening of local relationships within a neighbourhood to build and enable community capacity and resilience that build on the strengths and assets of the community.

Better Together Strategy Rationale

When it comes to social well-being, the political context in which the City of Courtenay is situated is complex. There are multiple government agencies located in close proximity within the Comox Valley having shared jurisdiction over the social determinants of health, including local government, health authorities, school districts, and First Nations.

Community and / or government led tables focused on social well-being are for the most part regional. However, each of the three municipalities as well as the three electoral areas, in the Comox Valley is unique. Courtenay, the largest community, is a hub for goods and services – including critical health and social services. The City feels issues in these areas acutely, yet they are not always at regional planning or decision-making tables.

In order to arrive at the best solutions in this multijurisdictional context, all levels of government must work together and with community leaders who are championing activity to achieve social well-being. The current experience in the Comox Valley is that while planning efforts are underway, service agencies and local governments are in a reactionary place responding to crises with limited capacity; the need for connectivity, strong trusting working relationships, and integrated plans and efforts is high.

The number of individuals and groups engaged in activity to achieve social well-being in the Comox Valley is significant. In 2018, there were 191 registered non-profit organizations (NPOs) in the Comox Valley, 94 of which were in Courtenay.[12] These figures are likely higher today with the influx of population and increased social concerns. In addition to registered societies, several large service-focused non-registered coalitions or groups exist, primarily focused on the provision of immediate temporary relief to address basic social needs. Gaps as well as overlaps in the service are observed as well as thematic issues (i.e. growing rather than decreasing need, coupled with limited capacity and funding for service provision). A fulsome map of assets at these the tables and within the broader community does not exist.

Many of the same local government and community-based leaders participate in multiple tables and are questioning their unique identity and role, and the extent to which they are best able to support this work. These observations point to the need for a framework and an action plan – one that clarifies the City's roles, responsibilities and priorities and plan of action as it relates to this multi-jurisdictional and complex service provider network. Minimally within that plan, a strategy is required to support, strengthen, and advance efforts at these tables towards community and social well-being.

[12] Comox Valley's Vital Signs 2018, (Comox Valley Community Foundation, 2018)

Neighbourhood Networks Rationale

The establishment of neighbourhood networks has been one of the most successful and replicated municipal strategies to realize community and social well-being. Investing in relationships and strong neighbourhood networks are stated goals in the OCP,2022. Strong relationships in neighbourhoods have resulted in enhanced communications, community safety, accessibility, emergency preparedness, care of children and the elderly, and food security. Municipalities have benefitted not only by added capacity of community partners taking on issues that would otherwise come to local government, they have benefitted from improved communications with their communities and strengthened community engagement in the planning and development of local area parks, homes, recreation facilities, etc.[13]

Next Steps

Staff are proposing to utilize an ABCD health promotion approach to create, implement, and evaluate two strategies designed to strengthen relationships and increase community capacity and resilience. The data from the process as well as the strategies themselves will assist with fine tuning the framework and informing the creation of an integrated long-term action plan, defining the unique identity, roles, and priorities for the City of Courtenay.

Table 2: Proposed Community and Social Development Framework and Action Plan

Framework Foundation (Our Unique Approach)	City Role & Responsibility (Our Unique Self)	Strategies & Outcomes	Fit with OCP
Asset Based Community Development	Building Relationships around Place • Convening • Visioning • Asset mapping • Linking assets • Pollinating ideas	**Neighbourhood Network Strategy** (Consider a pilot with planning activities) **Outcomes:** • Strengthened relationships • Increased neighbourhood capacity and resilience • Enhanced communications • Alignment of city plans and policy with community aspirations and needs	Goals, Directions, Approach Policies: Part C- SI 6,7, 21, 24
Health Promotion/ Determinants of Health	• Mobilizing community action towards systems change • Reorienting services • Creating healthy public policy • Building supportive environments	**Better Together Strategy** (Support/facilitate capacity building and coordination of community based social service providers) **Outcomes:** • Strengthened relationships/trust • Increased Capacity • -Enhanced communications • Map of assets, linkages between assets	Goals, Directions. Approach Policies Part C SI 1,6,7

[13] Introducing New Operating Government Models for Local Government (Nesta, September, 2020)

		• Map of community action • Mobilization of collective upstream action	

Timeline
Since January, 2024, substantial activity has been underway to advance the development of a CSD framework and plan. Activity has focused on relationship building - engaging with service providers in the community and with internal staff, with a view to understanding and illuminating the local landscape of activity (as well as policies and infrastructure) to support community and social well-being. Activity has also included substantial document research and consultation with experts in the field working at municipal, provincial and federal levels.

The next steps of this project will occur in five distinct phases commencing September, 2024 and having a completion date of later summer, early fall 2026.

Image 4: Proposed Timeline

POLICY ANALYSIS:
OCP, 2022
Social Infrastructure
Objective 1: All Courtenay residents experience equitable access to services

- SI 1: Develop and employ a locally-relevant framework for assessing social, equity, and health impacts in policy, development, program and service decisions.

Objective 2: Coordinated, inclusionary, and systems-based responses are in place to address evolving complex social issues.

- SI 6: Consider social determinants of health and adopt an evidence-based approach to policy

formation, community education, advocacy, and decision making, including ensuring equity-priority voices are included in the creation, delivery, and evaluation of services

- S1 7: Identify an appropriate role for the City in the delivery of social infrastructure in relation to other organizations, agencies, and jurisdictions that provide services for equity-priority groups

Objective 4: Neighbourhood and community development-based organizing are leveraged as a source of community capacity and resilience.

- SI 21: Support volunteers, organizations, and other social assets to continue undertaking their work within the community
- SI 24: Support and build neighbourhood capacity in strengthening social connections, climate action, and community resilience through neighbourhood-driven initiatives based on asset based community development approaches. Such initiatives could include, but are not limited to: School District No. 71 community use of schools, Neighbourhood Houses, Safe Routes to School Programs, small-scale street-level projects, resilience assessments relating to climate change, and learning events for resident action

FINANCIAL IMPLICATIONS:
The Recreation Culture and Community Services department has established a Community Development Coordinator position to oversee the proposed work. The department has earmarked one-time funding of $110,000 in the operating budget to support the creation of a community and social development framework and action plan. The funds will be used to procure the resources necessary to support planning, implementation, and evaluation of the proposed initiatives and completion of the framework. Staff will also be pursuing grant opportunities as they arise and are in alignment with the work being undertaken.

ADMINISTRATIVE IMPLICATIONS:
Recreation, Culture, and Community Services will lead the development of the Community and Social Development framework and action plan, alongside community and partners. Staff anticipate significant coordination with Development Services - particularly with the Neighbourhood Network strategy. The project will likely engage other City departments such as Communications, and Infrastructure and Environmental Engineering, once the strategies are more fully developed.

STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following strategic priorities:

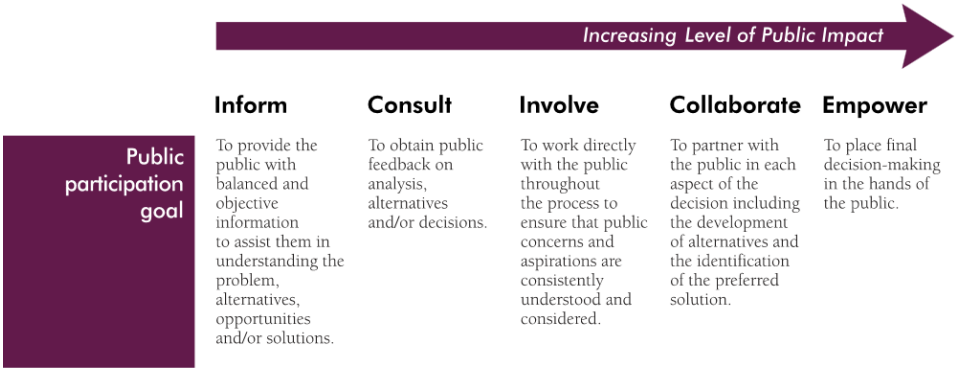
- Social Infrastructure - Identify roles for the City in the delivery of social infrastructure outlined in the OCP; Implementation plan for delivery of social infrastructure

PUBLIC ENGAGEMENT:
This work will explore ways the City can deepen and strengthen its relationship with community, with the understanding that building relationships strengthens trust, capacity, and resilience, and can play an important role in restoring an eroding social contract.

This work, will not involve the typical broad informative or consultative survey. Feedback to date from community partners includes the sentiment that the City and region has the information it needs through already completed work (such as the Poverty Reduction Strategy, Substance Use Strategy, Resident

Satisfaction Survey, Parks and Recreation Master Plan, OCP, etc) to proceed into collective action and framework development. As such, staff will focus efforts on deepening community engagement through specific place-based strategies for neighbourhood network activation and through collaborative tables to support capacity and coordination amongst service providers. To augment the community voice that will come through strategy development and implementation, staff will examine and integrate the broader community voice relative to community and social development that has already been collected through existing City and regional plans and strategies.

Staff will follow the continuum of public participation from inform through to collaborate based on each particular stage and type of work based on the IAP2 Spectrum of Public Participation:



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OPTIONS:

1. THAT Council endorse the proposed scope, work, and subsequent steps detailed in the staff report concerning the establishment of a Community and Social Development (CSD) Framework and Action Plan; and
   THAT Council direct staff to execute the 'Better Together' and 'Neighborhood Network' strategies outlined in the staff report, which are designed to enhance community capacity, resilience, and social well-being.
2. THAT Council provide alternate direction.

Prepared by: Joanne Bays, Community Development Coordinator
Reviewed by: Susie Saunders, Director Recreation, Culture, and Community Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

City of Courtenay

Building Community

Presented by:
Joanne Bays, City of Courtenay
July 31, 2024, City Council Meeting

Purpose

- To provide an overview of a proposed approach for the creation of a Community and Social Development Framework and Action Plan.

- To seek Council approval of the scope of the proposed work and the next steps.

A City In Transition

What is Courtenay's Unique Identity & Approach?

- Moving from a small municipality to a large urban centre.
- Massive environmental, economic, social and technological changes.
- Significant federal and provincial policy directives to address.
- Visible Impact: Poverty, homelessness, food insecurity…
- Less Visible Impact: Erosion of the social contract, community connectivity and sense of belonging.
- Increasingly, local governments called to community and social issue tables for support.

The Promise Of Community

"No Society has the money to buy, at market prices what it takes to raise children, make a neighbourhood safe, care for the elderly, make democracy work, or address systemic injustices…

The only way the world is going to address social problems is by enlisting the very people who are now classified as "clients" and "consumers" and converting them into co-workers, partners and rebuilders"

Asset Based Community Development For Local Authorities, 2020

A Key Deliverable

A framework and an action plan, co-created by internal and external leads within the community and social development sector, designed to build community and to support social-well being of people living in Courtenay.

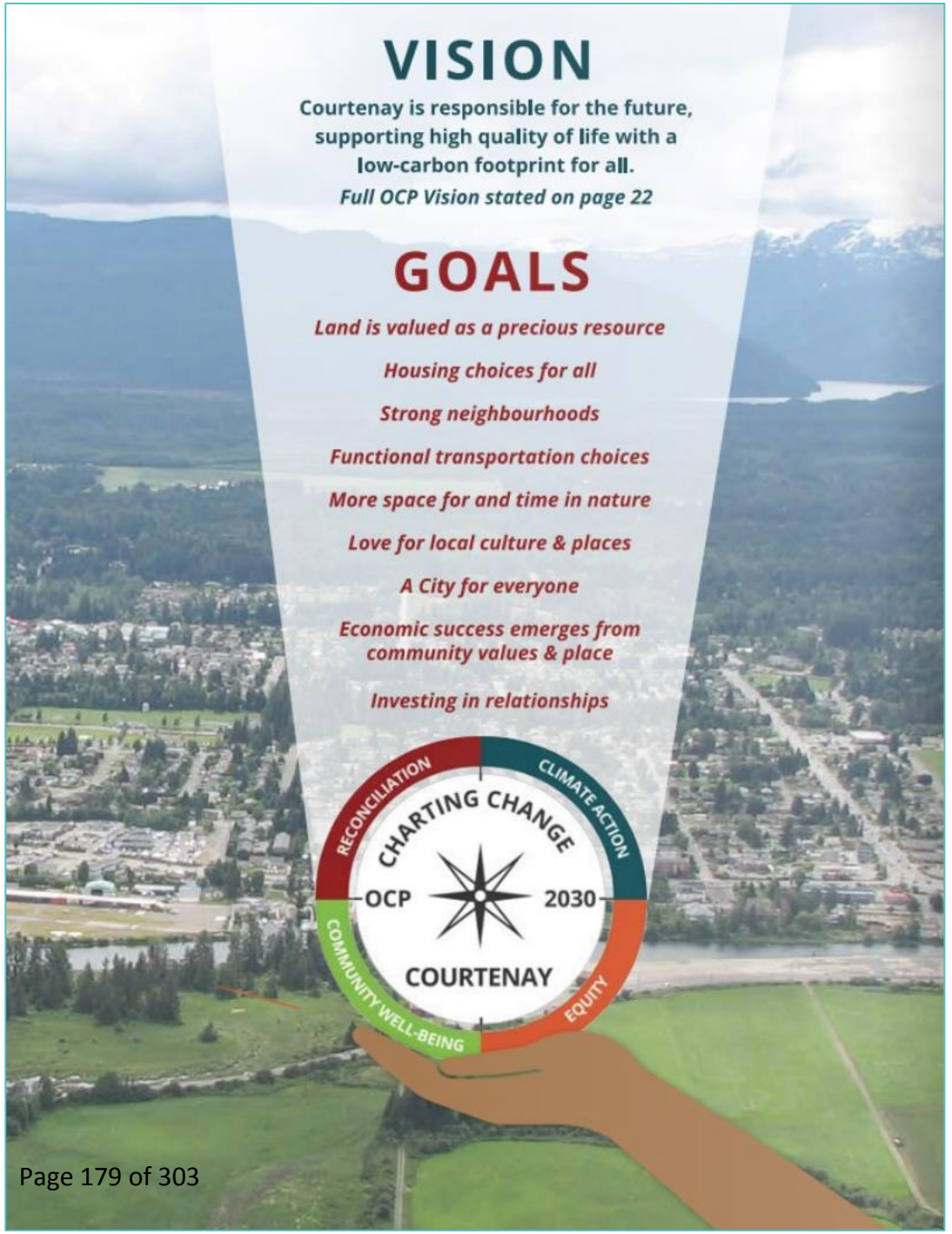
A long term integrated framework that helps us think, act and work together in new ways to change the conditions that impact the quality of life in Courtenay.

A plan that will enable the City to identify priorities; clarify our role with respect to community and social development; align tools to address complex issues; enhance partnerships and innovative approaches; and make decisions based on evidence.

Strategic Context

Courtenay's OCP

Provides vision, goals, and cardinal directions …



Courtenay's OCP

Provides clear direction with respect to approach:

- Collective Asset Based Action
- Policy Addressing the Determinants of Health

Illuminates thematic policy areas aligned with the determinants of health

Significant volume of objectives and policies

- Requires strategic plan for action and implementation

Asset Based Community Development (ABCD)

- Community Driven
- **Relationship** Oriented
- Asset Based
- **Place** Based
- Inclusion Focused

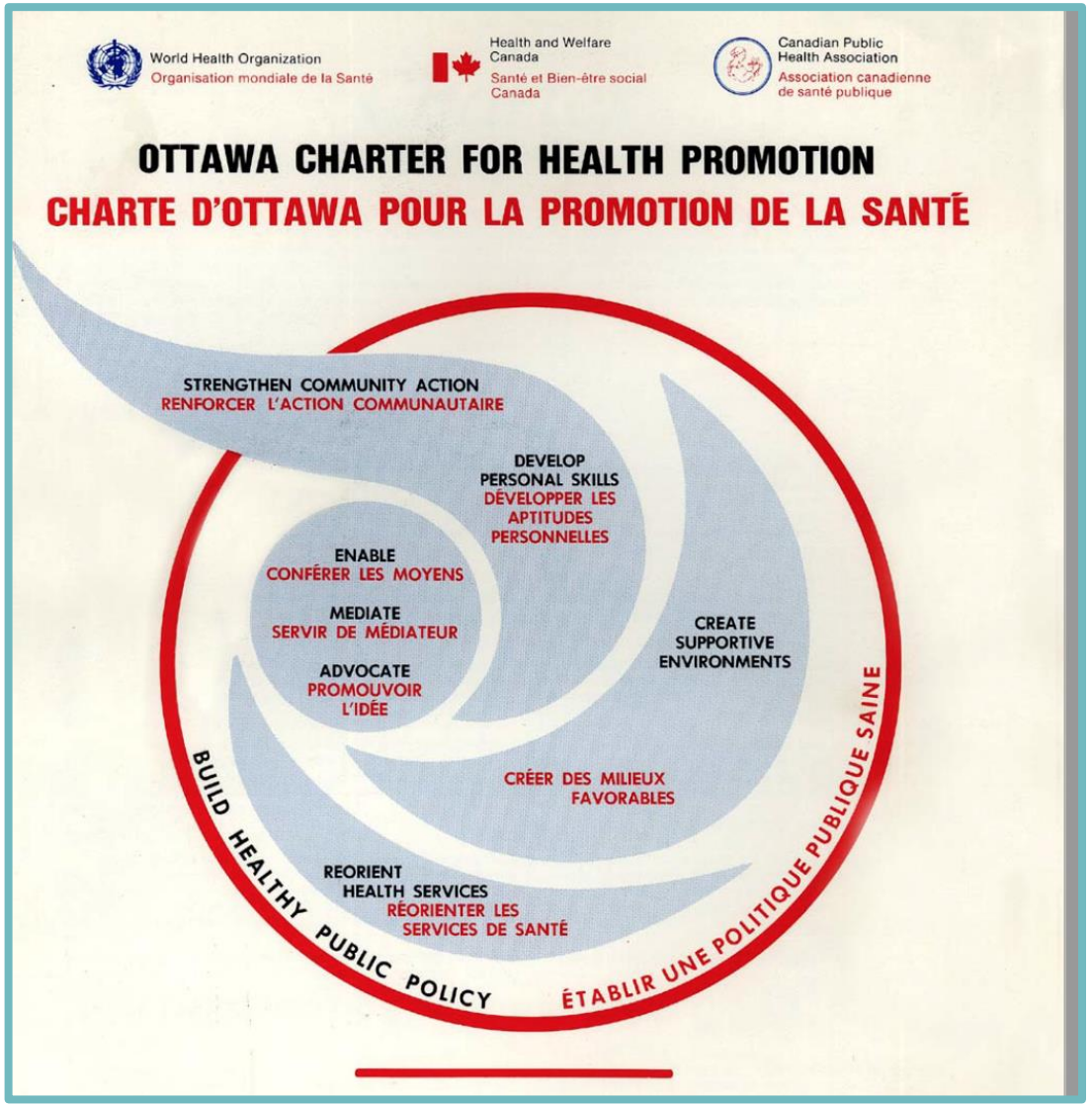
	Deficit Based	Asset Based
Purpose	Changing Community through increased services	Changing community through community involvement
Method	Institutional reform	Community -oriented production
Accountability	Leaders are professional staff accountable to institutional leads	Leaders are widening circles of volunteers accountable to the community
Significance of Assets	Assets are systems inputs. Asset mapping is data collection	Assets are relationships to be discovered and connected. Asset mapping is self-realization and leadership development.
Production Resource	Money is the key resource. Fails without money.	Relationships are the key resource. Falls apart when money is the focus.
Operating Challenge	How do we get community involved?	How do we channel and build on all of this community participation?
System Dynamic	Tends to Spread itself thinner over time	Tends to snowball over time
Evaluation	Success is service outcomes measured by institutional leaders	Success is capacity measured mostly by relationships.

Determinants of Health Approach

Also known as
a Health Promotion (HP) approach

Detailed in the Ottawa Charter

(Ottawa, 1986)

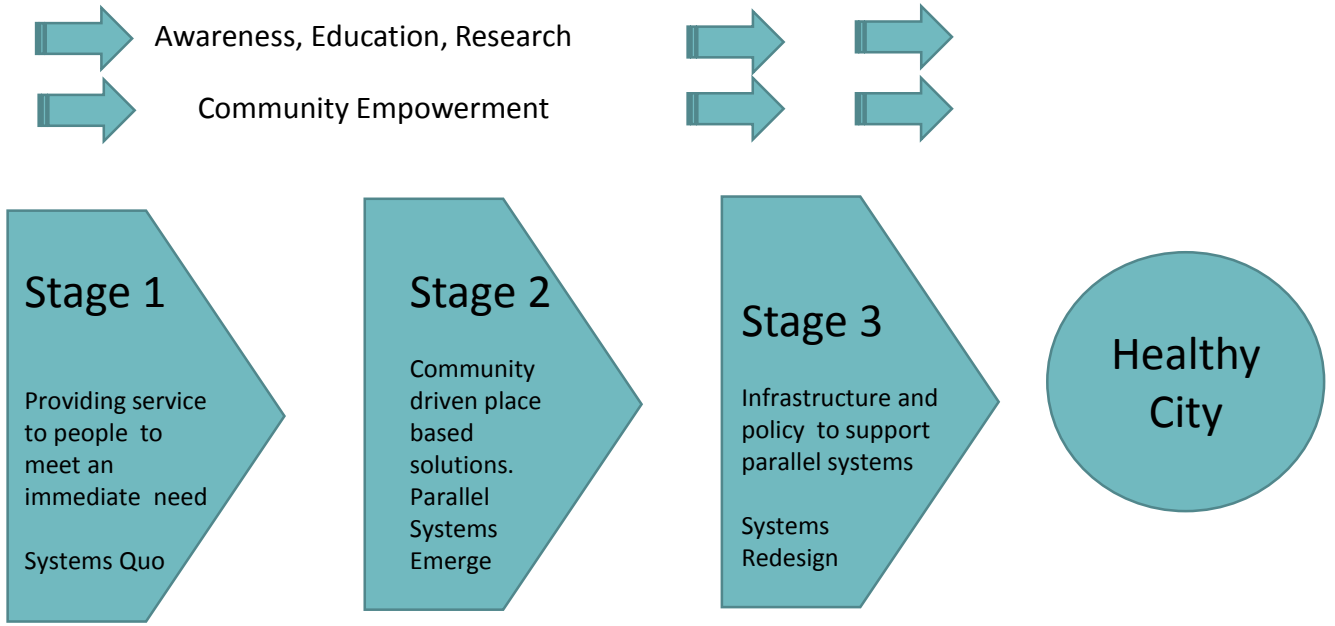


ABCD & HP in Practice

Community Builders & System Change Agents

- Convening
- Visioning
- Asset mapping
- Connecting assets
- Pollinating ideas

Strengthening Community Action

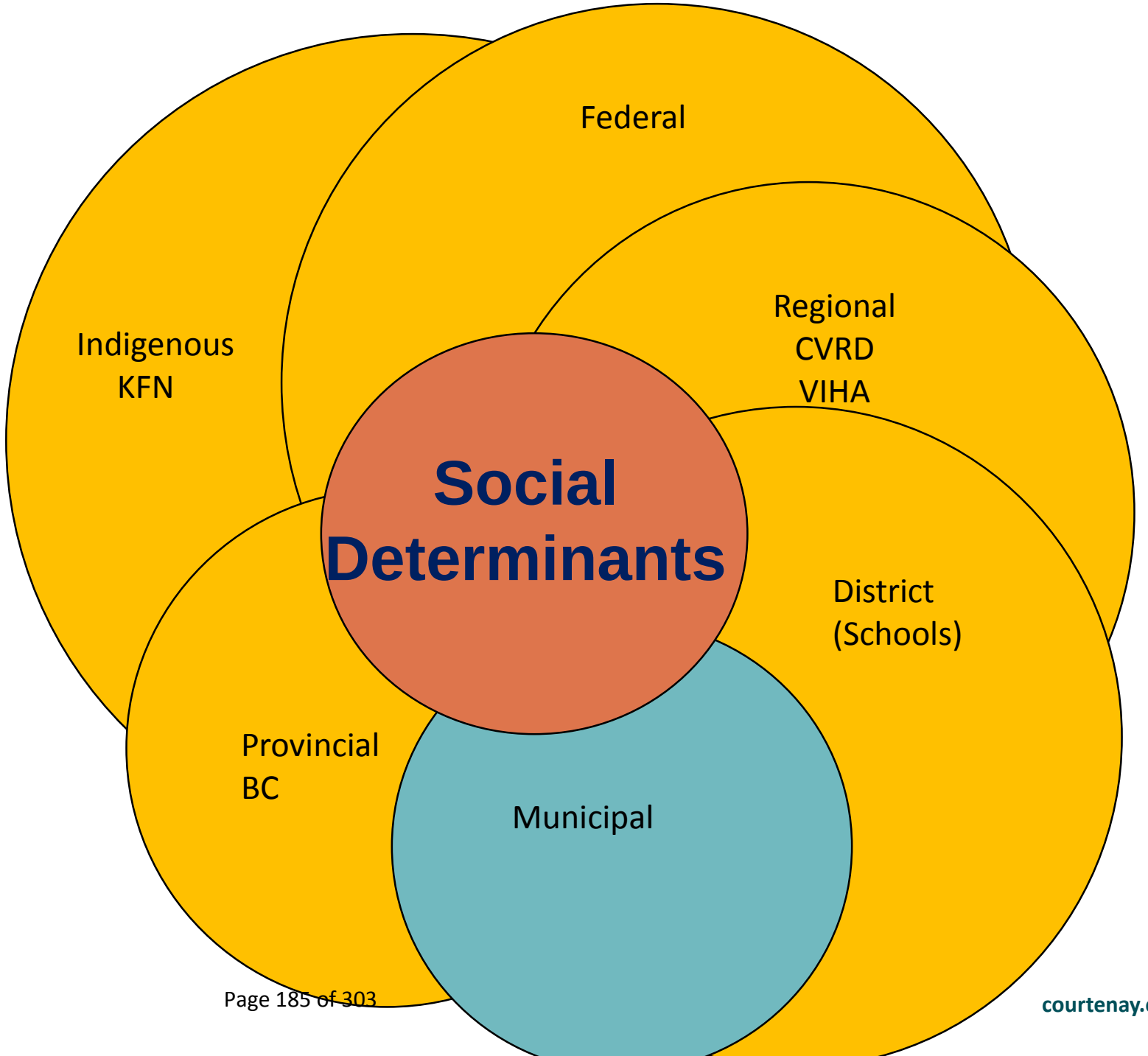


Housing	Emergency Shelter – blankets, beds	HomeShare Habitat for Humanity Housing Co-ops	Provision of Land, buildings, to support parallel systems. Realignment or creation of new, policy to support parallel systems
Food	Emergency Food - snacks, meals hampers	Community gardens, kitchens, food hubs, farmers markets	

Community Context

The Political Context

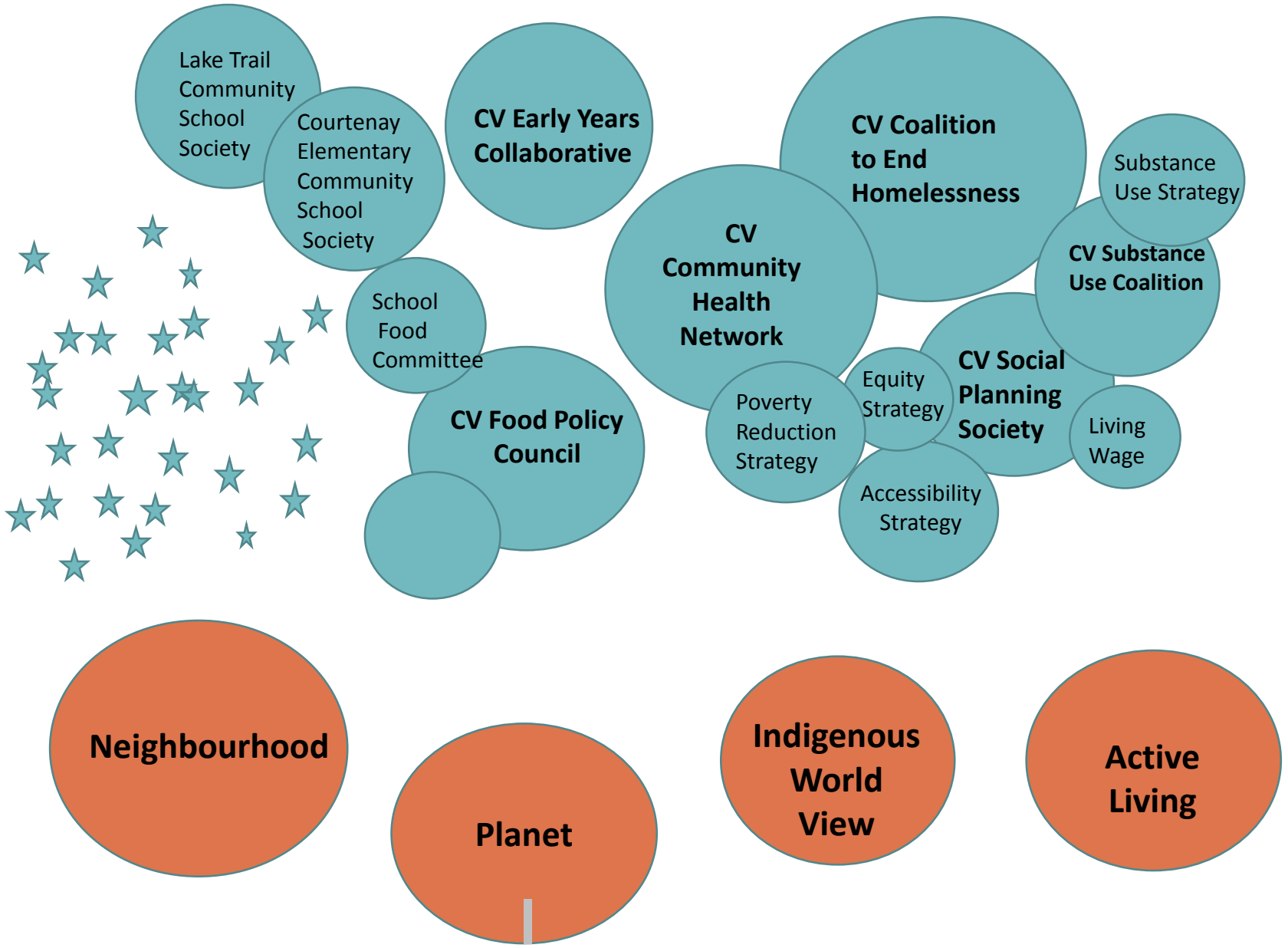
Multiple government agencies having varied & shared jurisdiction over social determinants



A Caring Community Coming into View

191 Registered NPOs in Comox Valley

94 in Courtenay
(Vital Signs, 2018)



Community & Social Development

From Collective Framing to Collective Upstream Action

Across BC , municipalities are at tables with community collectively creating Community and Social Development frameworks, *strategies and plans.*

They seek to illuminate:

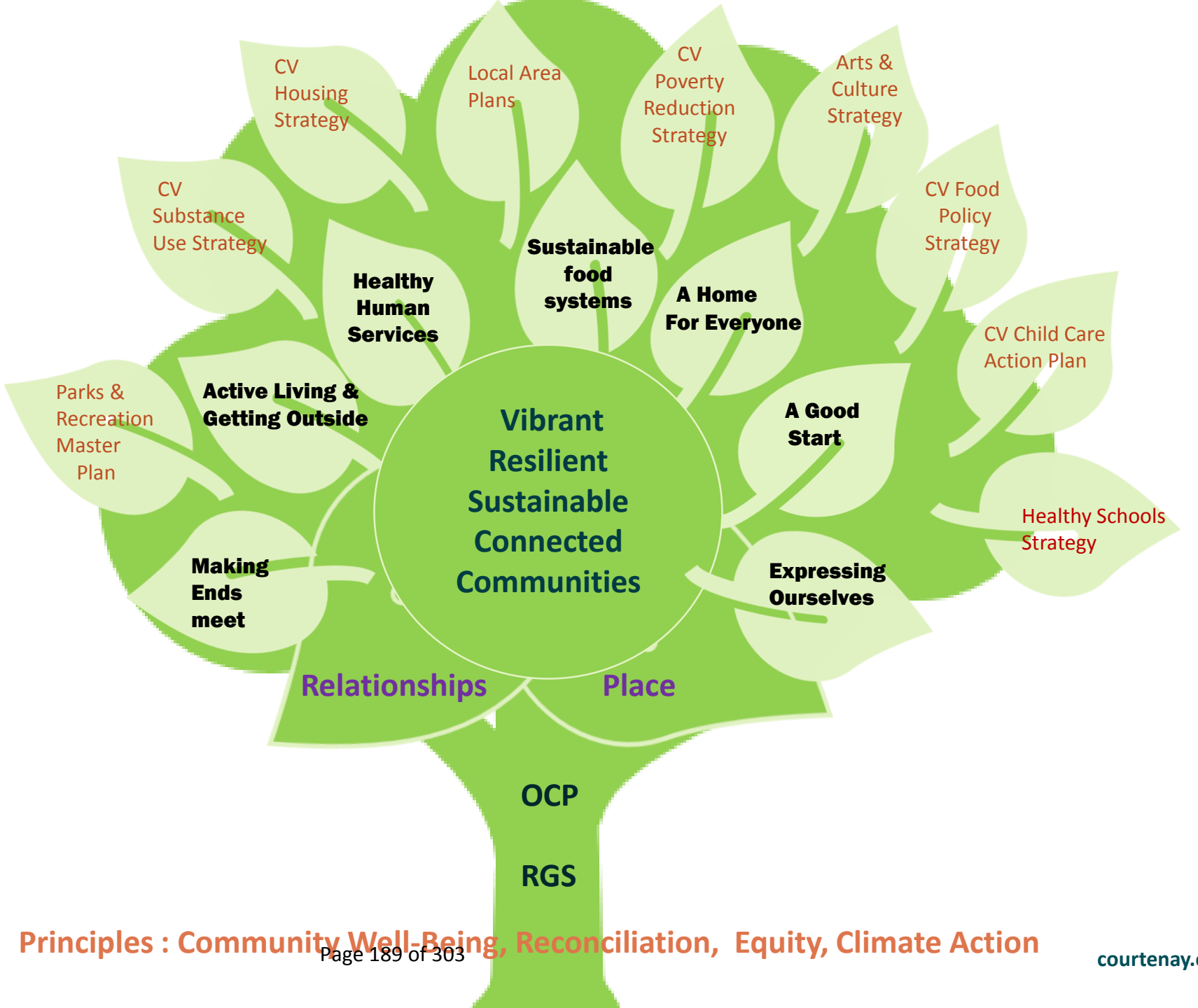
- The collective vision, principles, and priorities for work together;
- The collectively desired outcomes, and measures; and
- The roles, responsibilities and resources required of each partner.

Social Development Framework (Penticton, 2023)

Healthy City Framework (Vancouver, 2015)

Emerging ABCD HP Framework For Courtenay

Two Emerging Strategies…

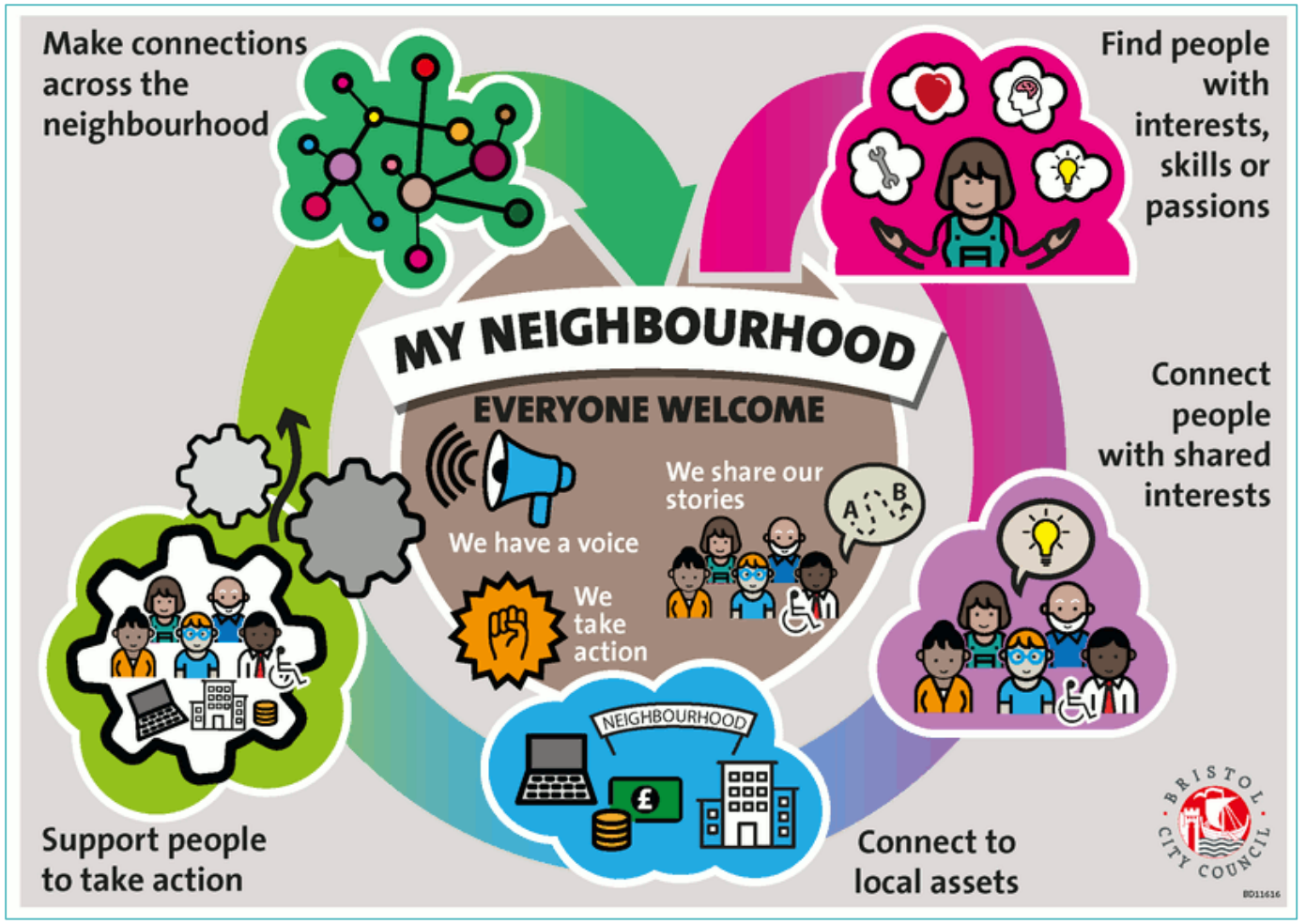


Principles : Community Well-Being, Reconciliation, Equity, Climate Action

Neighbourhood Network Strategy

What:
A place-based strategy engaging neighbours in a variety of activities, strengthening relationships and increasing community resilience, and social wellbeing.

Potential sites/opportunities: to be combined with current planning work.



Better Together Strategy

What:

A strategy designed to strengthen relationships and build capacity amongst service providers working in the community and social development sectors – with a view to mobilize collective upstream action

Potential Opportunities:

-Conference

-Lunch And Learns

-Mentoring program

-NIC HC program

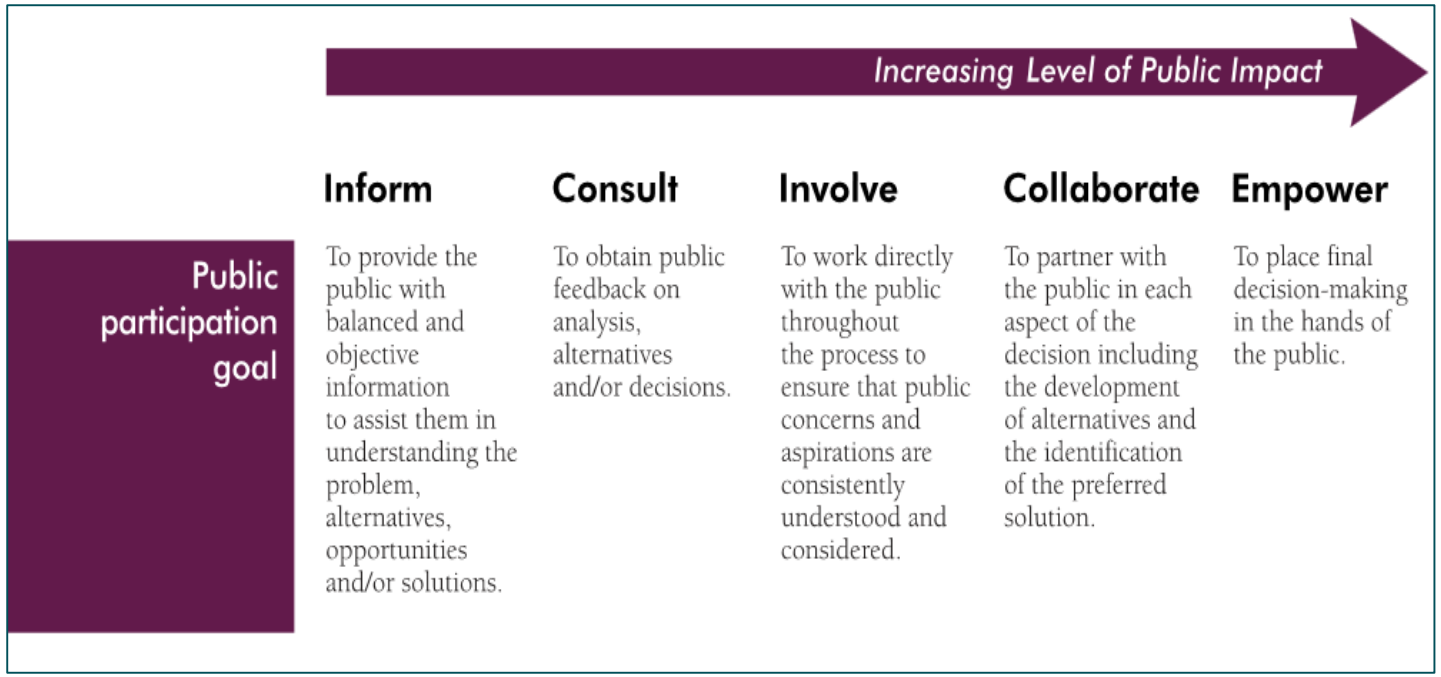
How does it all come together?

Framework Foundations (Our Unique Approach)	City Role & Responsibility (Our Unique Self)	Strategies and Outcomes	Fit With OCP
Asset Based Community Development	Building relationships around place - Convening - Visioning - Asset mapping - Linking assets - Pollinating ideas	**Neighbourhood Network Strategy** (Consider piloting work with planning activities, i.e. Harmston) **Outcomes** • Strengthened relationships/trust • Increased neighbourhood capacity & resilience • Enhanced communications • Alignment of City plans and policy with community aspirations, needs.	Goals, Directions Approach Policies Part C –SI 6,7, 8 and 16
Health Promotion/Determinants of Health	- Mobilizing Community Action towards systems change - Reorienting services - Creating healthy public policy - Building supportive environments	**Better Together Strategy** (Support / facilitate capacity building and coordination of service providers) **Outcomes** • Strengthened relationships/trust • Increased capacity • Enhanced communications • Map of assets, linkages amongst assets • Map of community action • Mobilization of collective upstream action	Goals Directions, Approach Policies Part C SI 1,6.7,8,14

Community & Partner Engagement Approach

Various levels of public input garnered through:

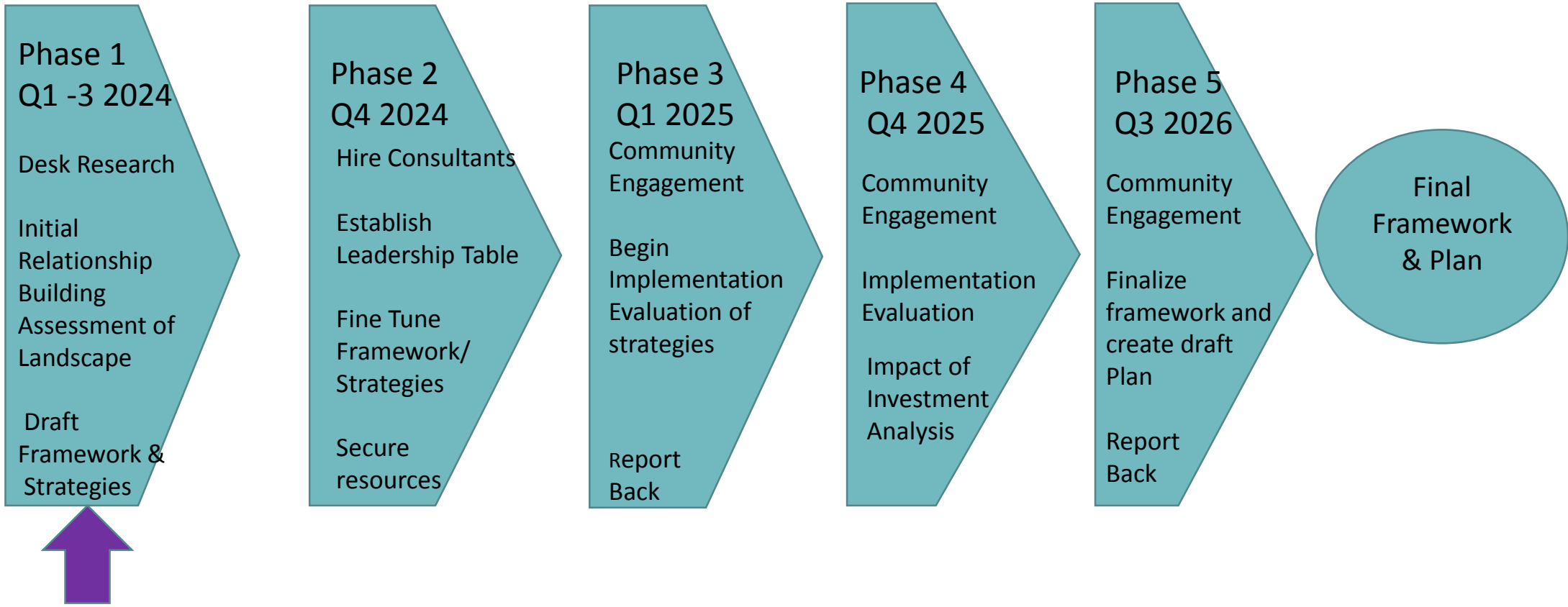
- A review of community engagement within City plans and strategies.
  (Public typically consulted)
- Leadership Table (Collaborate)
- Neighbourhood Network
  (Involve, Collaborate, Empower)
- Partners engaged with the Better Together Strategy
  (Involve, Collaborate)



Project Timeline

Awareness, Communications

Strengthened City- Community Relationships, Collaborative Planning/Action



We are here

Summary

- Approach
  - ABCD & Health Promotion
  - Community & Partner Engagement
- Scope
  - City role & responsibility
  - Priorities
  - Resources
- Outcomes
  - Community and Social Development Framework and Action Plan
  - Neighbourhood Network Strategy
  - Better Together Strategy

"A national reckoning is overdue. … Communities must emerge as heroes in this crisis…. There is a pivotal role for individuals to help their neighbours and strengthen their communities and for policy makers to foster and enable these practices."

- "Community as the Superhero: Combatting Loneliness and Disconnection." Tamarack Institute

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 6200-05

From: Director of Recreation, Culture and Community Services **Date:** July 31, 2024

Subject: Memorial Bench Program Options

PURPOSE: To present information to Council in regards to options for a memorial bench program, or alternative memorial process, and bring forward recommendations for a Memorial Bench Program Decommissioning Policy.

EXECUTIVE SUMMERY:
The City suspended its Memorial Bench Program in 2008 due to demand far exceeding the availability of memorial bench locations. In May 2019, Council formally approved discontinuation of the program after it was determined it was not a financially sustainable service. As such, the Memorial Bench Program has not been active for 16 years.

The report provides an overview of four memorial program options for Council's consideration:

- Option 1: Develop a Memorial Bench Donation Program and Policy with fees set at 100% cost recovery.
- Option 2: Develop a Memorial Bench Donation Program and Policy with fees set at 75% cost recovery.
- Option 3: Create a Donation Policy to fund parks and recreation operations or maintenance, programs, and or capital projects.
- Option 4: Do not develop any further memorial programs and promote existing memorial options in the Courtenay Civic Cemetery and other community memorial programs.

All options require considerable time and administrative resources to plan and implement a new program and associated policy.

Staff are recommending Option 1: Develop a Memorial Bench Donation Program and Policy with fees set at 100% cost recovery to ensure the program is financial sustainable and to ensure that the memorial program and policy are developed in such a way as to address the key reasons that the original program was put on hold and subsequently discontinued.

BACKGROUND:
The Memorial Bench Program ran from 1997-2008 and was then suspended when the demand for benches far exceeded the availability of memorial bench locations, especially in preferred areas. Memorial Bench program waiting lists were established as a placeholder to address those interested in participating in the program. Staff records indicated the department received 120 waitlist requests between (2008 and 2019). In May 2019, Council formally discontinued the program after it was determined the program was not a sustainable service as the level of taxpayer subsidization for each memorial bench was much higher than originally expected.

Staff also reported that memorial bench programs have an unintended and inevitably higher service level than other similar services due to the personal expectations of donors for maintenance and upkeep of the specific memorial asset. There was a general expectation by participants that memorials would be maintained in perpetuity despite that the program had clearly stipulated 10-year terms. However, as the contract was only witnessed by the signatory, other family members often misunderstand the contract term and have trouble accepting that the term does expire. Even when the contract is clearly stated and understood, the emotion associated with the benches often leads to public complaints or outcry to help overturn the contractual clauses.

According to staff records, there are approximately 207 memorial benches that were installed through the original memorial bench program and all have expired contract terms. Staff would need to survey the locations on record to determine the condition of the benches and whether the plaques are still in place to determine what is the current number of memorial benches still in service.

A staff report was presented to Council on April 1, 2019 (see Attachment 1) that recommended the formal discontinuation of the memorial bench program. Council resolved to postpone consideration of the staff report until the May 21st, 2019 meeting in order to provide the public an opportunity to forward thoughts related to the memorial program to staff and Council for consideration.

At the May 21, 2019 Council meeting, after further discussion on the options identified in the April 1, 2019 staff report and reviewing the public feedback on the issue, Council resolved the following:

> *"THAT based on … 2019 staff report "Memorial Program", Council adopt OPTION 1 and direct staff to discontinue the existing memorial program"*

As a follow-up to the direction above, staff identified to Council that the final steps to the cancellation of the memorial program included returning to Council with options for an alternative memorial process supported by a decommissioning policy for the existing memorial benches. The next steps included the following considerations:

1. Communication plan to notify persons on the waitlist that the program has officially been cancelled and provide other options available through the cemetery memorial program or community programs.
2. Policy options for the decommissioning of existing memorial benches and notifying the existing participants of the programs cancellation.

Communications to notify persons did not occur after the program was cancelled in 2019. Furthermore, direction from the former Director of Recreation and Culture was to hold off contacting waitlisted persons until memorial alternatives were available. As a result of the COVID-19 Pandemic in 2020, staff resources to address this additional work were redirected to other priorities.

The following resolution was passed at the March 14, 2022 Council meeting whereby Council directed staff to prepare a report with options for a memorial bench program or options for an alternative memorial process:

"THAT Council direct staff to bring back a staff report with options for a Memorial Bench Program or options for an alternative memorial process."

DISCUSSION:

Staff have carried out a scan of memorial programs available in other local government communities and have considered them in identifying the options for Council's consideration. Many communities approach memorial bench programs with the lens of accessing additional funding to support the installation of desirable amenities throughout the local area. Memorial programs however add a layer of complexity that requires well thought out policy and increased administrative oversight and response.

With the program last active in 2008, the reinstatement of the Memorial Bench Program will be equivalent to the City establishing a new service given that the program has not been place in 16 years. Reinstating a memorial bench program would require substantial administrative effort to develop a well-designed memorial program that proactively addresses the key reasons that led to the original program being discontinued. This would include ensuring the program is financially sustainable and supported by a Council approved memorial bench donation policy.

A successful memorial bench program would need to consider the following implications:

- Clear and well-defined program policy, procedures and public notification.
- Fees and charges with Council approved cost recovery targets outlined in a bylaw.
- Review and implementation of effective contracts to manage expectations and ensure confirmation of the donor's acceptance of the contract terms.
- Mapping of available (existing and new) memorial bench locations that predetermine approved locations based on the Parks and Recreation Master Plan and park planning best practices, and limits the number of locations available in popular locations appropriately.
- An online application form to reduce staff administrative time required to process applications.
- Coordinated installation of assets and plaques.
- Systems for tracking and maintaining contact with donors over the course of the contract.
- Reviewing available bench locations annually, including consideration for expiring bench contracts and renewal options.
- Guidance on implications from maintenance, as well as decommissioning and replacing benches when they are at the end of their service life.
- Limitations on installation quantities based on operational capacity (estimated at 20 benches per year).

Memorial Program Options

Option 1: Reinstate the Memorial Bench Program at Full Cost Recovery (recommended option)

Reinstatement of the memorial bench program would need to address all of the aforementioned considerations and would require approximately one year to develop the necessary policies, procedures, and bylaws in order to effectively launch the program.

Following the development of the program, a program could be launched whereby fees are set at full cost recovery whereby no tax funded subsidization is applied towards the administration, installation, maintenance or repair of a memorial bench over a proposed 10-year term. The fees would be brought into a fees and charge bylaw and reviewed and updated every few years to ensure 100% of the costs are recovered.

At the end of the 10-year term, the memorial bench donor would be provided an opportunity to renew the contract at the relevant cost recovery rate established by the fees and charges bylaw at the time, with consideration in the fees for the renewal of the plaque as compared to the requirement of installing a new bench if it has reached end of life. Alternatively, the program may consider lengthening the contract term to coincide with the expected memorial bench useful life term. Although a 10-year term is the standard contract term for a memorial bench in other local government organizations, other jurisdictions have a contract term on the low end of eight years and as high as 15 years or have separate contract terms based on the type of bench installed and the life expectancy based on the materials of the bench.

Memorial Bench Estimated Cost:

The fee to install a memorial bench with a customized plaque in 2008 was $1,100.

A high-level review of the current direct costs that would be required to administer and install a memorial bench is approximately $4,300. Should the fee remain the same as in 2008 ($1,100) it would represent a taxpayer subsidization of approximately 74% of the actual costs. A breakdown of the memorial bench cost estimate to reactive the program today is included in Attachment 2.

As identified in the April 1, 2019 Council staff report, the 2008 fee represents a high level of subsidy to individual memorial bench program donors. According to the Recreation Fees and Charges Framework (2022), where an individual receives direct benefit from a service, there should be a reduced level of subsidization as the user of the service receives increasing levels of direct interest. Should the re-start of the memorial bench program be considered, the setting of the fee can be established based on the Recreation Fees and Charges Framework benefits-based continuum as illustrated in Table 1 below.

Table 1: Recreation Fees and Charges Framework, 2022 – Benefits Continuum

Benefits Continuum					
Who Benefits	Community only	Mostly the community and partially the user	Community and user equally	Mostly the user and partially the community	User only
Who Pays	0% User Fee 100% Tax Support	25% User Fee 75% Tax Support	50% User Fee 50% Tax Support	75% User Fee 25% Tax Support	100% User Fee 0% Tax Support

Given the high individual benefit a participant receives from a memorial bench program, the fee could be established at 100% cost recovery with 0% tax support. Additionally, memorial program participants typically have service expectations due to the personal connection with the bench which can result in higher levels of service than publicly funded amenities, further supporting the full cost recovery recommendation. Under Option 1, the proposed fee for a memorial bench will increase to approximately $4,300 for a full cost recovery model.

Municipal Comparison:

A scan of memorial bench fees charged by other local governments that have active memorial bench programs in place shows the City's 2008 established fee of $1,100 is well under the current industry fee. It is important to note that staff cannot directly compare the proposed memorial bench program fee with others from a cost recovery perspective, as very few organizations establish fees based on full cost recovery. The one exception is the Regional District of Nanaimo which does establish its fee at full cost recovery through its Amenity Donation Program Policy.

Table 2: Memorial Bench Fee Comparison

City of Vancouver	$8,500
Regional District of Nanaimo	$4,000
District of Saanich	$3,300
City of Powell River	$3,000
City of Parksville	$3,000
City of Penticton	$2,700
City of Campbell River	$2,800
Town of Qualicum	$2,500
Average Memorial Bench Fee:	**$3,725**

Advantages: By reinstating the Memorial Bench Program at 100% cost recovery, the City will develop a sustainable self -funded program that is based on full cost recovery while also securing important community amenities. Additionally, memorial program options do not need to be limited to memorial benches and could expand to include picnic tables, bike racks and trees which can also be considered as part of the program and follow the same 100% cost recovery model.

Disadvantages: A memorial furnishings program requires significant administrative time to establish. Based on the current workplan priorities it will take a year to re-establish a memorial program. Developing a new program includes activities that include but are not limited to: development of a memorial amenity policy, mapping of all current and potential future locations, creation of forms and contracts, and development of a communications strategy to help manage past donors, waitlisted donors, and future donors. Although there is potential to add more benches to existing parks, there is a risk that all the established locations, once filled, will result in a similar situation that the City faced in 2008 when the program needed to be put on hold and interested participants waitlisted. This was a similar scenario faced by the Comox Valley Regional District and the City of Port Alberni in their respective memorial bench programs.

Option 2: Reinstate the Memorial Bench Program at 75% Cost Recovery

Under option 2, the bench program would require the same program development considerations as identified in option 1, however considering the memorial bench is available to the public to utilize in a park or on a trail, it could be placed further along the benefits-based continuum where mostly the user benefits (through the dedicated plaque for 10 years) and partially the community benefits. This would place the memorial bench program at 75% cost recovery.

Based on this scenario, the fee would be set at approximately $3,225 and would be closer to the average memorial bench fee other jurisdictions are charging. Similarly, to Option 1, costs would be reviewed on a regular basis to ensure the service is being recovered at 75% of cost and the fee will be brought into the fees and charges bylaw.

Advantages: By reinstating the Memorial Bench Program at 75% cost recovery, the City will develop a program that is based on a portion of the costs being recovered directly by the individual participating in the

program and the remaining portion being funded by the taxpayer - recognizing the park amenity is available to the public to utilize. As with option 1, the memorial program option does not need to be limited to memorial benches. Memorial picnic tables, bike racks and trees can also be considered as part of the program and follow the same 75% cost recovery model for determining the fee.

Disadvantages: Option 2 would share the same disadvantages as identified in Option 1.

Option 3: Create a Parks and Recreation Donation Policy

Option 3 would direct staff to develop a donation or gift policy. Based on a review of other local governments that have a donation or gift policy or program in place, there are the following common features:

a. A variety of donation options are provided:
    - Donations toward different funds: neighborhoods, amenities, parks. No minimum or maximum amount.
    - Endowments: donations that generate interest that is equal or above a certain value can be directed towards identified areas such as park conservation, recreation, community centres, playgrounds, or project endowments; trail rebuilding, protecting an environmentally sensitive area, invasive species removal, replanting native trees.
    - Gifts to City Parks or Recreation facilities: Estate gifts to the City, through a will sum or percent of estate or beneficiary to lift insurance policy.
b. Established recognition levels associated with the amount or nature of the donation. Donations in access of a benchmark amount may receive a plaque or sign, donations of less than that benchmark could receive a certificate of acknowledgement. Other considerations include: public announcements, participation in official opening or public unveiling ceremonies, webpage or other acknowledgement as approved by a designated staff member.
c. City website landing page detailing each donation option with an online donation forms to reduce the in person administrative time required to process donations. This also allows for anonymous donations.

Advantages: This option helps provide an alternative funding sources for park spaces, park amenities or improvements that are funded outside of property taxation. Provides a sliding scale of amount of donation which lowers the barrier to participation.

Disadvantages: Does not provide a memorial option that matches the impact of a bench or other park asset with a plaque affixed on it at a fixed location where the donor will be able to physically visit. Administration of donation programs and funds requires extensive administration support which is often tax subsidized so as to avoid using donated funds towards administrative resources. The development of a donation policy would require significant time and administrative resources and would require a further report back to Council on implications, resources required, and timelines.

Option 4: Promote existing memorial programs in the Courtenay Civic Cemetery and Community

Other existing memorial alternatives within the community could be promoted or included as part of the decommissioning strategy to satisfy the outstanding community requests. As discussed in the 2019 staff report, these alternatives may include:

a. Existing City of Courtenay Civic Cemetery Memorial Programs (see Attachment 3):

a. Two options are available to the public through a memorial program in place in the Scattering Garden in the Courtenay Civic Cemetery. This includes memorial boulders with plaques or bronze plaque placed on a granite memorial book.

b. Referrals to community memorial programs:
    a. The City could compile a list of community partners that offer memorial options which may include cultural partners, adjacent local government organizations, private gardens, businesses, institutions, etc. For example:
        i. The Sid Williams Theatre (City cultural partner) offers commemorative seat plaques.
        ii. At Christmas anyone who would like to honour the memory of a loved one can include their name(s) on decorative tags, which will be added to the Memory Tree at the Comox Valley Hospice.
        iii. Donating to the Comox Valley Healthcare foundation can result in recognition in the donor wall at the hospital along with ensuring the mission of ensuring the pursuit of the best healthcare available.

Advantages: Directing memorial request to existing programs in place does not require any additional costs associated with a new memorial bench program. Courtenay Civic Cemetery memorial items are located in an area that is appropriately funded and, in a location, set aside by the City for memorials to be in place in perpetuity, matching the participants expectations.

Disadvantages: By restricting the memorial options to the Cemetery, the City may be missing an opportunity to provide additional park amenities to the public through a financially sustainable model proposed in Options 1 and 2.

OTHER CONSIDERATIONS:

Memorial Bench Programs Within Local Government in the Comox Valley

The Comox Valley Regional District (CVRD), Town of Comox and Village of Cumberland, all currently do not have active memorial bench programs. The Village of Cumberland is not planning to provide any sort of memorial option for parks infrastructure due to the significant administrative and logistical requirements to manage such a program. The Town of Comox is in the process of considering options for a memorial bench and tree program which will be considered by the Town's Council at a future date.

In May 2023, the Comox Valley Regional District (CVRD), removed its standard gift options (50 native plants, benches, tables, kiosks, park entrance signs) from its Leave a Legacy program for the following reasons:[1]

- Demand far exceeded the available locations for new benches. A majority of the demand is for benches in existing popular parks and trails that already have a sufficient number of benches that have dedication plaques in place.
- Concerns surrounding fiscal responsibility whereas the current memorial fee only covered a fraction of the actual cost to purchase, install and maintain a memorial bench;
- The cost to participate could be a barrier for all to participate. This can be perceived as a social inequity. The program unintendedly creates the ownership of a public asset.
- Concerns that this program reflects a colonial mindset which may not be consistent with CVRD's commitment to reconciliation.

[1] May 30, 2023 Comox Valley Regional District Staff Report – Leave a Legacy Program Review

- Concerns whether private memorials are appropriate in public parks.
- There is no consideration for the merit or contributions of the subject being memorialized to the community as applications are processed on a first-come, first serve basis and no vetting process is in place.

Outstanding Demand and Waitlists

Should Council reinstate the Memorial Program, the outstanding demand for memorial benches from the CVRD may shift to the City and result in additional waitlists. There are currently over 100 people on the City's waitlist as a result of interested donors requesting the same popular location such as the Airpark. Due to the length of time that has passed since the waitlist was established, the interested parties may have found other alternatives. However, if there is still interest, we anticipate there still being a demand for the same popular locations as experienced with the CVRD and the City of Port Alberni.

Decommissioning Policy

As outlined to Council at the May 21, 2019 meeting, staff identified the need to develop a communication plan for notifying waitlisted individuals and existing memorial bench program participants that the memorial program has been cancelled and to formulate a memorial program decommissioning policy. All memorial benches and other memorial items from the original program would have been in service for 10 plus years and would need to be replaced at a future date.

Regardless of Council's direction regarding options for a future memorial program, staff are recommending that all current memorial benches and other memorial items (put in place under the previous, now terminated program) be decommissioned as follows:

- If Council chooses not to start a new memorial bench program, all past participants will be notified of Council's decision to discontinue the program in 2019, and with the contract term of the donated item fulfilled, all plaques will be removed and returned to the original donor on file or stored for a period of up to one year if staff cannot contact the original donor.
    - Persons on the waitlist will also be notified of Council's decision to discontinue the program and their contact information will be removed from City records.
- If a memorial bench program is reinstated by Council, staff would connect with all past participants to offer them the first right of refusal to purchase a memorial bench under the new program and the new fee as established by the fees and charges bylaw. If the donor cannot be reached, the plaque will be removed and stored for a period of up to one year and the location will be made available to individuals on the waitlist.

This final step would establish the conditions of the memorial benches currently in inventory and communicate that the City has fulfilled its contractual obligation.

A Council endorsed decommissioning policy supports staff with the potentially challenging conversations that are expected once people are contacted and notified that the existing memorial benches are being decommissioned as they have far exceeded the contractual terms. Staff anticipate these challenging conversations based on the experience of other communities who have cancelled their memorial bench programs.

NEXT STEPS:

Should Council proceed with Option 1 or Option 2, staff will return with a staff report detailing the new Memorial Bench Program that includes a memorial amenity donation policy as well as recommended fees and charges. The policy will outline the process, terms and conditions for a donor to participate in the memorial program. Due to existing workplan priorities, the timeline for this staff report will be in 2025.

Staff would start contacting donors to inform them that the memorial bench program will be restarted and they have first right of refusal to donate a new bench at the existing location. Once all donors have been contacted and have confirmed they are not interested in participating, or alternatively donors cannot be reached or have not responded after three months of notice, waitlisted persons will be notified that the program will restart at a later date and asked if they are still interested in participating.

POLICY ANALYSIS:

Official Community Plan, 2022

Parks and Recreation Objective 2: Recreation amenities, services, and programming are expanded and enhanced to support increased health, wellness, and social connections for all residents.

FINANCIAL IMPLICATIONS:

Option 1

The anticipated impacts to the 2025 operational budget would be net zero as the required operational expense to start and implement a new memorial program will be offset by the fees collected for the memorial program which will be set at 100% cost recovery. The full financial implications will be reported back to Council alongside the memorial bench program donation policy.

Option 2

The anticipated impact to the 2025 operating budget would be approximately $21,500 based on a 25% tax subsidization / 75% tax recovery of the memorial program and an estimated 20 new memorial benches being installed each year.

Option 3

The anticipated cost to develop a donation policy is unknown at this time. Should Council choose Option 3, staff would report back with the cost, timelines, and proposed process for approval.

ADMINISTRATIVE IMPLICATIONS:

The administration and operational implementation of a new memorial program will be determined and established based on an internal review of how best the program would be delivered organizationally.

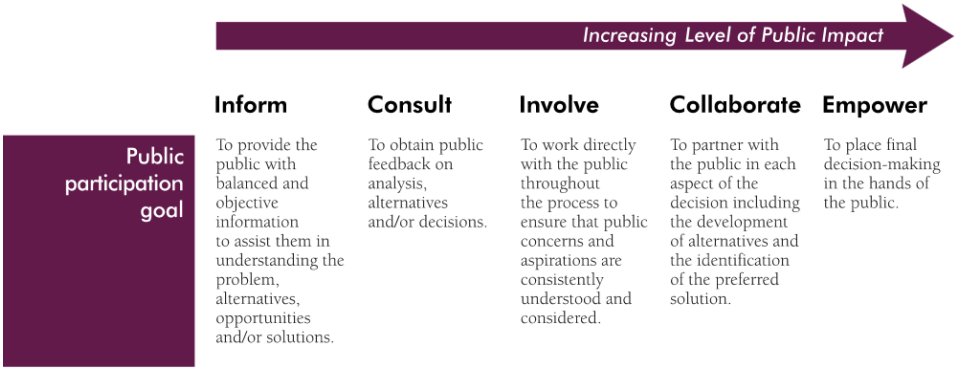
STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Financial Sustainability - Review City Financial processes: Review fees, charges, and fines

PUBLIC ENGAGEMENT:

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



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OPTIONS:

1. THAT Council direct staff to develop a new memorial bench donation program and return to Council with a staff report on the memorial program that includes a Memorial Bench Donation Policy; and
   THAT the memorial bench donation program establish its fees at 100% cost recovery.
   (Recommended)
   2. THAT Council direct staff to proceed with the decommissioning of existing memorial benches as outlined in the "Memorial Bench Program Options" report. **(Recommended)**
3. THAT Council direct staff to develop a new memorial bench donation program and return to Council with a staff report on the memorial program that includes a Memorial Bench Donation Policy; and
   THAT the Memorial bench program establish its fees at 75% cost recovery.
4. THAT Council direct staff to report back on timing, resources, and implications of developing a Parks and Recreation Donation Policy that would accept financial donations to fund park or recreation programs, operations and maintenance, amenities, and or capital projects.
5. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Staff Report DRCS 2019-04-01 Memorial Program and Public Feedback on the April 1, 2019 Staff Report
2. Memorial Bench Estimated Cost
3. Courtenay Civic Cemetery Brochure

Prepared by: Joy Chan, Manager of Business Administration, Recreation, Culture and Community Services
Reviewed by: Susie Saunders, Director of Recreation, Culture, and Community Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council **File No.:** 6200-05

From: Chief Administrative Officer **Date:** April 1, 2019

Subject: **Memorial Program**

PURPOSE:

The purpose of this report is to provide Council options on the future of the dormant memorial bench program.

EXECUTIVE SUMMARY:

The administrative impacts of memorial programs are often underestimated. The lifecycle cost of a regular park bench is approximately half of that of a memorial bench, and the associated subsidy benefits a select group of donors. Staff and the Parks and Recreation Advisory Commission ask Council to consider not reinstating the dormant memorial program.

CAO RECOMMENDATIONS:

That based on the March 25, 2019 staff report "Memorial Program", Council adopt OPTION 1 and direct staff to discontinue the existing memorial program.

Respectfully submitted,

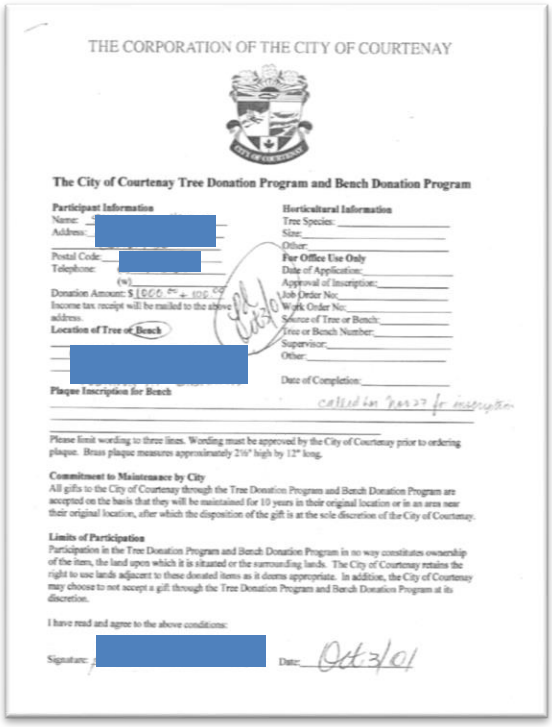
David Allen, BES, CLGEM, SCLGM
Chief Administrative Officer

BACKGROUND:

Across North America municipalities have had donor/memorial bench programs for the last 20 to 30 years. The Courtenay's formal memorial bench program was initiated in 1997 with the first bench donated by Stan and Judy Hagen. At that time it was anticipated that the City would be contributing 40% of the cost. The pricing was as follows:

Park bench - $480	Park/boulevard tree - $180
Street bench $780	Tree in a sidewalk - $420

These fees were anticipated to be 60% of the total cost of the bench, pad and plaque including purchase, installation, and 10 years of maintenance. From this we can deduce that the total



THE CORPORATION OF THE CITY OF COURTENAY

The City of Courtenay Tree Donation Program and Bench Donation Program

Participant Information
Name:
Address:
Postal Code:
Telephone:
(w)
Donation Amount: $1000.00 + 100.00
Income tax receipt will be mailed to the above address.
Location of Tree or Bench
Plaque Inscription for Bench
called in 2017 for inscription
Please limit wording to three lines. Wording must be approved by the City of Courtenay prior to ordering plaque. Brass plaque measures approximately 2½" high by 12" long.

Horticultural Information
Tree Species:
Size:
Other:
For Office Use Only
Date of Application:
Approval of Inscription:
Job Order No:
Work Order No:
Source of Tree or Bench:
Tree or Bench Number:
Supervisor:
Other:
Date of Completion:

Commitment to Maintenance by City
All gifts to the City of Courtenay through the Tree Donation Program and Bench Donation Program are accepted on the basis that they will be maintained for 10 years in their original location or in an area near their original location, after which the disposition of the gift is at the sole discretion of the City of Courtenay.

Limits of Participation
Participation in the Tree Donation Program and Bench Donation Program in no way constitutes ownership of the item, the land upon which it is situated or the surrounding lands. The City of Courtenay retains the right to use lands adjacent to these donated items as it deems appropriate. In addition, the City of Courtenay may choose to not accept a gift through the Tree Donation Program and Bench Donation Program at its discretion.

I have read and agree to the above conditions:

Signature:
Date: Oct 3/01

anticipated cost of a park bench was $800 over 10 years. This pricing was low but not unlike programs in other jurisdictions.

Each donor received a tax receipt for their participation in the program and was to sign an agreement identifying that the donation was for a 10 year term. The wording on the agreement is as follows:

> "All gifts to the City of Courtenay through the Tree Donation Program and Bench Donation Program are accepted on the basis that they will be maintained for 10 years in their original location or in an area near their original location, after which the disposition of the gift is at the sole discretion of the City of Courtenay."

The Courtenay memorial program was put on hold in 2008. Many other municipalities took similar action based on the expiration of the first benches, increased demand, and identification that the program was subsidized at a much higher rate than originally anticipated. Since then over 100 people have asked to be put on a waiting list in case the Courtenay memorial program is reinstated.

DISCUSSION:

Memorial programs were initiated with the optimistic but unrealistic view that the community was getting a free bench in exchange for a public memorial. Over the last 30 years it has become clear that the expectations attached to a memorial bench have caused the soft costs to rise far beyond the quoted 'purchase price' due to program administration and increasing requests for service. A memorial bench program has an unintended and inevitable higher service level than other similar services due to the personal expectations of donors for maintenance and upkeep of their specific asset. To some, these assets are used in place of a tomb stone and therefore seen as sacred. In contrast, some park users comment that the presence of public memorials add morbidity to public space and don't add value to the experience for the common users.

Tributes: Memorial benches on Jersey, one with flowers and cards

that these are benches for people to sit on but often you do not want to sit on them because they become too personal. It is like standing on someone's grave.'

encouraged by some. Sales benches at Maldon Cemetery ar Promenade Park in Essex we suspended by the district coun in February last year amid co

Daughter condemns $2,000 extra for mom's memorial park bench in Sooke

KEVIN GRIFFIN Updated: December 10, 2017

In Vancouver, a memorial park bench costs $4,000 for 10 years. JON MURRAY / PROVINCE

Since the program's inception, more residents are being cremated, thereby placing additional strain on memorial programs. Family members look for a public place to remember loved ones and commonly prefer settings outside of a cemetery with the vast majority of local inquiries requesting the Courtenay Airpark. 30 years ago only 62.3% of deaths in BC resulted in cremation. The BC cremation rate rose to 82% in 2011. However the statistic for Courtenay is 94.6% preferring cremation. (see appendix 1)

If the program were active and advertised, the demand would be expected to far exceed the available spaces. Many municipalities have parks with an excessive number of memorial benches in part to satisfy demand for memorials rather than the need for park benches. In Courtenay, limits were placed on memorial benches at the Air Park recognizing that if demand determined the location, the Air Park would have benches far exceeding actual need.

There is a general expectation by participants that memorials are maintained in perpetuity. The existing benches in Courtenay were installed under 10 year terms with the majority now expired. Since contracts

may only have been witnessed by the signatory, other family members may not be fully informed of this contract term. In Courtenay there are 325 memorial items, most of which have expired contracts.

Other municipalities have tried to resolve these completed contracts by removing the plaque and making the space available to other participants. There has been substantial backlash in other jurisdictions where poorly executed. Staff recommend that separate consideration is given to the existing memorials and addressed through future policy.

Although memorial programs are very common, Council is asked to consider if a public memorial outside of a cemetery is actually a core service to the citizenship of Courtenay. Effective City services benefit a large number of citizens or serve marginalized populations. If a service does not meet this threshold, it should be a full cost recovery service. In this model, the value of the service is calculated and pricing is established to fully recover the cost of participation. In most municipalities the value of participation is calculated considering the following factors:

Memorial Bench Valuation:

Build/Install Concrete Pad	
Labour	240
Materials	300
Installation of bench	80
Purchase of bench	1250
Plaque engraving	300
Maintenance (10 yrs)	
Pressure washing	400
Graffiti Removal	400
Administration fee	30
Total Value	**$3,000**

Although this methodology is common, it fails to acknowledge the cost of the administration of the program itself. This includes bench/plaque replacements, removal of flowers/plantings, advertising, brochures, front desk meetings with the clients, point of sale, financial administration including receipting, record keeping and the ongoing service requests from the client. These costs are estimated at an additional $500 per bench over a 10 year term.

Bench installation and lifecycle costs:
Memorial program = $3,500
Regular bench = $1,870
Note: A key consideration in the calculation of these costs is the expected service levels associated with these 2 scenarios.

If the service was priced at $3,500 to be full cost recovery, there is $1,870 in value to the community at large while $1,630 in additional value to the donor family. Memorial bench programs seldom have staff dedicated to the service. The demands of the program bring office staff from their core responsibilities and field staff from regular maintenance resulting in lowered levels of service for core operations. For example, park and street benches are usually installed in a timing that fits the work plan of a crew. Normally with a memorial program the timing of bench installations is on the basis of customer orders and associated service level expectations. The demand-based nature of this work tends to be less efficient and therefore more costly.

'A shame': Richmond family to lose memorial bench bought in 1990s

Posted By: CBC News on: January 22, 2019 In: CBC

A family that bought a park bench to honour deceased loved ones in Richmond — before the city changed its fee structure in 2003 — hopes to hold on to the bench, and avoid paying $3,000 for another ten years.

Typically the true costs are not reflected in the program fees. If the full value of the program were included in the cost of participation in the program, the pricing would appear to be an unfair burden on mourners. Many municipalities are increasing the cost of a memorial programs to reduce the burden on taxpayers that would be unwilling to bear this subsidy.

The price of participation in a memorial bench program varies substantially between municipalities. The Courtenay program was $1,100 in 2008. If this price doubled to $2,200 it would be close to the median of other municipal programs, but only 63% of the true costs. (see appendix 2)

Staff estimate that during the first year of reinstatement there could be a demand of over 100 benches and the years there after to level out closer to 30 benches annually. Provision would need to be made to satisfy this demand on staff capacity.

Council is regularly faced with the public desire to memorialize prominent citizens or the victims of tragic circumstances. If this is a priority for Council, a well-resourced program will be needed to provide clarity on memorial options.

A well designed memorial program can address efficiencies, limit available space to reasonable annual quantities and ensure that the memorial placement serves the community needs. However, dedicated staff resources, and clear program parameters are needed.

If reinitiated, a new program would involve the following elements:

	Program Component	Departments Involved*
-	A program policy with pricing and appropriate promotion	RCS, LS, Communications
-	Clarity on the contractual term of participation	RCS, LS
-	Contact with those on waitlist	RCS
-	A mapped listing of available memorial locations	RCS, GIS, PWS
-	Coordinated installation of assets and plaques	RCS, PWS
-	Systems for tracking and maintaining contact with participants	RCS
-	Renew available bench locations annually	RCS, PWS

**RCS = Recreation and Cultural Service, LS= Legislative Services, PWS= Public Works Services, GIS=Geographic Information Systems*

NEWS » WHISTLER September 25, 2016

Tribute program a 'cash grab,' says bench-holder

Nicolls saddened memorial bench being replaced

By Brandon Barrett

Key to a sustainable program is to establish the program service level through policy. One effective way to accomplish this is to clearly outline the number of memorial locations that will be available annually and when installations will occur.

Alternatives should be developed to satisfy community memorial requests. These alternatives may include:

Gifts program:

> Through this program service clubs and individuals may gift cash or products to the City. The donor would be receipted for their donation. Common examples of gifts are, playgrounds, in-kind labour, signage, public art, lighting, trail improvements, facility equipment, room upgrades, etc. A gifts program should always be accompanied with a recognition policy that stipulates that the scale of

recognition is proportional to the size of the gift. All recognition should also have an expiry date specified.

A memorial wall, garden or other centralized opportunities for memorial. It is ideal if these are in a pleasant location and yet not on a main thoroughfare.

Cemetery recognition:

The Courtenay and District Cemetery currently offers various memorial options to clientele. This includes memorial walls, plaques, headstones, etc. The list of product options could be expanded at the cemetery.

Referrals to partners:

The City keeps a list of community partners that offer memorial options. These include cultural partners, adjacent municipalities, private gardens, businesses, institutions, etc.

Since the current memorial program is dormant and outdated, Council is at a crossroads. Staff and the Parks and Recreation Advisory Commission recommend discontinuing the service.

FINANCIAL IMPLICATIONS:

Discontinuing the service will not require an additional budget allocation.

Reinstituting the program will require just over $100,000 additional budget in various departments. The first 2 years will require more funds than the subsequent years. Year 1 will include program development, communication with participants and waitlist, and mapping of available donations. Year 2 would be the first year of implementation (relieving the pent-up demand). Departmental increases are as follows:

Department	Year 1		Year 2		Ongoing	
	Hours	*Budget*	*Hours*	*Budget*	*Hours*	*Budget*
Recreation & Cultural Services (Administration)	1,000	0	500	0	500	0
Public Works Services (Installation & Maintenance)	200	100,000	200	100,000	200	100,000
Legislative Services (Policy, GIS & Communications)	35	2,000	21	1,000	14	0
Total	**1,235**	**102,000**	**721**	**101,000**	**714**	**100,000**

ADMINISTRATIVE IMPLICATIONS:

The administration of the memorial program is coordinated through the Recreation and Cultural Services Department. This includes, point of contact and point of sale with participants, program and policy development. The purchase, installation and maintenance of assets resides with the Public Works Department. The Legislative Services Department oversees policy, GIS and corporate public communication. The implications to staff capacity are noted above.

ASSET MANAGEMENT IMPLICATIONS:

The lifecycle costs of memorial assets are substantially increased based on customer driven service level expectations as noted above. The discontinuation of this program will not negatively impact the available seating or tree planting services offered to the community.

STRATEGIC PRIORITIES REFERENCE:

We focus on organizational and governance excellence

- Support and encourage initiatives to improve efficiencies
- Recognize staff capacity is a finite resource and support staff training and development
- Communicate appropriately with our community in all decisions we make
- Responsibly provide services at levels which the people we serve are willing to pay
- Focus on asset management for sustainable service delivery

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

OFFICIAL COMMUNITY PLAN REFERENCE:

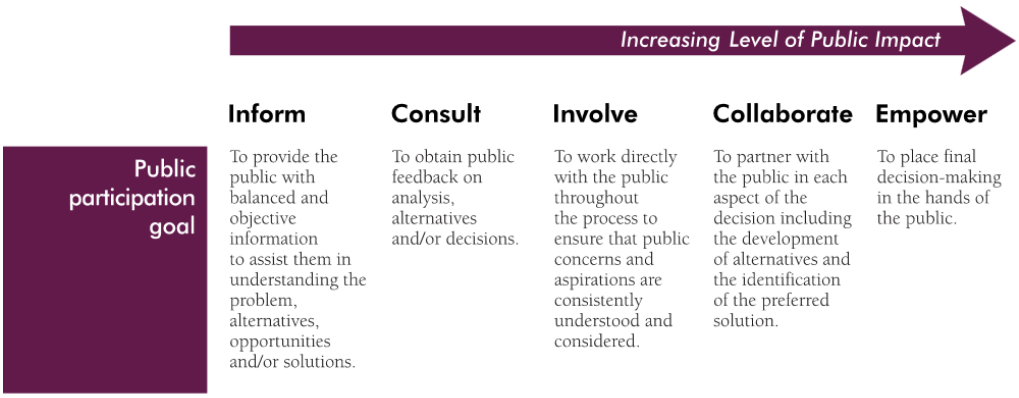
No specific reference

REGIONAL GROWTH STRATEGY REFERENCE:

No specific reference

CITIZEN/PUBLIC ENGAGEMENT:

Staff have **consulted** with the Parks and Recreation Advisory Commission in the development of this report as identified in the *IAP2 Spectrum of Public Participation.*



OPTIONS:

1. Council direct staff to formally discontinue the existing memorial program
2. Council direct staff to formally discontinue the existing memorial program; and
   Direct staff to create centralized locations for public memorials
3. Council direct staff to create a new memorial program based on sustainable service levels
4. Council refer this item back to staff for further consideration
5. Council takes no action on this matter at this time.

Prepared by:

Dave Snider *BCSLA*

Director of Recreation and Cultural Services

Attachments:

1. Method of Disposition by Decedent's Local Health Area of Residence
2. Memorial Bench Pricing Comparison

Appendix 1

Vital Statistics Information Box

Method of Disposition by Decedent's Local Health Area of Residence

British Columbia, 2011

Local Health Area		Burial		Cremation		Other	Total
		Number	Percent	Number	Percent		
001	Fernie	18	18.9	77	81.1	-	95
002	Cranbrook	23	11.5	175	87.5	2	200
003	Kimberley	5	6.1	77	93.9	-	82
004	Windermere	6	8.1	68	91.9	-	74
005	Creston	40	25.2	119	74.8	-	159
006	Kootenay Lake	1	2.7	36	97.3	-	37
007	Nelson	38	20.7	143	77.7	3	184
009	Castlegar	40	31.0	88	68.2	1	129
010	Arrow Lakes	9	13.8	56	86.2	-	65
011	Trail	23	12.4	160	86.5	2	185
012	Grand Forks	28	25.7	81	74.3	-	109
013	Kettle Valley	1	3.1	31	96.9	-	32
014	Southern Okanagan	40	15.2	224	84.8	-	264
015	Penticton	61	11.8	456	88.2	-	517
016	Keremeos	9	15.3	50	84.7	-	59
017	Princeton	-	0.0	64	100.0	-	64
018	Golden	6	15.0	34	85.0	-	40
019	Revelstoke	10	15.4	55	84.6	-	65
020	Salmon Arm	55	18.0	251	82.0	-	306
021	Armstrong-Spallumcheen	10	13.9	62	86.1	-	72
022	Vernon	93	14.4	550	85.3	2	645
023	Central Okanagan	201	13.1	1,323	86.5	6	1,530
024	Kamloops	95	10.3	811	88.0	16	922
025	100 Mile House	15	11.6	114	88.4	-	129
026	North Thompson	3	10.7	25	89.3	-	28
027	Cariboo-Chilcotin	38	22.5	131	77.5	-	169
028	Quesnel	29	14.1	174	84.9	2	205
029	Lillooet	9	22.5	30	75.0	1	40
030	South Cariboo	11	15.9	58	84.1	-	69
031	Merritt	22	21.2	81	77.9	1	104
032	Hope	15	16.0	79	84.0	-	94
033	Chilliwack	126	18.3	560	81.2	4	690
034	Abbotsford	239	25.2	702	74.1	6	947
035	Langley	127	12.8	856	86.6	6	989
037	Delta	84	11.9	614	87.2	6	704
038	Richmond	216	23.4	692	75.1	14	922
040	New Westminster	72	15.6	387	83.6	4	463
041	Burnaby	325	24.7	958	72.9	31	1,314
042	Maple Ridge	60	9.9	542	89.7	2	604
043	Coquitlam	175	17.4	817	81.1	15	1,007
044	North Vancouver	115	14.4	676	84.4	10	801
045	West Vancouver-Bowen Is.	56	12.7	383	86.7	3	442
046	Sunshine Coast	23	8.2	258	91.8	-	281
047	Powell River	23	11.8	170	87.2	2	195
048	Howe Sound	18	14.4	107	85.6	-	125
049	Bella Coola Valley	9	60.0	6	40.0	-	15
050	Queen Charlotte	17	42.5	23	57.5	-	40
051	Snow Country	1	-	5	83.3	-	6
052	Prince Rupert	32	36.0	56	62.9	1	89
053	Upper Skeena	12	38.7	19	61.3	-	31
054	Smithers	33	26.6	91	73.4	-	124
055	Burns Lake/Eutsuk	20	39.2	30	58.8	1	51
056	Nechako	40	36.7	69	63.3	-	109
057	Prince George	101	17.6	473	82.3	1	575
059	Peace River South	42	19.7	171	80.3	-	213
060	Peace River North	38	25.9	109	74.1	-	147
061	Greater Victoria	251	11.8	1,852	87.4	17	2,120
062	Sooke	34	8.8	350	90.7	2	386
063	Saanich	65	9.4	618	89.6	7	690
064	Gulf Islands	8	5.8	130	94.2	-	138
065	Cowichan	66	13.9	409	85.9	1	476
066	Lake Cowichan	4	8.9	41	91.1	-	45
067	Ladysmith	23	10.5	197	89.5	-	220
068	Nanaimo	91	9.4	869	90.2	3	963
069	Qualicum	25	4.6	515	95.0	2	542
070	Alberni	48	14.0	294	86.0	-	342
071	Courtenay	30	5.2	546	94.6	1	577
072	Campbell River	16	4.8	319	94.9	1	336
075	Mission	41	13.9	253	86.1	-	294
076	Agassiz-Harrison	16	19.5	66	80.5	-	82
077	Summerland	17	11.0	137	89.0	-	154
078	Enderby	14	17.9	64	82.1	-	78
080	Kitimat	27	32.5	56	67.5	-	83
081	Fort Nelson	7	30.4	16	69.6	-	23
083	Central Coast	7	77.8	2	22.2	-	9
084	Vancouver Island West	1	16.7	5	83.3	-	6
085	Vancouver Island North	22	25.9	62	72.9	1	85
087	Stikine	2	50.0	2	50.0	-	4
088	Terrace	38	26.4	106	73.6	-	144
092	Nisga'a	6	60.0	4	40.0	-	10
094	Telegraph Creek	4	100.0	-	0.0	-	4
161	Vancouver - City Centre	126	19.4	519	79.7	6	651
162	Vancouver - Dwntwn E.Side	140	28.0	357	71.4	3	500
163	Vancouver - North East	243	43.8	295	53.2	17	555
164	Vancouver - Westside	172	24.5	522	74.5	7	701
165	Vancouver - Midtown	135	34.7	240	61.7	14	389
166	Vancouver - South	261	31.8	546	66.4	15	822
201	Surrey	328	17.7	1,513	81.5	16	1,857
202	South Surrey/White Rock	133	14.4	789	85.2	4	926
PROVINCIAL TOTAL		**5,362**	**16.9**	**26,155**	**82.3**	**259**	**31,776**

Note: Total includes residents with unknown LHA.

Appendix 2

Memorial bench pricing comparison:

City	Price	Term	Notes
1. Colwood	1,000	5 years	
2. Metckosin	1,986	10 years	
3. Port Coquitlam	1,500 – 2,500	10 years	
4. Richmond	3,000	10 years	
5. Surrey	2,500 – 3,500	20 years	
6. Vancouver	4,000	10 years	
7. Esquimalt	3,000	20 years	
8. New York City	10,000	30 years	
9. BC Parks	3,000	10 years	
10. Oak Bay	3,000	15 years	may not be active
11. District of Sooke	2,000	10 years	
12. Whistler	3,000	15 years	Tribute program
13. Sidney	3,000	10 years	
14. Saanich	2,920	10 years	

Public Feedback Summary on the April 2019, Staff Report “Memorial Program”

At the April 1, 2019 Council meeting, Council resolved the following:

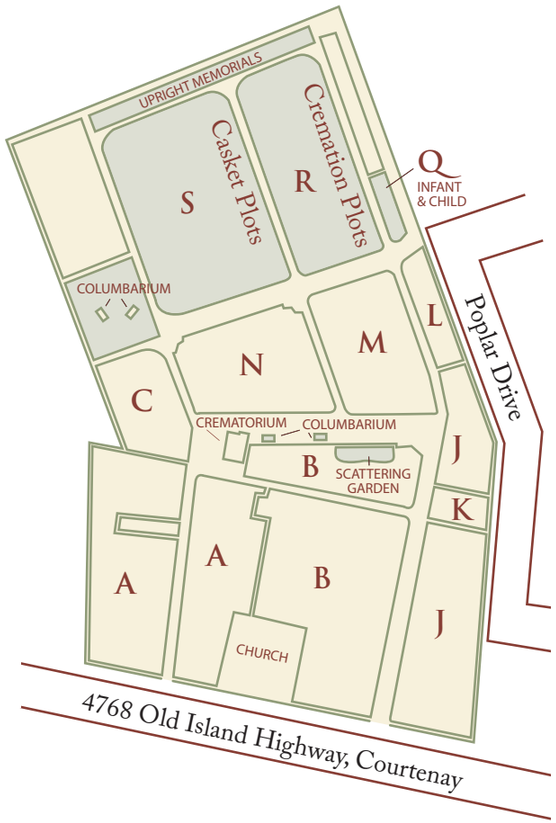
> *“That Council postpone consideration of the March 25th, 2019 staff report “Memorial Program”, until the May 6th or 21st, 2019 regular Council meeting in order to provide the public an opportunity to forward thoughts related to the memorial program to staff and Council for consideration.”*

Staff received feedback by email. Based on a review of the Council meeting video, a summary of public responses to the April 1, 2019 staff report - memorial bench options is provided below:

- Two e-mail respondents misunderstood that the cancellation of the memorial program meant there would be no benches in parks. Staff cleared up this misunderstanding. Benches would still be available in parks.
- One e-mail respondent asked that staff consider a neighbourhood park walk of achievement whereas local area residents could be memorialized in the park.
- One suggestion volunteers look after the memorial benches.
- Parks and Recreation Advisory Committee responded with a question if there would considerations to expand the existing cemetery memorial options currently available.

Attachment 2: Memorial Bench Estimated Cost

Memorial Bench Cost Estimation (Direct cost):	Staff Time (hrs)	Occurrences (or once per year)	2024 (rounded)
Build/Install Concrete Pad			
Labour	4	1	$200
Materials			$200
Installation of bench	2	1	$100
Purchase of bench			$1,600
Plaque and engraving			$300
Maintenance			
Pressure washing	1	10	$500
Graffiti Removal (Urban Issues cleanup)	1	10	$500
Program administrative costs: establish program, GIS mapping inventory, communications plan, process request, take payment, review plaque wording, place order, update online inventory, follow up on vandalism , maintenance, etc. decommission at the end of term, notify and arrange pick up of plaque.	20	over the life of the bench	$900
*Based on 2024 labour rates including benefits		**Total**	**$4,300**



Location

The cemetery is located on the north side of Courtenay, at 4768 Old Island Highway, between Muir Road and Veterans Memorial Parkway.

We're Here to Help

Whether you are planning ahead or have recently experienced the loss of a loved one, The City's cemetery staff can assist you in making choices that will meet your needs as you prepare for a meaningful memorial service and burial.

The City offers other products and services in addition to those described in this brochure. Please contact us for details. Additional cemetery information is also available on the City's website at www.courtenay.ca/cemetery.

Visiting Hours

The cemetery is open to the public seven days a week from 8:00 am to 8:00 pm, except during winter months.

Dogs are prohibited.

To locate a grave site, please contact the Legislative Services Department at Courtenay City Hall between the hours of 8:30 am and 4:30 pm, Monday through Friday.

For further information, please contact:

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

tel: 250-334-4441

fax: 250-334-4241

cemeteryadmin@courtenay.ca

www.courtenay.ca/cemetery

Courtenay Civic Cemetery

4768 Island Highway, Courtenay

Floral Offerings

Cut flowers, wreaths, and floral offerings may be placed on graves. The City will remove them once their condition has deteriorated. Please place flowers in the containers supplied by the City.

Fresh flowers are allowed year-round. Artificial flowers are only permitted between November 1 and March 31.

Please do not plant your own trees, shrubs, plants, flowers, or bulbs in the cemetery. For the safety of visitors and staff, placing items such as personal mementos, photos, vases, candles, or landscape rock is not permitted.

Size of Plots

Casket Plot	4' x 9'	*Holds one casket plus four sets of cremated remains. A $75 fee applies to each set of cremated remains placed*
Cremation Plot	5' x 2'	*Two sets of cremated remains*

Rates *All rates are subject to GST*

Plot Sales	Resident	Non-Resident
Casket Plot	$ 632	$ 1,040
Casket Plot - Upright Marker	$ 732	$ 1,140
Cremation Plot	$ 300	$ 420

Burial Fees	Mon-Fri*	Sat-Sun, holidays
Casket Burial	$ 1,215	$ 1,500
Cremation	$ 285	$ 427

**after 3:30 pm Mon-Fri, add $250*

Fees effective March 16, 2009

Memorial Markers

Memorial markers for burial and cremation lots may be ordered through a funeral home or directly with a monument company. Markers must be made of granite or bronze. Handmade markers are not permitted.

Markers are installed flat, at or below ground level. To ensure uniformity within the cemetery, all markers must be installed by city staff. Contact City Hall for marker specifications.

Granite Flat Marker Install Fee $ 150

Flat markers maximum dimensions:

Single Plot:	16" wide by 28" long
Double Plot:	18" wide by 30" long
Cremation Lot:	12" wide by 20" long

Markers may be smaller than the maximum allowed.

Upright Memorials

Available in designated areas - see map on reverse.

Upright markers maximum dimensions:

Single Plot: 30" wide by 24" high by 6" thick

Double Plot: 36" wide by 24" high by 6" thick

Monument company installs upright memorials.

Memorial Boulders

Memorial boulders are a natural, environmentally friendly way to memorialize a loved one. Boulders are supplied and placed by the City in designated areas. Scattering of cremated remains around the boulders is permitted. Memorial boulders may have up to two 4" by 6" bronze plaques. Porcelain portraits are also available.

Memorial Boulder *(includes plaque)*	$ 800 ($ 1,600 non-resident)
Second Plaque:	$ 300

Scattering Garden

The growing acceptance of cremation has generated a demand for alternative ways to memorialize loved ones. The spreading of cremated remains in the scattering garden will ensure a permanent record is kept with the City. A bronze plaque to honour loved ones may also be purchased for placement in the granite memorial book.

Scattering	$ 120 ($ 220 non-resident)
Bronze plaque	$ 250 (3" x 4")

Columbarium

A columbarium is a freestanding wall with compartments, or niches, to hold cremated remains. Two urns of average size fit in one niche space. (*Please note:* embellishments on some wooden urns may make them too large.) The columbarium is granite faced, and adorned with bronze inscribed plaques and bud vases to memorialize loved ones.

Niche (12"x 12")	$ 1,000 ($ 1,800 non-resident)
Opening & closing	$ 100 ($ 150 weekends)
Bronze plaque	$ 475
2nd Name scroll	$ 125

Columbarium Porcelain Memorial Portrait

In addition to a bronze plaque, a memorial porcelain portrait mounted on the front of a niche space creates an everlasting memory. For more information, sizes, and price ranges, please contact the cemetery department at City Hall.

CITY OF COURTENAY
CEMETERY FEES
EXPLANATION OF RESIDENTS & NON-RESIDENT RATES

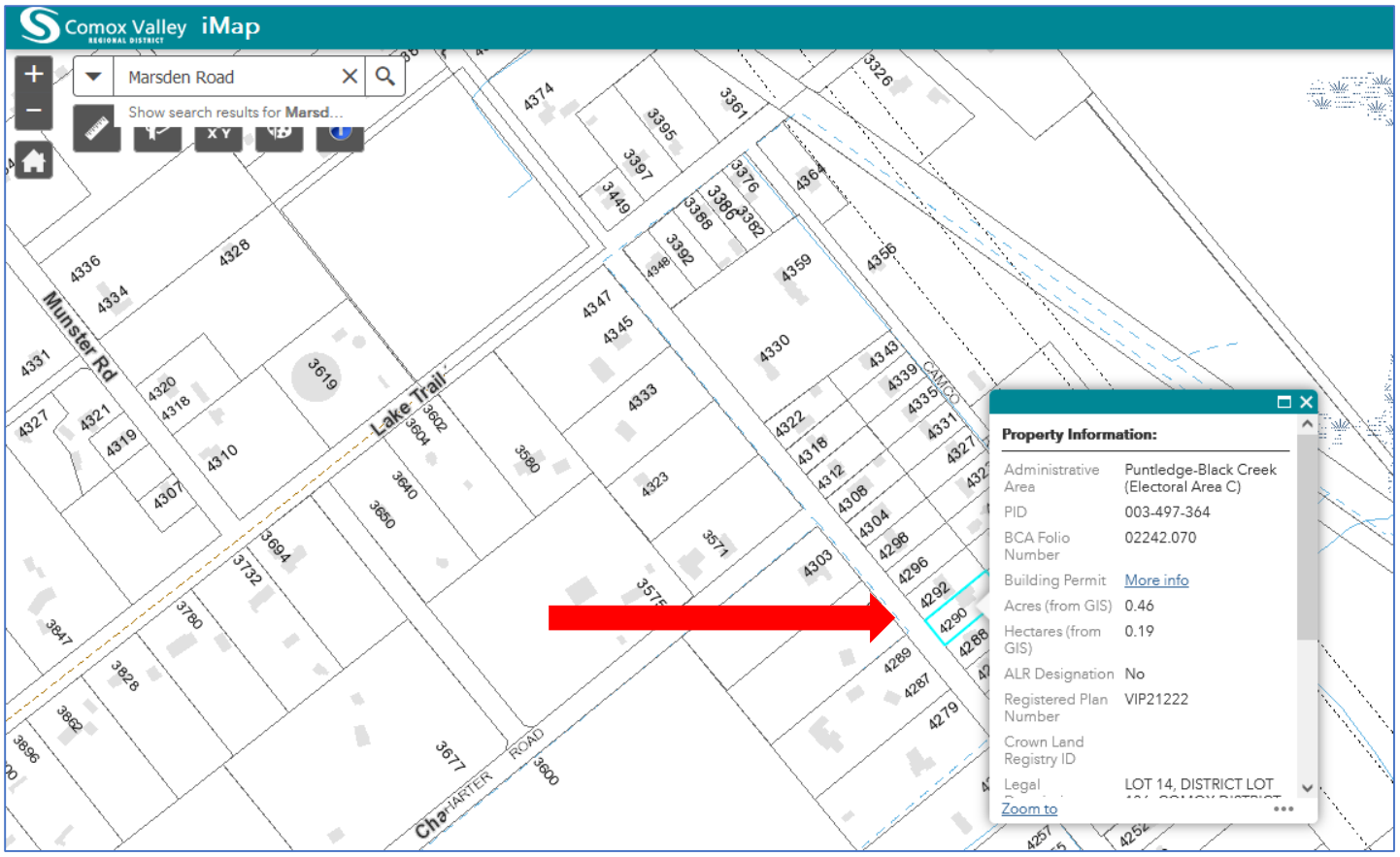
You will notice within the fee schedule on the following pages, reference to **"RESIDENT FEES"** and **"NON-RESIDENT FEES"**.

The City of Courtenay *"Cemetery Management Bylaw No. 2569, 2009"*, defines "Non-Resident" as follows:

> **"Non-Resident"** means any person who does not live within the municipal limits of the City of Courtenay, Town of Comox or within boundaries of Electoral Area 'B', Comox Valley Regional District, except that a person who at the time of death was the owner as defined in the Municipal Act of Real Property within the City of Courtenay, Town of Comox, or the Electoral Area 'B' of the Comox Valley Regional District would for the purposes of this bylaw be considered a resident.

The City owns and operates the cemetery however, capital funds are also received from the Town of Comox and Electoral Area 'B', Comox Valley Regional District that are put towards the cemetery function which pays for capital items such as irrigation upgrades, new niche walls, fencing, development of new sections, new garbage receptacles, plantings, etc.

Note that not all properties that are addressed as "Courtenay" are located within the City of Courtenay Municipal Area. If unsure admin staff will be happy to confirm for you. You may also visit the CVRD's Imap to check if your property is located within Electoral Area B, click on the link here: https://mapviewer.imaptoo.ca/secure/ . You can search by address and then click on the property when the map zooms into the area. An information pop up window will open as shown in the example below and will display the Electoral Area for you.



The Corporation of the City of Courtenay

Briefing Note

To: Council **File No.:** 7200-01

From: Fire Chief Kurt MacDonald **Date:** July 31 2024

Subject: Courtenay Fire Department 2024 Semi-annual Activity Report

PURPOSE:

To provide Council with a brief recap of fire department activity between January 1 2024 and June 30 2024.

BACKGROUND:

The following is a summary of fire department activities performed during the first half of 2024.

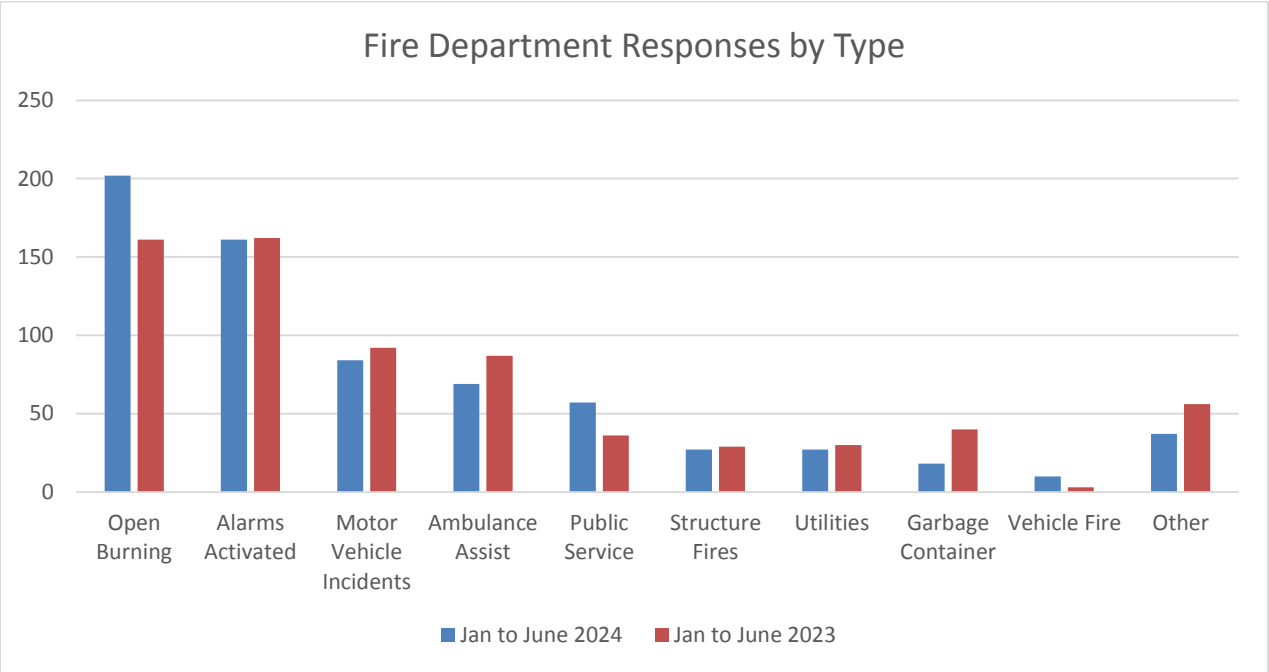
Fire Department Responses

The fire department responded to 692 incidents between January 1st and June 30th 2024, which is 4 fewer calls than we responded to in the same time period in 2023. Many of the responses made by our crews were to open burning (202), alarms activated calls (161), motor vehicle incidents (84), and ambulance assists (69).

	Q1	Q2	Q3	Q4	2024 Total	2023 Total	+/-
Non-Emergency Calls	170	148	-	-	318	244	+74
Emergency Calls	192	182	-	-	374	452	-78

Changes in our dispatch procedures for open burning calls and ambulance assists have resulted in a decrease in emergency responses, as these calls are now handled by our weekday staff and our weekend coverage shift, which is staffed by our volunteer members. This reduction in general callouts for these types of calls has greatly improved the work-life balance of our volunteer members.

Responses to open burning issues and public service requests are the categories that have the largest increases in comparison to the same time period in 2023, while ambulance assists and garbage container fires are the categories that have the largest decrease when compared to last year.



Training

The volunteer members of our organization invested 870 hours on training subjects including firefighter survival drills, live fire drills, auto extrication and high angle rescue. Our members also participated in joint emergency vehicle operations training with Oyster River Fire Rescue, Merville Fire Rescue, Cumberland Fire Rescue and Comox Fire Rescue, as well as wildland firefighting training with Oyster River Fire Rescue and Merville Fire Rescue.

Fire Inspections and Prevention

Our fire inspectors performed 919 fire inspections of commercial properties in both the City and the fire protection district. We are pleased to report that most of these properties were compliant and only a small number of violations were found. Prevention staff participated in 96 public education events during the first half of the year. These events included fire extinguisher training, FireSmart education sessions, fire hall tours, and smoke alarm checks in residential properties. The feedback received from the participants of these activities has been positive and rewarding for the staff who have delivered the training.

Strategic Priorities

1) Chevy Tahoe Replacement – project completed
2) Self-Contained Breathing Apparatus Replacement – research completed, tender is being created
3) Training Officer Assistant Position – position filled
4) Emergency and Disaster Management Act Implementation - Feedback paper sent back to Province, waiting for regulations that will guide the CVEM to be written by the Province.

Prepared by: Kurt MacDonald, ECFO, Fire Chief
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

The Corporation of the City of Courtenay

Briefing Note

To: Council **File No.:** 1200-01

From: Manager of Procurement & Risk **Date:** July 31, 2024

Subject: Indigenous Procurement Update

PURPOSE:
To update Council on City outcomes to date on the City's indigenous procurement implementation.

BACKGROUND:
Indigenous procurement refers to policies and practices aimed at increasing the participation of Indigenous businesses in the supply chains of government and private sector organizations. The initiative is designed to foster economic growth, create jobs, and build capacity within Indigenous communities. By prioritizing contracts and purchasing from Indigenous-owned enterprises and joint ventures, these programs help to level the playing field and provide opportunities for these businesses to compete more effectively in the market.

Indigenous procurement is seen as a step towards reconciliation and acknowledging the historical and ongoing impacts of colonization. By actively including Indigenous businesses in procurement processes, organizations can contribute to the healing and strengthening of relationships between Indigenous and non-Indigenous communities. This approach encourages mutual respect and understanding while providing tangible economic benefits that contribute to the overall well-being of Indigenous peoples. In essence, Indigenous procurement is a tool for fostering sustainable development and economic equity.

In January of 2023, Council adopted an updated procurement policy framework. The modernized framework covers procurement for all departments at the City. The new guidelines support sustainable procurement goals including the environment, social value, living wage and opportunities for Indigenous businesses. Prior to this, the last update to the City's procurement policy was in 2011.

The Procurement Policy is attached to this report and includes the first Indigenous procurement language at the local government level in British Columbia.

DISCUSSION:
<u>Broad Procurement Application</u>
The City's procurement policy includes two key Indigenous procurement concepts. The first exposes broad spend at the City to Indigenous procurement. This is reflected in Section 8.3 of the procurement policy. The intent of this language is to include consideration of indigenous procurement concepts in City procurement across a broad range of commodities including:

- goods and equipment (i.e. office supplies, heavy equipment);
- general services (i.e. janitorial or HVAC maintenance services); and
- professional and consulting services (i.e. engineering or planning services).

As part of the procurement process, the City requests information from bidders and evaluates them based on:

- whether or not the bidder is an indigenous business;
- whether or not the bidder employs or has programs to employ indigenous persons;
- any partnerships with First Nations the bidder may have; and
- the bidder's reconciliation policies or procedures.

Capital Procurement

Indigenous procurement in construction projects aims to enhance economic opportunities for Indigenous communities by ensuring their participation in the supply chain. The City's approach includes prioritizing contracts with K'ómoks First Nation businesses. Such initiatives are often supported by policies and regulations that encourage partnerships and joint ventures between mainstream construction firms and Indigenous enterprises. The benefits are multifaceted, including job creation, skills development, and the preservation of traditional knowledge, ultimately contributing to the sustainable growth of Indigenous communities. Section 9 of the procurement policy provides opportunities for the City to award contracts to K'ómoks First Nation businesses for City construction procurements over $1 million. The intent is to award up to 10% of the overall construction value to K'ómoks First Nation businesses.

Outcomes

City staff have been busy implementing the updated procurement policy with focus to Indigenous procurement. The following outcomes have been achieved since policy implementation in early 2023:

- Updating of Procurement templates including:
    - Request for Proposal (RFP);
    - Request for Qualification (RFQu); and
    - Request for Quotation (RFQ).
- Procurement staff have completed indigenous procurement training provided through the National Institute of Supply Chain Leaders (NISCL) and British Columbia Social Procurement Initiative (BCSPI).
- Training on the new policy for City staff occurred throughout the first half of 2023 and included in-person orientations conducted by the Manager of Procurement and Risk for the City's seven core departments.
- In 2023, indigenous procurement was included in 10 of 21 public competitive processes with a total overall award value of $3.4 million. Procurements of note include:
    - RFP Security Services;
    - RFP Janitorial Services;
    - RFQ Civil Construction works; and
    - RFP Complete Communities Assessments.

  Thus far in 2024, 10 of 13 public competitive processes have included Indigenous procurement with the main outliers being construction tenders.
- Procurement staff have conducted dozens of debriefs with bidders. These debriefs include a focus on indigenous procurement and staff discuss opportunities for bidder improvement.
- To date, the City has received no negative feedback from the market on the implementation of indigenous procurement.

- Staff have drafted an indicative process for incorporating indigenous procurement into capital projects. This included two rounds of discussions with K'ómoks Economic Development Corporation (KEDC).

Future Opportunities

As the City continues down its implementation journey for Indigenous procurement, staff anticipate the following to occur:

- The first construction opportunity for application of section 9 language is anticipated to be the East Courtenay Fire Hall project. This will commence with the architectural services RFP expected to hit the market later this year.
- Continued change management. Additional training across the organization for evaluating Indigenous Procurement in City competitive processes.
- Further refinement of the City's approach to incorporating Indigenous procurement into capital projects.

Future Challenges

Staff have identified the following challenges associated with indigenous procurement at the City since policy adoption. These will continue to be monitored.

- The uncertainty and sensitivities associated with self-attestation.
- Collaborative Procurement and the lack of exposure to City indigenous procurement goals.
- Uncertainty around the applicability of trade agreement exemptions for Indigenous businesses at the local government level.

POLICY ANALYSIS:

Procurement activities at the City are administered in accordance by the City's Procurement Policy, City of Courtenay Delegation of Purchasing Authority Bylaw No. 3082, 2023 as well as the following trade agreements:

- New West Partnership Trade Agreement (NWPTA);
- Canada Free Trade Agreement (CFTA); and
- Comprehensive and Economic Trade Agreement (CETA).

Government procurement under these trade agreements aim to create open and competitive bidding processes while promoting economic cooperation. The NWPTA, an agreement among the western Canadian provinces, seeks to eliminate barriers to trade, investment, and labor mobility, ensuring equal access to government procurement opportunities within the region. The CFTA, a nationwide agreement, further enhances this by promoting a unified and transparent procurement system across all Canadian jurisdictions, fostering interprovincial trade. CETA, an international agreement between Canada and the European Union, extends these principles globally, offering Canadian businesses access to European markets and vice versa. Together, these agreements strive to increase efficiency, reduce costs, and encourage innovation in government procurement, while also providing broader market access for businesses.

ADMINISTRATIVE IMPLICATIONS:

The procurement policy applies to all staff and departments at the City.

STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Good Governance - Explore procurement practices to include a social equity lens, reconciliation for contracted services, and climate change factors

RECOMMENDATION:

THAT Council receive the “Indigenous Procurement Update” briefing note.

ATTACHMENTS:

1. City of Courtenay Procurement Policy

Prepared by: Scott Hainsworth, BCom, Manager of Procurement & Risk
Reviewed by: Adam Langenmaier, CPA, Chief Financial Officer and Director of Finance
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

Section: Finance – Purchasing	Policy #: 1200.00.02-CP
Subject: Procurement	Revision # 0

1. PURPOSE

The purpose of the procurement policy is to set out the responsibilities and accountability associated with the effective, efficient, sustainable, and economical acquisition of goods and services. The policy applies to all City divisions and includes all purchases, leases and rentals using operating, capital and restricted funds of the City.

2. POLICY STATEMENT

It is the policy of the City to acquire goods and services through a public process whenever practical and efficient. Resulting award determinations will be focused on best value with consideration towards total lifecycle cost, quality, expertise, as well as environmental and social sustainability.

3. DELEGATION OF AUTHORITY

3.1 Delegation of Authority

Council has delegated the authority to execute contracts and purchase agreements to staff as outlined in City of Courtenay Delegation of Purchasing Authority Bylaw No. 3082, 2023.

4. EXCEPTIONS

4.1 Emergencies

In an unforeseen circumstance that requires immediate action, such that inaction would result in harm to a person or harm or damage to real or personal property of any type, the methods and procedures set out within this policy may be waived as approved expressly by the CAO or designate. A report summarizing the emergency procurement will be presented to Council following the emergency as soon as practical.

4.2 Exemptions

All exemptions that exist in NWPTA, CFTA, CETA or their successors shall apply to this policy. In general these exemptions include:

- procurement of health, social and treasury services;
- services provided by lawyers and notaries;
- purchases from philanthropic institutions, prison labour or persons with disabilities;
- purchases from a public body or non-profit organization;
- goods, services or construction are required to respond to an unforeseeable situation of urgency as laid out in Section 4.1;
- goods intended for resale to the public; and
- in the absence of a receipt of any responses to a Public Competitive Process.

5. AUTHORITIES AND RESPONSIBILITIES

5.1 Roles and Responsibilities

Procurement activities not requiring a Public Competitive Process are the responsibility of each division, which are delegated the authority for acquiring goods, equipment, services and

construction for all operational and capital requirements per City Bylaw number 3082 and this policy.

Procurement processes requiring a Public Competitive Process are the responsibility of the Purchasing Division which will ensure the procurement is conducted in accordance with this policy, common law and any trade treaty requirements.

The Officer responsible for financial administration for the City or their delegate is responsible and accountable for the management of the acquisition of goods and services, protection and disposal of assets.

The purchasing officer for the City is the Manager of Procurement and Risk or delegate, who is responsible for the implementation of the day-to-day administration of the procurement policy, and will establish and employ such practices, processes, procedures or methods as are determined appropriate to the efficient and effective operation of procurement.

5.2 Authority for Procurement Transactions

Procurement Transactions cannot be completed unless the need has first been identified, budgeted for and approved by Council in the Financial Plan. Council may wish to approve the method of procurement during the adoption of the Financial Plan, otherwise all Procurement Transactions shall be completed according to this policy.

Market research procurement methods may take place when the interest is to develop a budget and Scope of Work for approval by Council.

Contract awards as well as change orders exceeding the City approved Financial Plan will either be:

a. held until the Council approves a Financial Plan amendment; or

b. cancelled due to insufficient budget and may be reissued under a refined Scope of Work.

Minor or insignificant overages may be funded through relevant reserves as approved by the CFO.

5.3 Commitment Authority Thresholds

Staff have been delegated authority to complete Procurement Transactions through City Bylaw number 3082 as amended from time to time.

Persons with spending, commitment and signing authority have the following responsibilities:

a. Ensure the value of the contract or change order is within the approved Financial Plan.

b. Ensure that the City is able to meet its obligations within the terms of the contract and that it is likely the other party can meet their obligations.

c. Ensure that the contract complies with WorkSafeBC legislation, labour legislation, privacy legislation, employee collective agreements, tax legislation, and other legislative and regulatory requirements.

d. Be aware of any financial and other benefits that are expected to flow to the City as a result of the agreement (i.e. a rebate offered by a vendor).

e. Review intellectual property requirements; and

f. consider physical, bodily injury and personal injury indemnities and risk exposure.

5.4 Authority for Procurement Method

Where not outlined within this policy in consultation with the CAO, staff of the City will approach Council with a recommendation to determine the method to be used to procure the goods or services required.

5.5 Responsibility for the Scope of Work or Specifications

Each Division is responsible for defining the needs of the procurement in the Scope of Work or Specifications.

Divisions may seek assistance from consultants or the Purchasing Division and may utilize market research techniques as described in Section 10.1.

Consultants assisting in the development of a City procurement will not be permitted to compete for the resulting opportunity.

To ensure fairness, direct contact with vendors should be avoided when preparing a Scope of Work or Specifications.

Scope of Works and Specifications should be generic and not specific to any one vendor to ensure competition is not reduced.

Scope of Works and Specifications substantially deviating from that which was presented and approved in the Financial Plan are to be reviewed by the CFO prior to a public procurement taking place. The CFO may determine that a Financial Plan amendment is required prior to the respective procurement being issued.

6. PROCUREMENT THRESHOLDS AND METHODS

The following thresholds will guide the method of procurement used to purchase goods or services.

Goods and General Services

Value	Procurement Method (minimum)	Issued By
Less than $10,000	Single informal quote	Each Division
$10,000 - $75,000	Request three written quotes	Each Division or Purchasing Division
$75,000 +	Public Competitive Process	Purchasing Division

Professional and Consulting Services

Value	Procurement Method (minimum)	Issued By
Less than $50,000	Single written quote/proposal or request three written quotes/proposals	Each Division
$50,000 - $75,000	Request three written quotes/proposals or Public Competitive Process	Purchasing Division
$75,000 +	Public Competitive Process	Purchasing Division

Construction

Value	Procurement Method (minimum)	Issued By
Less than $50,000	Single written quote	Each Division
$50,000 - $200,000	Three written quotes	Purchasing Division
$200,000 +	Public Competitive Process	Purchasing Division

7. ETHICAL CONSIDERATIONS

7.1 Conflict of Interest and Confidentiality

Staff or anyone in a position that could influence the evaluation of bids, tenders, quotes and proposals received in response to a Public Competitive Process shall conduct evaluations with the removal of bias, positive or negative, against both existing and potential vendors. For any Public Competitive Process, any and all qualified vendors within jurisdictions covered by trade treaties shall be treated transparently, fairly, equally and without discrimination.

City staff with a real or perceived conflict of interest in a vendor or a potential vendor must report this interest immediately to the Purchasing Division. The Purchasing Division will review the interest and may remove the staff member from involvement in the procurement.

City staff and non-staff evaluating quotes, offers, bids, tenders and proposals will not disclose any information gained during the course of their evaluation except to other City staff who may in the normal course of City business have a need for such information.

City staff and non-staff participating on an evaluation committee will be required to sign a declaration of non-conflict of interest and confidentiality statement.

7.2 Supplier Code of Conduct

All suppliers, vendors and individuals offering goods or services to the City are expected to comply with the code of conduct detailed below. Failure to follow this code of conduct may result in the termination of a contract and disqualification from future opportunities.

Professionalism

All employees, volunteers, agents, and contractors, sub-contractors or vendors under agreement or contract with the City are required to:

- Carry out their responsibilities in a professional and competent manner.
- Be aware of and abide by the British Columbia Human Rights Code.
- Not engage in any action or conduct or make any comment, gesture, or contact which a reasonable person would regard as likely to cause offence or humiliation to anyone, whether in the workplace or any other location.
- Act, and be perceived by the public to act, in a fair and impartial manner in the performance of their duties or provision of services.
- Not make any public comments that denigrate, disparage, or are disrespectful of the City, employees, and elected officials.
- Conduct themselves in a friendly, courteous, and professional manner when dealing with the public in accordance with the City's "Respectful Workplace Policy".
- Refrain from engaging in any other practice that could unfavorably reflect upon the City as identified solely by the City.

7.3 Lobbying

No bidder/proponent/vendor or anyone involved in preparing bids or proposals shall lobby any elected official or staff of the City in an effort to secure a contract. During a competitive procurement process all communications are to be made through the Purchasing Division unless the procurement document explicitly states otherwise. Vendors found to be lobbying for a contract award will be disqualified from consideration for the procurement and may be

disqualified from future procurement opportunities. The following will be deemed as inappropriate communication during an active procurement:

a. commenting on, or attempting to influence views on, the merits of the vendor's submission, or in relation to submissions of other vendors;

b. influencing, or attempting to influence, the evaluation and ranking of submissions, the selection of the vendor, or any negotiations with the preferred vendor;

c. promoting the vendor or its interests in the services, including in preference to that of another vendor;

d. commenting on or criticizing aspects of the procurement, the evaluation process or the scope of services, including in a manner which may give the vendor a competitive advantage over other vendors; and

e. criticizing the responses of other vendors.

7.4 Gifts

City staff shall avoid accepting gifts, discounts or other favours from vendors of moderate or material value. Immaterial gifts can be accepted provided they do not result in personal gain for the receiver or result in favourable treatment of any vendor.

7.5 Transaction/Contract Splitting

City staff shall not split transactions or procurements in an effort to fall below thresholds set out in Section 6.

8. SUSTAINABLE PROCUREMENT

In an effort to leverage procurement dollars to benefit the community and society; the City may include the consideration of sustainability in Best Value Procurements.

Sustainability may include attention to environmental, ethical and corporate social responsibility as well as social value.

Sustainability considerations will be balanced against best value requirements for each individual procurement. The weighting toward sustainability in each procurement may be based on the marketplace, Scope of Work and/or level of risk inherent with the procurement.

When evaluating sustainability factors, City staff may look to third party verification and certifications when awarding points and may also look to utilize reference checks to verify the content of a submission.

8.1 Environmental Responsibility

When evaluating environmental responsibility in City procurements, points may be awarded where proponents:

- Minimize environmental harm, including end of life impacts.
- Maximize resource efficiency (e.g. reduce energy and water consumption and minimize waste).
- Minimize carbon emissions.

8.2 Ethical Responsibility

When evaluating ethical responsibility, points may be awarded where proponents:

- Maximize fair trade opportunities.

- Ensure sound working conditions throughout the supply chain that meet or exceed provincial, national or international employment standards.

8.3 Social Value

When considering social value, points may be awarded where proponents:

- Maximize contracting or sub-contracting opportunities for indigenous businesses.
- Maximize employment opportunities for K'ómoks First Nation or indigenous populations.
- Commit to paying a Living Wage to all staff directly employed by the proponent.
- Maximize employment, training and apprenticeship opportunities among local, disadvantaged, equity-seeking or marginalized individuals and populations.
- Maximize the diversification of the supply chain by including non-profit organizations, social enterprises and small-medium enterprises.
- Contribute to the strengthening of the community by supporting the social goals and objectives of the City.
- Include any corporate social responsibility initiatives undertaken by the organization that contribute to social wellbeing.

9. INDIGENOUS PROCUREMENT

The City is committed to true and lasting reconciliation with Indigenous peoples. The City aims to reduce barriers to City procurement opportunities and better support participation by K'ómoks First Nation businesses. This policy aims to help build capacity for K'ómoks First Nation, their business partners and members.

In the spirit of reconciliation, the City is committed to supporting the long-term economic interests, development, and capacity building of the K'ómoks First Nation. Directed Procurement Opportunities for any City capital project valued in excess of $1 million may be utilized for the benefit of K'ómoks First Nation economic interests. Directed Procurement Opportunities may include the use of direct awards and select competitive procurements.

Directed Procurement Opportunities will be governed by the following principles:

- Awarded contracts must be at reasonable and fair market value;
- Awarded contracts must meet the City's expectations with respect to qualifications, safety and performance standards for the work;
- The contracting party must be a business identified by K'ómoks First Nation as a K'ómoks First Nation Designated Business;
- When identifying Directed Procurement Opportunities, the City will consider company-wide business and operational factors such as security of supply, competitive market impacts, and ongoing program costs and efficiencies;
- The City will endeavor to award up to 10% of the project construction budget through Directed Procurement Opportunities; and
- Subject to the City's limitations included in the New West Partnership Trade Agreement, no individual Directed Procurement Opportunity will exceed $200,000 for construction or $75,000 for general goods and services. For clarity, multiple Directed

Procurement Opportunities may be awarded in an effort to award up to 10% of the project construction budget.

Contract opportunities for K'ómoks First Nation Designated Businesses outside of these arrangements are also available through the City's general procurement processes. The City will consider broader opportunities for K'ómoks First Nation as described in Section 8.3 of this policy.

10. PROCUREMENT AND AWARD METHODS

10.1 Procurement Methods

Market Research Methods

Market research methods are public solicitations that do not result in the award of City business. They are utilized to assess the marketplace for potential City opportunities and to offer the market transparent and fair input into a resulting competitive procurement process.

a. Request for Information
To request general information regarding goods and/or services provided by vendors, and to invite input regarding the development of procurement strategies. May also request a response for high level budgetary considerations.

b. Request for Expressions of Interest
To determine the market interest in a competitive solicitation process.

Non-Competitive Methods

c. Direct Award and Notice of Intent (NOI) to Award

The award of City business directly to a vendor for a low value procurement or where it can be demonstrated that only one vendor can supply the good or service. A NOI is used to provide public notice of the City's intent to direct award, where the City cannot strictly demonstrate that there is only one vendor as required under this Section. If a successful challenge is received, an appropriate procurement process may be undertaken. NOIs will be posted to the City bid site as well as BC Bid for any direct award in excess of $75,000 for goods and services, or $200,000 for construction.

To proceed with a direct award where more than one quote is required, specific details, in writing, must be provided to the Manager of Procurement and Risk justifying the requirement for direct award according to the following exceptions:

i. the requirement is for a work of art;

ii. the protection of patents, copyrights, or other exclusive rights;

iii. due to an absence of competition for technical reasons;

iv. the supply of goods or services is controlled by a supplier that is a statutory monopoly

v. to ensure the compatibility with existing goods, or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative;

vi. work is to be performed on property by a contractor according to provisions of a warranty or guarantee held in respect of the property or the original work;

vii. work is to be performed on a leased building or related property, or portions thereof, that may be performed only by the lessor;

viii. for additional deliveries by the original supplier of goods or services that were not included in the initial procurement, if a change of supplier for such additional goods or services:

a. cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial procurement; and

b. would cause significant inconvenience or substantial duplication of cost for the procuring entity;

ix. for goods purchased on a commodity market;

x. for purchases made under exceptionally advantageous conditions that only arise in the very short term in the case of disposals such as those arising from used equipment, liquidation, receivership, or bankruptcy, but not for routine purchases from regular suppliers; or

xi. if goods or consulting services regarding matters of a confidential or privileged nature are to be purchased and the disclosure of those matters through an open tendering process could reasonably be expected to compromise the City's confidentiality, result in the waiver of privilege, cause economic disruption, or otherwise be contrary to the public interest.

d. Informal Quote

A quote that has been requested by phone or email and may be received verbally, via fax or email.

e. Written Quote

A formal quote offering goods or services. May include terms and conditions.

Competitive Methods

Competitive methods are formal procurements for goods or services that will be publically available on the City's bid page, BC Bid and potentially other public tendering systems. Once a Public Competitive Process has been undertaken all vendors covered under the CFTA and the NWPTA who submit compliant responses will be considered in a fair and transparent manner without discrimination.

f. Request for Proposals (RFP)

A process to acquire services (primarily) where price is not the only consideration in selecting a contractor. The award is value-based and awarded to the proponent with the highest score and offering best overall value.

g. Invitation to Tender (ITT)

To acquire construction and other services where price is typically the only deciding factor. Used when the work to be undertaken can be specified in detail and must be adhered to by the contractor. Award is generally to the lowest compliant bidder.

h. Request for Standing Offers (RSO)

To acquire offers for goods or services that are required on an ongoing basis as needed. Award determinations may be either price-based or value-based.

i. Request for Qualifications (RFQu)

To create a pre-qualified list of vendors who are eligible to participate in subsequent procurement processes. May also be utilized for professional service agreements.

Award determinations include qualitative factors only and price would not normally be considered.

j. Request for Quotations (RFQ)
To acquire goods or services for low value purchases. Award determinations may be either price based or value based.

k. Request for Corporate Supply Arrangement or Master Standing Agreements
To acquire goods or services on behalf of a collaborative or co-operative buying group or purchasing consortium. Award is either price based or value-based.

10.2 Award Methods

The following award methods will be used when finalizing a purchase commitment. The staff member authorizing the award will be responsible for deciding on the type of award and may seek consultation from the Purchasing Division. Each Division is responsible for managing their respective contracts and agreements following the award.

- Purchasing Card

  Used for low value purchases, foreign exchange purchases within spending thresholds, and as permitted by the City purchasing card directive.

- Purchase Order

  Generally used to purchase goods or equipment of low to high value or a service of low value with minimal risk and a defined Scope of Work.

- Contract / Agreement

  Should be used for purchasing all types of general, professional and construction services. May require legal review for complex or high value contracts.

- Change Orders / Contract Amendment

  Used to update, alter, extend or otherwise modify a contract. Changes to contract value must be within the approved Financial Plan or, if exceeding the financial plan, have received Council approval to amend the Financial Plan.

- Corporate Supply Arrangements and Master Standing Agreements

  Used by a buying group to form a contract for goods or services.

11. VENDOR PERFORMANCE MANAGEMENT

In an effort to ensure open and transparent communication with existing vendors, Contract Managers will actively monitor the performance of vendors and contractors and work directly with vendors to resolve any minor or isolated moderate performance issues. In instances where severe performance issues or an unsatisfactory accumulation of minor or moderate performance issues occur, Contract Managers are to contact the Purchasing Division and a formal vendor performance review will be undertaken. In most cases (excepting the most extreme instances), vendors will be provided an opportunity to respond and resolve any performance issue(s) identified in a vendor performance review.

Vendors may be subject to termination of a contract or disqualification from future business if there is sufficient evidence of consistent failure to meet the standards specified by the City. The City will maintain vendor performance files as required. Information in this file will be supplied by the Contract Manager to the Purchasing Division. Vendors may be evaluated based on price, quality of the product or service, contract adherence and performance, customer service and their responsiveness to requests from the City. Upon reasonable notice

in writing to the vendor involved, and after a reasonable opportunity for response, a vendor can have their contract terminated and can be disqualified for a period not exceeding five years from participation in a solicitation for goods or services.

Notwithstanding the above, vendors or proponents shall be disqualified when:

- a serious breach of contract indicating an unwillingness to perform the services in accordance with the terms and conditions, Scope of Work or Specifications;
- a record of unsatisfactory performance of one or more contracts in accordance with the terms and conditions, Scope of Work, or Specifications;
- an inducement to an official or employee of the City by a vendor or proponent in an attempt to influence a contract award; or
- a conviction for a criminal offense of a person, director, official or such person relating to obtaining or attempting to obtain a contract or subcontract.

A written decision shall be issued to the vendor or proponent disqualified or suspended setting out the City's reason for disqualification or suspension.

Vendor or proponent disqualification will be approved by the CAO.

12. OTHER PRACTICES

12.1 Unsolicited Proposals

The City will accept unsolicited proposals for unique, innovative products or services that will result in demonstrated savings to the City. Unsolicited proposals are to be sent to the Purchasing Division and will be reviewed. Any award will be based on the requirements described in this policy and the requirement for a Public Competitive Process may not be precluded by the receipt of an unsolicited proposal.

12.2 Single Bid / Proposal

When only one bid or proposal is received in response to a competitive procurement method, City staff or representatives shall evaluate the response to ensure fair value will be acquired. Once City staff are confident that the response represents fair value, the contract may be awarded.

Should City staff find that the response does not represent fair value, staff may elect to negotiate or cancel and reissue the procurement.

12.3 Collaborative Procurement

The City may look to work with other procuring entities within the region, province or otherwise in an effort to maximize value and achieve economies of scale. When considering a collaborative procurement opportunity the City shall evaluate:

- the impact to the local vendor community and its ability to submit a potential response to a competition; and
- the collaborative procurement group's ability to represent the values and meet the strategic goals of the City in relation to the procurement.

12.4 Service Delivery

Agreements between the City and other local governments for the management of direct service delivery for a City function, must obtain Council approval.

12.5 Land Acquisition and Disposal

All acquisitions and disposals of land shall be approved by Council.

12.6 Records Management

All records associated with a Public Competitive Process are subject to the Freedom of Information and Protection of Privacy Act and the City will endeavor to maintain related records in a manner consistent with the procedure established by the Records Management Manual for Local Government Organizations, as published by the Local Government Management Association of British Columbia.

13. DEFINITIONS

In this Policy:

"Best Value Procurement" means a procurement that considers factors other than only price.

"CAO" means the Chief Administrative Officer of the City or in the absence of the Chief Administrative Officer their designate.

"CETA" means the Comprehensive Economic and Trade Agreement between Canada and the European Union and any of its successors.

"CFO" means the Chief Financial Officer of the City or in the absence of the Chief Financial Officer their designate.

"CFTA" means the Canada Free Trade Agreement between the federal government and the provinces and territories of Canada and any of its successors.

"City" means the City of Courtenay.

"Contract Manager" means the manager from a City Division responsible for administering the contract.

"Division" means a department or branch of the City.

"Financial Plan" means City approved budget and five year financial plan adopted by the City each year as a result of the City's financial planning process.

"Directed Procurement Opportunities" means procurement opportunities focused to K'ómoks First Nation which may include direct awards, select competitive procurements and/or set asides.

"K'ómoks First Nation Designated Business(es)" means businesses identified in writing by K'ómoks First Nation that are eligible for Directed Procurement Opportunities. Any designated business must meet the City's requirements for qualifications, safety and performance, and have market competitive pricing.

"Living Wage" means the living wage identified for the Comox Valley by the www.livingwageforfamilies.ca website.

"Low Bid Procurement" means a procurement that considers price as the predominant deciding factor from qualified bidders.

"NWPTA" means the New West Partnership Trade Agreement between the provinces of British Columbia, Alberta, Saskatchewan and Manitoba and any of its successors.

"Procurement Transactions" means all functions that pertain to the acquisition of goods or services.

"Public Competitive Process" means a procurement where the City will request competitive bids and/or proposals from the public marketplace.

"Scope of Work" means a description of work or services that is to be performed by a vendor.

"Specifications" means a description of a good or finished product that is to be delivered by a vendor.

The Corporation of the City of Courtenay

Briefing Note

To: Council **File No.:** 1240-01

From: Manager of Parks Services **Date:** July 31, 2024

Subject: Battery Powered Landscape Equipment Conversion

PURPOSE:

To inform Council on the Operational Services Department's conversion from gas-powered small equipment to battery.

BACKGROUND:

As part of the City's commitment to achieving a 45% reduction in community-wide GHG emissions from 2016 levels by 2030, 100k from the Growing Communities Fund was allocated for the electrification of the City's current inventory of small gas–powered equipment. This one-time investment will allow the City to convert nearly 80% of its existing small gas-powered equipment to battery-powered in 2024.

Technology and therefore public trust for battery-powered equipment has increased in recent years, as evidenced in the retail sector, where most home improvement and landscape equipment suppliers now offer a wide variety of battery-powered tools for both domestic and commercial use.

DISCUSSION:

In response to Council's direction, staff embarked on a detailed review in an effort to better understand the impacts of converting from gas-powered to a battery-powered small equipment. Operations in collaboration with our Procurement Team actively researched product options and secured product demonstrations from various suppliers over the past year to learn how a transition to battery equipment could be successfully managed while continuing to meet the communities' service level expectations, all within current budget and staffing allocations.

Considering the above factors, the Operational Services Department will take a significant step forward in the conversion of small gas-powered equipment to battery for the 2024 season. This leapfrog approach in equipment conversion is expected to have a multitude of positive impacts both on staff and the environment. Benefits from this change will include a reduction in noise pollution, improvements in ergonomics or health and safety, and a reduction in the City's annual GHG production, in the amount of 7.93 tCO_2e [1] (tonnes of carbon dioxide equivalents).

Based on product trials, a survey of various suppliers and manufacturers, and a recently completed public tender process, Operational Services will convert nearly 80% of its existing small gas-powered equipment to battery-powered by the end of the 2024 fiscal year. This conversion will be phased in over the coming months to allow for staggered battery purchases with the Parks Service Division's equipment being the primary focus of this year's conversion effort.

[1] 7.93 tCO_2e equates to an annual reduction of 3.2% of the City's total fuel (gas) consumption.

The following chart highlights the number of pieces that are being converted:

Equipment Description	Current Fleet Gas	Converted Fleet Battery	Retained Gas	Retired Gas
Backpack Leaf Blower	10	8	2	8
Handheld Leaf Blower	9	9	0	9
String Trimmer	11	9	2	9
Brush Cutter	2	2	~~0~~	2
Chainsaw	6	3	3	3
Hedge Trimmer	5	5	~~0~~	5
Lawn Mowers	3	3	~~0~~	3
Snow Blower	2	2	2	~~0~~
Pressure Washer	1	1	1	~~0~~
Generator	1	1	1	~~0~~
Total	**50**	**43**	**11**	**39**

FURTHER ACTIONS AND CONSIDERATIONS:

While the industry has made significant strides in developing new products, there is still hesitation around the overall function and longevity of these tools in commercial settings, as is the case with some of the City's Operational tasks. i.e. potential concerns include battery life, reduced run times, and power levels, depending on the type of equipment considered.

It is important to recognize that for some equipment noise outputs have been significantly reduced, however in some cases, particularly in the case of leaf blowers, these battery-powered counterparts still produce a significant amount of noise as compared to their gas predecessor.

While the City remains committed to the conversion from gas-powered tools, Operations will retain a small number of gas-powered pieces for use in situations where the battery-powered replacements may be ineffective (e.g., heavy wet leaves during the fall months). It is expected that this usage will be phased out over time as the performance of battery-powered options improves.

RECOMMENDATION: THAT Council receives the Battery Powered Landscape Equipment Conversion briefing note for information.

Prepared by: Stuart Carmichael, Manager of Parks Services
Reviewed by: Kyle Shaw, Director of Operational Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

The Corporation of the City of Courtenay

Briefing Note

To: Council **File No.:** 5360-02

From: Director of Operational Services **Date:** July 31, 2024

Subject: Solid Waste Automated Curbside Collection Update

PURPOSE:

To update Council on the transition to automated solid waste collection through the first six months of the service.

BACKGROUND:

In January 2024, the City of Courtenay, in conjunction of the Town of Comox, transitioned the Solid Waste service to automated curbside collection. This Briefing Note will provide an update on the details of the service to date along with some of the successes and challenges of the program.

DISCUSSION:

Automated Curbside Collection Transition

All residents received carts by the end of December 2023, and automated curbside collection commenced January 2, 2024. Despite two major snow events in January, no service interruptions or failures have occurred in the curbside collection system. Generally speaking, residents were able to place carts in the recommended locations during both snow events and during regular collection with the most problematic areas being cul-de-sacs. In future years, the City will endeavour to focus on snow clearing on major roads and transit routes first, in alignment with the snow clearing levels of service, and accommodate local roads with solid waste collection on a prioritized basis while providing the expected levels of service throughout the City.

At the onset of automated curbside collection, 34 residents had requested the Assisted Set Out service, followed by another 14 within the first six weeks of the program. To date, a total of 51 residents are receiving Assisted Set Out services, with about 1 additional request per month. The number that are receiving the service is in alignment with industry averages (about 0.5% of the service).

In an effort to promote diversion of waste away from garbage toward recycling and organics, each household was provided a 120 L garbage cart on a bi-weekly collection schedule. From the onset additional garbage carts have been available, in the form of a regular cart or an additional cart for home health care waste. The only difference being the cost. After six months of service, 95 additional carts for home health care waste and 122 additional garbage carts have been provided to households producing additional waste volumes.

Successes

From the onset of automated collection, garbage diversion has been a dramatic success, with garbage tonnage being reduced by 40% from 2023 through the first 6 months of 2024, see Figure 1. In addition, to the end of June, organics tonnages have increased by 54% over 2023. On the recycling front, two discretionary audits from Recycle BC in January and March indicate that Total Not Acceptable Material (NAM)

rates are 5.7% and 4.6% respectively which is in-line with the City's all time NAM rate of 4.4%. The communication efforts, ambassador program, and general understanding of residents of the recycling system have all played a part in maintaining the low levels of recycling contamination.

The goal of the Comox Strathcona Waste Management Plan is to "produce less waste", with a plan to work towards achieving the provincial target of 350 kg / person per year. The curbside collection program, serving an estimated 9,960 households or approximately 20,916 residents (based on Census Canada: 2.1 ppl/household) is on track in 2024 to have a waste disposal rate of 131 kg / person or 274 kg / household. This is a reduction from the 2023 rates of 165 kg / person or 348 kg / household through curbside collection.

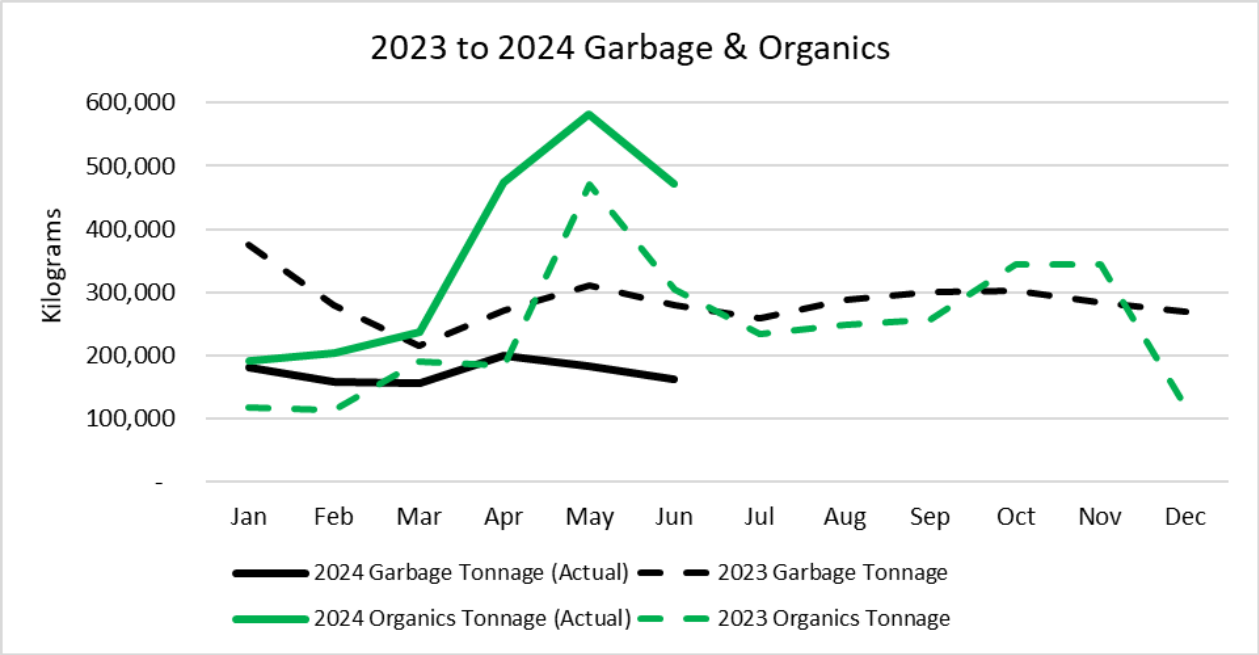


Figure 1. Garbage and Organics tonnages

Challenges

The transition from a weekly garbage collection to bi-weekly has correlated with increased organics contamination at the Comox Valley Waste Management Centre's (CVWMC) organics transfer station. Staff at the CVWMC report that some collection truck loads have been so contaminated that the entire load had to be landfilled as efforts to separate the garbage from organics would have been impossible. The City and CVRD are working to determine a pattern related to collection areas or contamination material. Diapers, plastic bags, and flexible plastics seem to be the main issue, but vinyl siding, foam, and drywall have also shown up in the loads, see Figure 2. In response to this increased organic contamination, an enhanced contamination management effort was introduced by sending additional operational staff to check organics carts for contamination. These additional staff allowed the City to inspect a larger daily number of carts in the overall effort to identify the sources of the contamination. Anecdotally, the organics processor reports that increased contamination seems to occur on recycling weeks, likely when garbage carts are nearly full for some homes, and some residents may be using the organics carts to dispose of garbage. The City has requested more data on organics contamination from the CVRD and once received, staff will tailor a future communication based on the patterns that are determined. Staffing issues along with some equipment issues have unfortunately hampered efforts of the CVRD to report data back to the City.

Figure 2. Organics contamination

Resident response to the conversion to automated collection has been generally positive; after six months of the service call volume to the Operations Centre has declined significantly compared to that during the launch period. Unfortunately, negative interactions between some residents and our Student Ambassador staff have trended upwards in both occurrence and relative significance. Curbside cart checks fulfil a requirement to verify the waste streams in conjunction with the City's automated collection transition plan with Recycle BC and Solid Waste Management Bylaw 3113. For reference, from 2019 to 2022 there were an average of 1.5 incidents with Student Ambassadors per year. Acknowledging that during the implementation phase of the new program, the City was the subject of some negative press in the form of two opinion pieces in the local print news. During the 2024 cart check season, both field and Operations Centre Assistant staff have been subjected to increased discontent around parts and / or mis-information related to the residential curbside collection program. In the newspaper, online, and through in-person confrontation, some residents see the Student Ambassadors presence as an opportunity to air their concerns.

In mid-June, while Student Ambassadors were conducting routine cart checks, concurrent and escalating negative interactions with residents resulted in a requirement for staff to modify the Student Ambassador program for the remainder of the 2024 season. This modification was directly impacted by the resulting safety review of the program and in concert with an increase in reported incidents. Staff safety is paramount, as such the Student Ambassadors have been redeployed within the Utilities Division to perform other meaningful tasks outside of the cart check program, yet still in support of the City's water conservation and waste diversion efforts. Moving forward, contamination management tools (hopper cameras) will be operationalized on all of the new EV collection vehicles (August 2024), thus allowing contamination to be monitored and actioned with a more passive approach avoiding the need to interact with residents directly at the curbside.

Old Container Collection

Following the delivery of nearly 30,000 new automated carts to nearly 10,000 households to effectively operate this new efficient service, the City was able to divert a significant number of old, mainly plastic, containers away from the landfill. The City offered two free options to residents: curbside collection and an exchange depot at the City's Operational Services facility. The curbside pickup occurred over a three-week period from January 15th to February 2nd, while the depot ran to February 15th. Residents were encouraged to take old containers from the depot in an effort to reuse the old containers. At the end of the program,

the remaining containers were delivered to Merlin Plastics in New Westminster for recycling. The Town of Comox ran a similar drop-off and exchange program and delivered the remaining containers to Courtenay for delivery to the recycling facility with a prorated reimbursement paid to the City.

Merlin Plastics weigh scale records indicate that 5,500 kgs of plastic was received for recycling, and while it isn't possible to determine the level of old container reuse through the exchange depot, it is estimated that nearly 2,000 kgs of containers were reused locally. At the end of the program, the CVRD reported that only 287 containers were landfilled at the CVWMC.

Excess Yard Waste pilot project

Additionally, a free excess yard waste drop-off pilot project was developed and deployed this spring, providing residents with convenient options to dispose of additional yard waste produced during the start of the spring growing season that exceeded the volume the automated carts provided. The program ran from March 15 to May 31, 2024 and was located adjacent to the McKenzie Ave gate to the Operational Services Centre utilizing a 30-yard roll-off bin. The bin was hauled weekly to the SkyRocket Compost facility at the CVWMC, dropping off a total of 29,770 kgs of clean, contamination-free yard waste. This represents about 10% of the monthly average collected through the curbside organics program.

As mentioned, contamination was low, and while usage was aimed at a few extra bags of yard trimmings, staff saw numerous trailers with trees and hedges which filled the 30-yard bin quickly. While not against the 'rules' of the program, those loads would have been better received at the landfill as historically an entire hedge would not have been collected manually at the curbside.

Due to the low cost (2024 budget allocation of $20,000) and the general satisfaction from Courtenay residents, the program will continue this fall, in a modified basis, as the goal of the program the fall program is for excess leaf litter drop-off.

Upcoming changes

Electric Vehicles (EV) for Solid Waste Collection

On July 16, 2024, Emterra Environmental, the curbside collection contractor for the City of Courtenay and the Town of Comox, held a launch event at Comox Marina Park for the fleet of electric collection vehicles. The event was attended by the members of K'ómoks First Nation, the Minister of Energy, Mines and Low Carbon Innovation, Honourable Josie Osborne, MLA Ronna Rae Leonard, the Mayors and members of Council from the City and Town, along with representatives from Emterra Environmental, Mack Trucks, and BC Hydro. To date, five electric collection trucks have been delivered to Emterra, with three more being assembled. The contractor will charge the fleet at their Cumberland transfer and sorting facility. The anticipated operational commencement of the EV fleet is expected in August 2024. It is understood that this will be the first fully electric vehicle fleet for solid waste collection in Canada, and the largest fleet of its kind in North America.

Local news outlets attended the event, with plans for Emterra to issue a news release for trade media to pick up for publication. A Key Messages / FAQ document was provided to Council to prior to the event.

Figure 3 Curbside EV Collection truck

Cart Exchange Portal

From the launch of automated collection, the most common query has been for an exchange of carts as residents were not offered a choice at the onset of the service. A number of cart exchanges have been provided to residents reporting issues moving the carts, which have been classified as a 'mobility accommodation'.

The messaging has been consistent that a cart exchange portal will be available on September 1 with residents being directed to a City web portal that will guide them through a cart exchange. Staff are working on programming the website with a plan for completion in August. The goal will be for as many residents as possible to use the website as it is anticipated (based on public inquiries) that the exchanges could be in the range of 1,500-2,000 dwelling units.

RECOMMENDATION: THAT Council receive the "Solid Waste Automated Curbside Update" briefing note for information.

Prepared by: Chris Thompson, Manager of Public Works Services
Reviewed by: Kyle Shaw, Director of Operational Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

SAMPLE "GOOD NEIGHBOR POLICY AGREEMENT" SUBMITTED AS PART OF THE "925 BRAIDWOOD NEIGHBOURS" DELEGATION.

GOOD NEIGHBOR POLICY AGREEMENT

Between the 925 Braidwood Neighbours , Courtenay city council and BC HOUSING and non profit which operates the supportive housing at 925 Braidwood Road.

Community of Courtenay - which consists of residents, businesses and other community members who live, work, or visit the area.

Partnership- intentional, regular and ongoing communication between the 925 Braidwood Road neighbour community, City of Courtenay , BC Housing and non profit unknown at this time.

*Common Goals--All parties in this agreement share common goals, which include:

Maintaining a peaceful, safe, and clean neighbourhood and community.
Sharing and honest communication in addressing neighbour concerns and problems immediately.

Substantiating the overall surroundings and economic environment of the immediate neighbourhood. In order to accomplish these goals, all parties are united in support of the commitments described below.

Safety and Security-are essential for residents to live peacefully, free from harm, and for neighbourhoods to remain desirable and attractive. In order to promote safety and security for all residents of the immediate neighbourhood and community Ensure that a contact of the non profit is available twenty-four (24) hours a day, seven (7) days a week to address community issues as they occur. This will provide connectivity between immediate neighbourhood and community members and staff. All calls and resolutions will be documented by the staff as well as the Braidwood neighbourhood committee representatives

Promptly investigate all concerns regarding client behaviour expressed by neighbours or community members.
Establish a block watch program in conjunction with the neighbours.

Property -Expectations of the non profit to keep its premises in good condition, free from trash and debris. A secure facility is crucial for the safety and comfort of both the shelter residents and the surrounding community.

Expectations of Non profit organization and staff to actively engage the following from the residents.
Reminding residents to not engage in illegal behaviours in the immediate neighbourhood or community.

Enforcing Residents to not engage in loitering, alcohol or drug use and aggressive pan handling or camping in the immediate neighbourhood or community.

Enforcing residents to not illegally park vehicles of any type, including bicycles, in the immediate neighbourhood or community.

Communication -We strongly insist on regular monthly meetings between the shelter representatives . Our organization and other community members . Prompt responses to concerns and proper documentation of complaints and resolutions are essential for maintaining trust and transparency.

Ensure that a contact of the non profit is available twenty-four (24) hours a day, seven (7) days a week to address community issues as they occur. This will provide connectivity between immediate neighborhood and community members and staff. All calls and resolutions will be documented by the staff as well as the Braidwood neighbourhood committee representatives

Meet regularly with Community Collaboration Partners to review reports, issues and policies.

Document all complaints and concerns, including responses to problems and outcomes to responses, and provide a summary report to the neighbours, in aggregate data; and

Notify the neighbours of major changes proposed to the program or facility, and seek advice with regard to implementation.

925 Braidwood Neighbours Committee

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 1760-02

From: Director of Financial Services **Date:** July 31, 2024

Subject: Temporary Borrowing Bylaws 3147, 3148, 3149

PURPOSE:
To continue with the borrowing process for the Anderton Dike Phase 1, Strategic Land Acquisition 2024 and 6th Street Bridge projects by initiating temporary borrowing bylaws on adopted loan authorization bylaws.

BACKGROUND:
At the July 17th, 2024 Council meeting Council adopted the following bylaws:

- Loan Authorization Bylaw No. 3128, 2024 - Anderton Dike Phase 1
- Loan Authorization Bylaw No. 3136, 2024 - Strategic Land Acquisition 2024
- Loan Authorization Bylaw No. 3137, 2024 - 6th Street Bridge

These three loan authorization bylaws provide funding towards the specific projects as authorized in the 2024-2028 Financial plan and each individual bylaw.

DISCUSSION:
The City has the option of securing funding semi-annually from the Municipal Finance Authority (MFA) through their spring or fall debt issues, however this process is not flexible and requires cash requests to be made several months prior. This slow turnaround time could lead to the City running into a cash shortage, or more likely result in the City taking on more debt sooner than necessary in anticipation of future cash demands. There is a benefit of going directly to long-term debt as the City can take advantage of fixed interest rates which are typically lower than the daily variable rate charged on temporary borrowing. However, given the current declining interest rate environment going directly to long-term debt is not recommended.

A solution to facilitate better cashflow would be to enact a temporary borrowing bylaw. A temporary borrowing bylaw may be adopted on an approved loan authorization bylaw to allow access to funds similar to a line of credit. The City can access funds as needed through the construction period, then once the project is complete, the outstanding temporary borrowing balance can be converted to long-term debt. Cash that is borrowed is charged daily interest at the MFA's variable interest rate on the balance outstanding. If no balance is outstanding, no interest is charged.

Funds can be accessed on the same day for amounts less than $5 million (provided notice is given prior to 10:30 a.m.). For amounts between $5 million and $10 million, the MFA allows for three days' notice, and for amounts in excess of $10 million, five business days' notice is required. This quick turnaround time would allow the City to only borrow cash that is needed for expenses that are imminent; and not based on a forecast of expected spending from several months prior.

By adopting a just-in-time borrowing strategy, the City will be able to reduce the amount of time cash is being held unutilized, thus reducing unnecessary interest payments. Once the City has taken on temporary

borrowing, it can then convert that balance to long-term debt, secure a long-term interest rate, and start the long-term repayment process at the time of spring or fall debt issues. The maximum that can be borrowed temporarily is limited to the maximum amount remaining under the loan authorization bylaw which would be:

- Anderton Dike Phase 1 $1,750,000
- Strategic Land Acquisition $2,176,000
- 6th Street Bridge $2,500,000

At the completion of the project, the City will be in a better position to assess cash reserves and outstanding debt to decide how much of the temporary borrowing the City is able to pay down prior to locking it in for the long-term. By paying down some of the temporary borrowing balance prior to converting the debt to long term will reduce the interest paid on long term debt.

POLICY ANALYSIS:

- 2024-2028 Consolidated Financial Bylaw No. 3130, 2024
- Loan Authorization Bylaw No. 3128, 2024 - Anderton Dike Phase 1
- Loan Authorization Bylaw No. 3136, 2024 - Strategic Land Acquisition 2024
- Loan Authorization Bylaw No. 3137, 2024 - 6th Street Bridge

FINANCIAL IMPLICATIONS:
The 2024-2028 Financial Plan contains budget of $135,650 for interest expense related to new debt. Given the current progression of projects, spending and other funds available, the City would have to incur $7,592,351 of debt to consume the entire budgeted interest expense for the remainder of 2024; this is not possible as it exceeds the sum of the loan authorization bylaws. The current temporary borrowing interest rate is 5.36%. The City is well within its budgetary restrictions to authorize the temporary borrowing bylaws.

ADMINISTRATIVE IMPLICATIONS:
Finance staff will work with the Engineering and other relevant departments to determine cash requirements and draw upon the temporary borrowing bylaw as work progresses and invoice payment requirements arise.

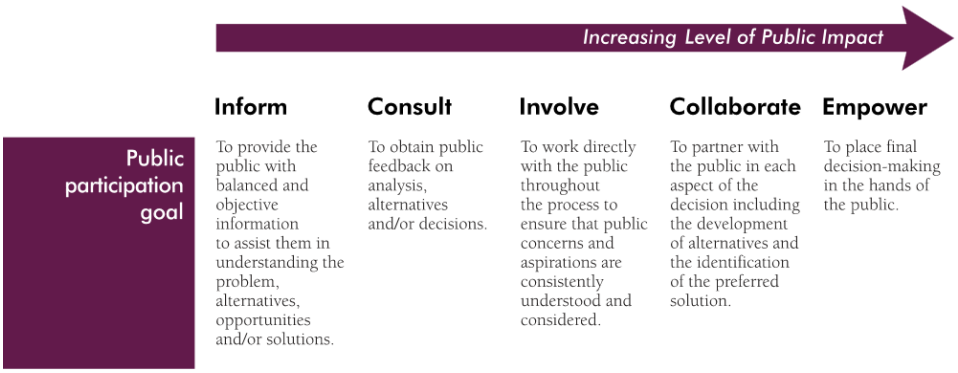
STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following strategic priorities:

- Streets and Transportation - 6th Street Bridge design and funding
- Streets and Transportation - 6th Street Bridge construction

This initiative addresses the following cardinal direction:

COURTENAY WILL BE RESPONSIBLE FOR THE FUTURE by being more thoughtful, strategic, and efficient in all resources that we use whether it be land, energy, or public infrastructure, to ensure that actions deliver on multiple goals of fiscal responsibility, economic resilience, social equity, and ecological health.

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



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OPTIONS:

1. TO BE READ AS INDIVIDUAL MOTIONS

   1) THAT Council give first, second and third readings to Temporary Borrowing Bylaw No. 3147, 2024 – Anderton Dike Phase 1

   2) THAT Council give first, second and third readings to Temporary Borrowing Bylaw No. 3148, 2024 – Strategic Land Acquisition 2024

   3) THAT Council give first, second and third readings to Temporary Borrowing Bylaw No. 3149, 2024 – 6th Street Bridge

2. THAT Council provide alternative direction to staff.

ATTACHMENTS:
1. Temporary Borrowing Bylaw No. 3147 – Anderton Dike Phase 1
2. Temporary Borrowing Bylaw No. 3148 – Strategic Land Acquisition 2024
3. Temporary Borrowing Bylaw No. 3149 – 6th Street Bridge

Prepared by: Adam Langenmaier BBA, CPA, CA, Director of Finance
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

The Corporation of the City of Courtenay

Bylaw No. 3147

A bylaw to authorize temporary borrowing pending the sale of debentures

WHEREAS it is provided by S. 181 of the Community Charter that the Council may, where it has adopted a loan authorization bylaw, without further assents or approvals, borrow temporarily under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw 3128, 2024, cited as the "Loan Authorization Bylaw No. 3128, 2024 - Anderton Dike Phase 1", authorizing borrowing for the purpose of the Anderton Dike Phase 1 project, in the amount of one million seven hundred and fifty thousand dollars ($1,750,000);

AND WHEREAS the sale of debentures has been temporarily deferred;

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

1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of one million seven hundred and fifty thousand dollars ($1,750,000), as the same may be required.

2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Chief Financial Officer.

3. The money so borrowed shall be used solely for the purposes set out in the "Loan Authorization Bylaw No. 3128, 2024 - Anderton Dike Phase 1".

4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.

Citation

1. This Bylaw shall be cited as "Temporary Borrowing Bylaw No. 3147, 2024 – Anderton Dike Phase 1".

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 Kate O'Connell

The Corporation of the City of Courtenay

Bylaw No. 3148

A bylaw to authorize temporary borrowing pending the sale of debentures

WHEREAS it is provided by S. 181 of the Community Charter that the Council may, where it has adopted a loan authorization bylaw, without further assents or approvals, borrow temporarily under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw 3136, 2024, cited as the "Loan Authorization Bylaw 3136, 2024 – Strategic Land Acquisition 2024", authorizing borrowing for the purpose of strategic land acquisitions, in the amount of two million one hundred seventy-six thousand dollars ($2,176,000);

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

1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum two million one hundred seventy-six thousand dollars ($2,176,000), as the same may be required.

2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Chief Financial Officer.

3. The money so borrowed shall be used solely for the purposes set out in the "Loan Authorization Bylaw 3136, 2024 – Strategic Land Acquisition 2024".

4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.

Citation

1. This Bylaw shall be cited as "Temporary Borrowing Bylaw No. 3148, 2024 – Strategic Land Acquisition 2024".

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 Kate O'Connell

The Corporation of the City of Courtenay

Bylaw No. 3149

A bylaw to authorize temporary borrowing pending the sale of debentures

WHEREAS it is provided by S. 181 of the Community Charter that the Council may, where it has adopted a loan authorization bylaw, without further assents or approvals, borrow temporarily under the conditions therein set out;

AND WHEREAS the Council has adopted Bylaw 3137, 2024, cited as the "Loan Authorization Bylaw No. 3137, 2024 - 6th Street Bridge", authorizing borrowing for the purpose of construction of the 6th Street Bridge project, in the amount of two million five hundred thousand dollars ($2,500,000);

AND WHEREAS the sale of debentures has been temporarily deferred;

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

1. The Council is hereby authorized and empowered to borrow an amount or amounts not exceeding the sum of two million five hundred thousand dollars ($2,500,000), as the same may be required.

2. The form of obligation to be given as acknowledgement of the liability shall be a promissory note or notes bearing the corporate seal and signed by the Chief Financial Officer.

3. The money so borrowed shall be used solely for the purposes set out in the "Loan Authorization Bylaw No. 3137, 2024 - 6th Street Bridge".

4. The proceeds from the sale of the debentures or so much thereof as may be necessary shall be used to repay the money so borrowed.

Citation

1. This Bylaw shall be cited as "Temporary Borrowing Bylaw No. 3149, 2024 – 6th Street Bridge".

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 Kate O'Connell

The Corporation of the City of Courtenay

Staff Report

To: Council **File No.:** 1960-20 [2024]

From: Director of Financial Services **Date:** July 31, 2024

Subject: Consideration of 2025 Permissive Property Tax Exemptions

PURPOSE:
To seek Council adoption of the 2025 permissive property tax exemption bylaws.

EXECUTIVE SUMMARY:
The permissive property tax exemption bylaws are considered by Council on an annual basis and must be adopted before October 31st each year in order to take effect for the following taxation year. Staff have compiled and reviewed all applications received for the 2025 taxation year and have prepared a summary report and bylaws Tax Exemption 2025, Bylaw No. 3142, 3143, 3144, 3145 and 3146, 2024 for Council's consideration.

BACKGROUND:
Section 224 of the Community Charter provides Council with the authority to grant permissive exemption to land and improvements owned, or held by, certain other organizations that meet legislatively prescribed conditions.

Permissive Property Tax Exemption Policy 1960.01 (Rev #2) (Attachment #1) contains the following provisions to note when considering new applications going forward:

1. The total value of all permissive exemptions must not exceed 2% of the total municipal portion of the property tax levy. ($34,007,000 x 2% = $680,140)
2. When the activities of an organization are not confined to the City of Courtenay, a maximum exemption of 40% applies.
3. Prescribed grandfathered permissive exemption percentages (75%-100%) will not change in the event an organization re-locates within the municipality. However, a reduction of the exemption shall apply if the nature of the services provided by the organization changes at its new location.
4. An applicant already receiving grant-in-aid from the municipality and/or other sources might not be considered eligible for exemption by Council.

During the 2022 -2026 strategic planning session Council enquired about permissive tax exemptions, however this enquiry did not make its way to the strategic plan. At the June 12, 2024 Council meeting Council gave the following direction regarding permissive tax exemptions.

> *THAT the permissive tax policy options, as directed by Council at the October 25, 2023 Council meeting, be considered for application in the 2026 tax year; and*

THAT Council direct staff to expand the scope of the review and options analysis from permissive taxes to grant in aid, and report back on permissive tax and granting policy options; and

THAT permissive tax and grant in aid options be guided by the policy priorities and cardinal directions of the Official Community Plan (OCP); and

THAT Permissive Property Tax Exemption Policy Section 5. a) be amended to clarify that not-for-profit daycares are not subject to this prohibition for consideration during the 2025 permissive tax exemption consideration.

The preliminary timeline for policy update would be research and engagement in 2024 with policy adoption in 2025 to take effect for 2026. The permissive tax exemption process follows strict schedule, therefore the time between policy update direction and policy impact is expected to be 2 years. Therefore, the 2025 permissive tax exemptions have been prepared using the existing policy with the exception of the inclusion of not-for-profit daycares.

DISCUSSION:
A permissive property tax exemption is a means for Council to support not-for-profit organizations within the community which furthers Council's objectives of enhancing quality of life for the citizens of the City while being responsible with municipal funding. Approval of an exemption or partial exemption is entirely within Council's discretion.

Each year there are requests from local organizations for funding assistance, either by way of requests for grants, or by way of requests for exemption from property taxation. While it is noted that the applicants all provide worthy services, provision of an exemption from taxation results in either a reduction of revenue available for City operations or in an increase of the tax burden for the remaining taxable property owners in the City and can become cost prohibitive.

The following schedules and information are provided for Council consideration.

Permissive Exemptions Summary:

In accordance with Policy 1960.01, the exemption value limit for 2025 has been calculated as 2% of the value of the 2024 municipal property tax levy. The cumulative exemption value limit for 2025 is $680,140 ($621,174 – 2024). The proposed total exemptions for City portion of property taxes for 2025 is $509,914, an increase of $82,794 from $427,120 in 2024.

New Applications

The City received the five new permissive tax exemption applications. The total amount recommended for exemption is $16,876, this is the City's portion and other taxing authorities' portions.

Tax Roll #1376.000 – Comox Valley Children's Day Care Society – 1000 Cumberland Road - $824

The Comox Valley Children's Day Care Society submitted application for exemption for 2025. The Society which operates as Lighthouse Early Learning Centre provides high quality, inclusive, affordable child care for children and families in Courtenay. Currently, 56% of the families are Courtenay residents. As per Council June 12, 2024 motion, not-for-profit day cares are to be considered for the 2025 permissive tax

exemption. Staff recommend 40% exemption based on the percentage of services provided to Courtenay residents.

Tax Roll #1568.000 – Puddleduck Early Learning Society – 295 Back Road - $2,162

The Puddleduck Early Learning Society submitted a 2025 application. Puddleduck operates a day care, preschool and out of school programs and also provides pre-kindergarten readiness, parents education in an inclusive and equitable environment. Currently, Courtenay residents comprise of 69% of the total families, thus, staff recommend a 40% exemption.

Tax Roll #2091.117 – LUSH Valley Food Action Society - 2342 A Rosewall Cres - $902

LUSH recently acquired the residential unit in the building. The intention is to use the property to support Society's operations. However, actual use may depend on fundraising results in the next few months. Similarly, staff recommend 40% exemption as 81% of Courtenay residents use the Society's programs.

Tax Roll #426.022 – LUSH Valley Food Action Society – 721 Grant Ave - $7,513

The City recently signed a License to Occupy Agreement with LUSH for the community garden. As per the Service Agreement, the property is to be 100% exempt from property taxes. Thus, staff recommend 100% exemption for 2025.

Tax Roll #816.008 – City of Courtenay Lease – 1025 Cliffe Ave C Unit 201 - $5,474

In 2023, City leased the property for its operations of the Human Resource department. As part of the lease agreement, the property is to receive a property tax exemption for the portion occupied by City staff. Staff recommend 100% exemption for 2025.

2025 Permissive Tax Exemption Listing

Attachment 2 Permissive Tax Exemption Listing includes the above listed new applications with the recommended percentage exemption as well as exemption recipients who have been previously approved in the annual permissive exemption bylaw. Updated applications, financial statements and other relevant documentation have been reviewed and verified by staff.

The schedule also includes the church properties within the City, and the estimated value of the permissive exemption for 2025 on the lands surrounding the building. While church buildings and the footprint of the buildings receive a statutory exemption from taxation, all of the area surrounding the buildings would be taxable unless it is provided with a permissive exemption from taxation by Council. The portion of church property used in commercial activities or as a manse/residence is not eligible for exemption from taxes.

The schedule also includes City owned properties managed by Societies. The properties were included in a 5-year bylaw which expired in 2024. For 2025 they are included in the annual bylaw 3142.

The schedule also details the value of taxation exemption for the following properties: Island Corridor Foundation, Kus-Kus-sum, M'akola Housing Society and Nature Trust of British Columbia and is authorized by a ten-year exemption bylaw *Tax Exemption 2022-2031 Bylaw No. 3049, 2021,* which expires in 2031.

POLICY ANALYSIS:
Section 224 of the Community Charter provides Council with the authority to exempt certain properties from property taxation. Policy 1960.01 (Rev #2) – Permissive Property Tax Exemption (Attachment #1) was prepared in accordance with Section 224 of the Community Charter and approved by Council in August 2017.

FINANCIAL IMPLICATIONS:
The estimated cumulative value of the municipal portion of the new and grandfathered exemptions for the 2025 taxation year totals $509,914, as detailed in the table below. This is within the calculated 2025 limit of $680,140 as prescribed in Policy 1960.01 – Permissive Exemption from Property Taxation. As a reference, the amount of permissive property tax exemption approved last year by Council for 2024 represents $427,120.

Estimated value of exemptions for consideration for 2025 Grandfathered and Recommended		**Value of Permissive Tax Exemption**		
Categories	**Bylaw Expires**	**City only**	***Other Authorities***	***Total***
New applications - as per recommendation		**$ 9,925**	*$ 6,952*	*$ 16,876*
Annual bylaw - Not for profit organizations	2025	**$ 325,556**	*$ 233,038*	*$ 558,594*
Annual bylaw - Churches, land surrounding the building	2025	**$ 28,766**	*$ 25,963*	*$ 54,729*
Ten year bylaw	2031	**$ 145,667**	*$ 100,451*	*$ 246,118*
Total estimated value of exemptions for 2025		**$ 509,914**	*$ 366,404*	*$ 876,318*

ADMINISTRATIVE IMPLICATIONS:
Preparation of the annual tax exemption bylaws for consideration by Council is an annual task undertaken by staff in the Financial Services Department. Subsequent to Council approval of the above recommended property tax exemptions and proposed bylaws, the next steps include:

a) Arranging for the statutory advertising of the proposed bylaws
b) Returning the bylaws to Council for final adoption
c) Preparation of letters of notification to the applicants
d) Forwarding the bylaws to the BC Assessment Authority no later than October 31, 2024

STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following fundamental directions:

WE PROTECT THE NATURAL SPACES we love and upon which our lives depend.

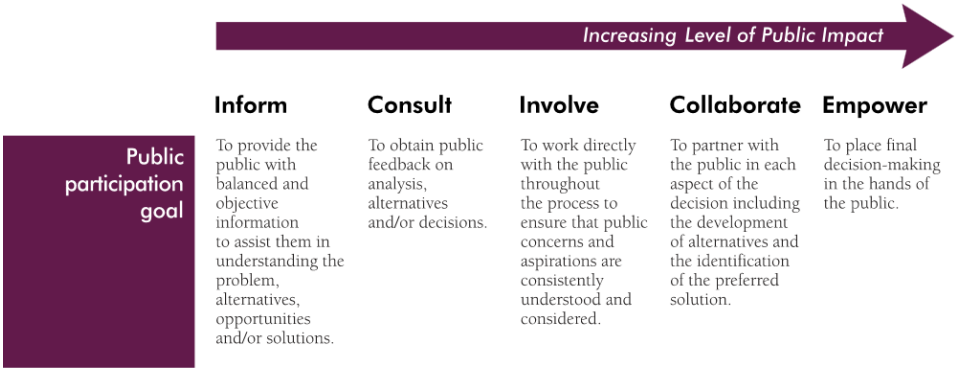
WE ARE A CITY FOR ALL PEOPLE, created for and by residents with diverse identities, experiences, and aspirations. We are a city for being together in community.

WE ARE ALSO A CITY OF CHOICE, in which residents have options across the city for homes, amenities, destinations, jobs and business, transportation, and spaces for gathering with friends, families, neighbours, and people not yet known to us.

COURTENAY WILL BE RESPONSIBLE FOR THE FUTURE by being more thoughtful, strategic, and efficient in all resources that we use whether it be land, energy, or public infrastructure, to ensure that actions deliver on multiple goals of fiscal responsibility, economic resilience, social equity, and ecological health.

PUBLIC ENGAGEMENT:
Pursuant to Section 227 of the Community Charter, statutory notice of the proposed permissive exemption bylaws must be published for two consecutive weeks prior to final adoption.

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



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OPTIONS:

1. TO BE READ AS INDIVIDUAL MOTIONS

   1 THAT Council give first, second and third readings to Tax Exemption 2025, Bylaw 3142, 2024
   2) THAT Council give first, second and third readings to Tax Exemption 2025, Bylaw 3143, 2024
   3) THAT Council give first, second and third readings to Tax Exemption 2025, Bylaw 3144, 2024
   4) THAT Council give first, second and third readings to Tax Exemption 2025, Bylaw 3145, 2024
   5) THAT Council give first, second and third readings to to Tax Exemption 2025, Bylaw 3146, 2024

2. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Policy 1960.00.01
2. Permissive Tax Exemption Listing
3. Permissive Tax Exemption 2025, Bylaw 3142, 2024
4. Permissive Tax Exemption 2025, Bylaw 3143, 2024
5. Permissive Tax Exemption 2025, Bylaw 3144, 2024
6. Permissive Tax Exemption 2025, Bylaw 3145, 2024
7. Permissive Tax Exemption 2025, Bylaw 3146, 2024

Prepared by: Renata Wyka, CPA, CGA, Manager of Financial Planning, Payroll & Business Performance
Reviewed by: Adam Langenmaier, BBC, CPA, CA, Director of Financial Services
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

Section 5 - Finance	Policy # 1960.00.01
Subject: Permissive Property Tax Exemption	Revision # 2

SCOPE:

A permissive tax exemption is a means for Council to support not-for-profit organizations within the community which further Council's objectives of enhancing quality of life (economic, social, cultural) and delivering services economically. A permissive tax exemption is strictly at the discretion of the City of Courtenay Council. After careful consideration of all applications Council may approve a full, a partial, or no tax exemption. The tax exemption may vary for the different applicants. This policy guides identification of organizations meeting Council's objectives.

POLICY

1. Overall Amount

A projected amount of revenue to be foregone by Permissive Tax Exemptions will be set by Council annually during the development of the Financial Plan. This amount will be used to calculate the following year's tax exemption for approved organizations based on the current year's assessment and tax rates. The actual amount of the exemption may vary according to the following year's assessment and tax rates.

The cumulative estimated value of the exemptions may not exceed 2% of the total tax levy in the previous year. The bylaw for exemptions for any given year must be adopted and submitted before any assessment or tax rate information is available for that year. The 2% amount will therefore be calculated based on the previous year's assessment and tax rate information.

2. Process

Council will consider applications for permissive tax exemptions annually. Reminder letters to re-apply will be mailed annually or as the term of the exemption expires to current tax exemption recipients. In addition, application packages will be available at any time from the Municipal Office or on our website at www.courtenay.ca.

Applications must be submitted to the Director of Financial Services, using the prescribed application form. The Director will review the applications for completeness, and arrange contact with applicants for additional information as necessary.

Application submissions must include:

- Copies of audited financial statements for last three (3) years for first time applicants, and for the last year for current tax exemption recipients.

AUTHORIZATION: Council R16.06/2017	**DATE**: August 21,2017

- Copy of state of title certificate or lease agreement, as applicable.
- In the case of a lease agreement for premises rather than ownership, documents are required which indicate that the applicant will benefit by the exemption. Documents should demonstrate that the lease is currently, or will, on approval of the exemption, be reduced by the amount of the exemption, or that other considerations will be provided by the landlord equivalent to the value of the exemption.
- Description of programs/services/benefits delivered from the subject lands/improvements including participant numbers, volunteer hours, benefiting groups/individuals/special needs populations, fees charged for participation
- Description of any 3rd party use of the subject land/improvements including user group names, fees charged conditions of use.
- Information as to the extent to which the activities of the applicant are regional or local (within the City of Courtenay) in nature.
- Financial information on how the tax exemption amount is put back into the community through charitable means or reduced fees paid by the general population of the City of Courtenay.
- Confirmation that the organization's activities do not compete with any other duly licensed business in the Municipality.

The Director of Financial Services will present a summary report of the applications, relative to the eligibility criteria, to Council and arrange for delegations to Council by applicants as necessary.

3. Criteria

a) Subject Property must be one of:
- Land and/or improvements owned by the applicant
- Land and/or improvements leased under an agreement
- Land and/or improvements ancillary to a statutory exemption under section 220 of the *Community Charter (Statutory Exemptions)*

b) Nature of Organization must meet the requirements of *Division 7* of the *Community Charter (Permissive Exemptions)* which includes:
- Non-profit organization
- Charitable/philanthropic organization
- Athletic or Service Club/Association
- Care facility/licensed private hospital

- Partner of the municipality by agreement under s. 225 (Partnering, heritage, riparian and other special exemption authority) of the *Community Charter*
- Other local authority
- Organization eligible under *Section 220 of the Community Charter* statutory exemption (e.g. place of public worship, cemetery, library, Indian land, senior's homes, hospital, etc.)

c) The applicant organization's use of the land/improvements must benefit the community in one or more of the following ways:

- provides recreational facilities for public use
- provides recreation programs to the public
- provides programs to and/or facilities used by youth, seniors or other special needs groups
- preserves heritage important to the community character
- preserves an environmentally, ecologically significant area of the community
- offers cultural or educational programs to the public which promote community spirit, cohesiveness and/or tolerance
- offers services to the public in formal partnership with the municipality
- [other]

d) All accounts for fees and charges levied by the City of Courtenay to the applicant must be current.

4. Duration of Exemption

Eligible organizations may be considered for tax exemptions exceeding one year (to a maximum of 10 years) where it is demonstrated that the services/benefits they offer to the community are of a duration exceeding one year (i.e. for the period of the tax exemption).

5. Extent, Conditions, and Penalties

a) The following activities and circumstances will be not be considered as eligible for exemption by Council. Exemptions will exclude the portion of land/improvements where the following circumstances exist:

- land/improvements used by the private sector and/or organizations not meeting Council's exemption criteria
- land/improvements used for commercial or for-profit activities by the not-for-profit organization

- the activities of the organization are not confined to the City of Courtenay. Council has designated a maximum exemption of 40% for regional service organizations. This policy will not be applied retroactively, and regional service organizations that have previously been approved by bylaw will be grandfathered into the exemption bylaw at those prescribed percentages.
- **prescribed grandfathered permissive exemption percentages will not change in the event an organization re-locates within the municipality. However, a reduction of the exemption shall apply if the nature of the services provided by the organization changes at its new location.**
- The applicant already receives grant-in-aid from the municipality and/or other sources

b) Council may impose conditions on the exempted land/improvements with the applicant organization, including but not limited to:
   - registration of a covenant restricting use of the property
   - an agreement committing the organization to continue a specific service/program
   - an agreement committing the organization to have field/facilities open for public use for certain times or a total amount of time
   - an agreement committing the organization to offer use of the field/facility to certain groups free of charge or at reduced rates
   - an agreement committing the organization to immediately disclose any substantial increase in the organization's revenue or anticipated revenue or any change in the status of the property
   - [other]

c) Council may impose **penalties** on an exempted organization for knowing breach of conditions of exemption, including but not limited to:
   - revoking exemption with notice
   - disqualifying any future application for exemption for specific time period
   - requiring repayment of monies equal to the foregone tax revenue
   - [other]

City of Courtenay

2025 Annual Bylaws, based on 2024 exemptions approved

Calculation based on 2024 Assessment and 2024 Tax Rates

Bylaw No. 3142, 3143, 3144, 3145 and 3146

Property Owner/Leasee	Roll #	Civic Address	Proposed Exemption 2025	Estimated Value 2025
Grace Baptist Church of the Comox Valley	143-000	467 - 4th Street	100%	$642
Anglican Synod Diocese of B.C.	313-100	579 - 5th Street	100%	2,946
Elim Gospel Hall	341-000	566 - 5th Street	100%	1,815
Elim Gospel Hall	342-000	576 - 5th Street	100%	2,345
St. George's Church	346-000	505 - 6th Street	100%	2,140
Central Evangelical Free Church	568-000	765 McPhee Ave	100%	6,187
River Heights Church Society	618-220	2201 Robert Lang Drive	100%	3,320
Salvation Army Canada West	1074-050	1580,1590 Fitzgerald Ave	100%	2,783
Lutheran Church	1166-000	771 - 17th Street	100%	2,352
New Life Apostolic Church	1211-004	1814 Fitzgerald Avenue	100%	1,724
Bishop of Victoria Catholic Church	1524-102	1599 Tunner Drive	100%	3,094
Kingdom Hall of Jehovah Witnesses	1594-000	1581 Dingwall Road	100%	1,851
Seventh Day Adventist Church	1691-030	4660 Headquarters	100%	1,886
Anglican Synod Diocese of B.C.	1691-044	4634 Island Hwy	100%	1,194
Anglican Synod Diocese of B.C.	1691-046	1514 Dingwall Road	100%	1,745
LDS Church	2005-000	1901 - 20th Street	100%	6,591
Foursquare Gospel Church of Canada	2017-034	1640 Burgess Road	100%	8,971
Courtenay Fellowship Baptist Church	2200-088	2963 Lake Trail Rd	100%	3,143
City of Courtenay/Art Gallery	29-002	580 Duncan Ave	100%	48,028
Eureka Support Society	49-000	280-4th St	100%	6,617
City of Courtenay/Sid Williams Theatre	63-000	442 Cliffe Avenue	100%	43,290
City of Courtenay/Courtenay and District Museum	113-000	207 - 4th St	100%	27,463
Royal Canadian Legion Courtenay Branch 17	122-000	367 Cliffe Ave	100%	19,610
Royal Canadian Legion Courtenay Branch 17	1650-000	101 Island Highway	100%	410
Comox Valley Child Development Association	169-000	237 - 3rd St	100%	29,266
Comox Valley Transition Society	170-002	Address Intentionally ommitted	100%	2,518
City of Courtenay / Nature Trust of British Columbia	261-006	559 3rd Street	100%	4,270
Alano Club of Courtenay	348-000	543 - 6th St	100%	7,460
City of Courtenay (lease)	400-000	A1-310 8th Street	100%	5,774
City of Courtenay / LUSH Valley Food Action Society (lease)	426-022	721 Grant Ave	100%	7,513
Old Church Theatre Society	513-000	755 Harmston Ave	100%	15,996
Comox Valley Recovery Centre Society	750-020	641 Menzies Ave	100%	5,415
City of Courtenay (lease)	816-008	1025 Cliffe Ave C Unit 201	100%	5,474
Comox Valley Family Services Association	1037-000	1415 Cliffe Ave	100%	14,400
City of Courtenay/Courtenay Marina Society	1200-000	2040 Cliffe Ave	100%	24,374

Comox Valley Canoe Racing Club (lease)	1200-002	2040 Cliffe Avenue	100%	1,031
Comox Valley Rowing Club (lease)	1200-003	2040 Cliffe Avenue	100%	1,049
Courtenay Marina Society (lease)	1200-004	2040 Cliffe Avenue	100%	4,285
Glacier View Lodge Society	1494-000	2470 Back Road	100%	9,503
Glacier View Lodge Society	1494-010	2470 Back Road	100%	9,483
Glacier View Lodge Society	1494-050	2450 Back Road	100%	49,888
Nesting Place Society	1577-018	#4 - 204 Island Hwy N	100%	3,904
City of Courtenay/Courtenay Airpark Society	1941-000	100 - 20th St	100%	76,071
Courtenay & District Historical Society in Trust	2200-044	2564 Cumberland Rd	100%	6,284
Comox Valley Curling Club (lease)	3200-072	4835 Headquarters Rd	100%	18,202
Comox Valley Kiwanis Village Society	757-000	1061 8th Street	75%	6,709
Comox Valley Kiwanis Village Society	757-001	1051 8th Street	75%	18,147
Comox Valley Kiwanis Village Society	758-000	635 Pidcock Ave	75%	12,213
L'Arche Comox Valley	1286-045	534 - 19th Street	75%	2,547
Courtenay Elks' Lodge #60 of the Benevolent & Protective Order of the Elks' of Canada	34-000	231 6th Street	40%	5,244
AVI Health & Community Services (lease)	88-000	355 6th Street	40%	2,073
Comox Valley Transition Society	131-002	Address Intentionally ommitted	40%	2,973
Comox Valley Transition Society (lease)	409-000	625 England Ave	40%	5,613
Comox Valley Child Development Association	166-000	267 - 3rd Street	40%	632
Community Justice Centre of the Comox Valley (lease)	432-000	A & C 450 - 8th St	40%	2,546
Upper Island Women of Native Ancestry	459-000	956 Grieve Ave	40%	1,723
John Howard Society of North Island	461-050	575 10th Street	40%	11,071
John Howard Society of North Island	750-100	994 - 8th Street	40%	2,957
Comox Valley Food Bank Society	969-001	1255 McPhee Ave	40%	3,972
L'Arche Comox Valley	1113-000	1465 Grieve Avenue	40%	9,025
Wachiay Friendship Centre Society	1171-005	1625 McPhee Avenue	40%	8,106
Wachiay Friendship Centre Society	1171-006	1679 McPhee Avenue	40%	3,105
Dawn to Dawn Action on Homelessness Society	1175-034	13-1520 Piercy	40%	583
Dawn to Dawn Action on Homelessness Society	338-000	520 5th Street	40%	1,723
Dawn to Dawn Action on Homelessness Society	1288-004	#102 1015 Cumberland Road	40%	365
Dawn to Dawn Action on Homelessness Society	1288-060	#311 1015 Cumberland Road	40%	428
Comox Valley Children's Day Care Society	1376-000	1000 Cumberland Rd	40%	824
Puddleduck Early Learning Society	1568-000	295 Back Rd	40%	2,162
The Governing Council of the Salvation Army in Canada - Cornerstone Community & Family Services (lease)	1960-004	Unit 8, 468 29th Street	40%	4,831
Canadian Red Cross Society (lease)	1700-332	2685 Moray Avenue, Units 10-12	40%	3,936

Stepping Stones Recovery House for Women Society (lease)	2016-006	1535 Burgess Rd	40%	1,180
Habitat for Humanity Vancouver Island North Society	2024-009	1755 - 13th Street	40%	784
Comox Valley Project Watershed Society (lease)	2091-108	2356 A Rosewall Cres	40%	4,132
LUSH Valley Food Action Society	2091-116	B 2342 Rosewall Cres	40%	3,818
LUSH Valley Food Action Society	2091-117	2342 A Rosewall Cres	40%	902
Y.A.N.A Fund Society (lease)	2091-176	102, 2456 Rosewall Cres	40%	1,931
Youth For Christ, Comox Valley	3200-032	4729 Headquarters Rd	40%	1,638
			Annual Bylaw Subtotal	**$630,200**

10 Year Bylaw

Calculation based on 2024 Assessment and 2024 Tax Rates

Current Bylaw in effect 2022-2031. Bylaw No. 3049, 2021

Property Owner/Leasee	Roll #		10 year Exemption	Estimated Value 2025
Island Corridor Foundation	467-000		100%	$4,558
Island Corridor Foundation	467-100		100%	975
Island Corridor Foundation	613-100		100%	801
Island Corridor Foundation	1012-205		100%	31,210
Island Corridor Foundation	2154-000	Cumberland Road	100%	36,805
Island Corridor Foundation	2154-001	Cumberland Road	100%	246
Island Corridor Foundation	2154-003	Menzies Avenue	100%	7,675
Island Corridor Foundation	2154-013	Cumberland Road	100%	10,995
M'akola Housing Society	1566-000	810 Braidwood Road	100%	21,860
Project Watershed Society (Kus-kus-sum)	1493-003	1901 Comox Road	100%	14,884
Project Watershed Society (Kus-kus-sum)	1493-005	1901 Comox Road	100%	19,421
Project Watershed Society (Kus-kus-sum)	1493-007	1901 Comox Road	100%	22,703
Project Watershed Society (Kus-kus-sum)	1493-009	1901 Comox Road	100%	45,544
The Nature Trust of British Columbia	1960-300	Sandpiper Drive	100%	19,850
The Nature Trust of British Columbia	2023-014	656 Arden Road	100%	8,590
			10-year Bylaw Subtotal	**$246,118**
			TOTAL City and Other Authorities Exemption	**$876,318**

The Corporation of the City of Courtenay

Bylaw No. 3142

A bylaw to exempt certain lands and improvements from taxation for the year 2025.

WHEREAS the Council of the Corporation of the City of Courtenay deems that land and improvements described herein meet the qualifications of Section 224 of the Community Charter;

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

Citation

1. This Bylaw shall be cited as "Tax Exemption 2025, Bylaw No. 3142, 2024".

Definitions

The following properties are hereby exempt from taxation for land and improvements to the extent indicated for the year 2025:

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
29.002	LOT B, SECTION 61, CD, PLAN EPP15696	580 DUNCAN AVENUE	CITY OF COURTENAY/ COMOX VALLEY CENTRE FOR THE ARTS	100%
49.000	LOT 41, SECTION 61, CD, PLAN 311 PID 005-035-694	280 – 4TH STREET	EUREKA SUPPORT SOCIETY	100%
63.000	LOTS 1 & 2, SECTION 61, CD, PLAN 3189 LOTS 55, 58, 59, 60, 61, 62, SECTION 61, CD, PLAN 311	442 CLIFFE AVENUE	CITY OF COURTENAY/ SID WILLIAMS THEATRE	100%
113.000	LOTS 128, 129, 132, SECTION 61, CD, PLAN 472A EXCEPT THE NORTH WESTERLY 10 FT THEREOF	207 – 4TH STREET	CITY OF COURTENAY/ COURTENAY & DISTRICT MUSEUM	100%
122.000 1650.000	LOT 1, PLAN 40587 PID 000-210-251 PARCEL A, DD 59610N OF LOT B, SECTION 16, PL 5618 PID 006-445-667	367 CLIFFE AVENUE 101 ISLAND HIGHWAY	ROYAL CANADIAN LEGION	100%
169.000	PARCEL B (BEING A CONSOLIDATION OF LOTS 14, 17, 18, 21, 22 SEE CA6169477) SECTION 61, CD, PLAN VIP1517	237 – 3RD STREET	COMOX VALLEY CHILD DEVELOPMENT ASSOCIATION	100%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
261.006	LOT 1, DL 118, SECTION 61, CD, PLAN VIP88574	3RD STREET – MCPHEE MEADOWS"	CITY OF COURTENAY/ THE NATURE TRUST OF BC	100%
348.000	LOT 15, SECTION 61, CD, PLAN 4906	543 – 6TH STREET	ALANO CLUB OF COURTENAY	100%
400.000	LOT A, SECTION 61, CD, PLAN 18979	A1-310 8TH STREET	CITY OF COURTENAY (LEASED FROM WEST ISLAND CAPITAL CORP)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
426.022	LOT 1, PLAN EPP84993, SECTION 61, COMOX LAND DISTRICT PID 030-871-191	721 GRANT AVE	CITY OF COURTENAY/ LUSH VALLEY FOOD ACTION SOCIETY	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
513.000	LOT A, DL 127, CD, PLAN 7719 PID 005-653-312	755 HARMSTON AVENUE	OLD CHURCH THEATRE SOCIETY	100%
750.020	LOT 1, DL 127, CD, PLAN VIP62285 PID 023-256-401	641 MENZIES AVENUE	COMOX VALLEY RECOVERY CENTRE SOCIETY (LEASED FROM CITY OF COURTENAY)	100%
816.008	STRATA LOT C, PLAN VIS3647, SECTION 69 PID 023-029-307	C-1025 CLIFFE AVE UNIT 201	CITY OF COURTENAY (LEASED FROM MATHIAS DIMTER FINANCIAL STRATEGIES INC.)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1037.000	LOTS 1 AND 2, SECTION 41, CD, PLAN 3930 PID 002-018-446 PID 002-018-454	1415 CLIFFE AVENUE	COMOX VALLEY FAMILY SERVICES ASSOCIATION	100%
1200.000	LOT 1, SECTION 68, CD, PLAN 15512	2040 CLIFFE AVENUE	CITY OF COURTENAY/ COURTENAY MARINA	100%
1200.002	LOT 1, DL 15, PLAN 15512, PID 004-154-665	2040 CLIFFE AVENUE	COMOX VALLEY CANOE RACING CLUB (LEASED FROM CITY OF COURTENAY)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1200.003	LOT 1, DL 15, PLAN 15512, PID 004-154-665	2040 CLIFFE AVENUE	COMOX VALLEY ROWING CLUB (LEASED FROM CITY OF COURTENAY)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
1200.004	LOT 1, DL 15, PLAN 15512, PID 004-154-665	2040 CLIFFE AVENUE	COURTENAY MARINA (LEASED FROM CITY OF COURTENAY)	100% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1494.000 1494.010 1494.050	LOT 1 AND 2, SECTION 6 AND 8, CD, PLAN 2849, EXCEPT PLAN 35008 LOT A, SECTION 6 AND 8, CD, PLAN 35008	2470 BACK ROAD 2450 BACK ROAD	GLACIER VIEW LODGE SOCIETY	100%
1577.018	LOT 4, SECTION 16, PLAN VIS2269, PID 017-693-071	#4 - 204 ISLAND HWY N	NESTING PLACE SOCIETY	100%
1941.000	LOT 1, SECTION 66, CD, PLAN 14942 & LOT A, PLAN 14521 EXCEPT THE BED OF THE COURTENAY RIVER	100 – 20TH STREET	CITY OF COURTENAY/ COURTENAY AIRPARK	100%
2200.044	LOT 3, DL 138, CD, PLAN 20288	2564 CUMBERLAND ROAD	COURTENAY & DISTRICT HISTORICAL SOCIETY IN TRUST	100%
3200.072	LOT A, SECTION 18, CD, PLAN 12735	4835 HEADQUARTERS RD	COMOX VALLEY CURLING CLUB	100%
757.000 757.001 758.000	LOT A, BLOCK 2, PLAN 1951 LOT A, BLOCK 2, PLAN 1951 EXCEPT PLAN 4288 & 4941 LOT A&B, PLAN 16907	1061 – 8TH STREET 1051 – 8TH STREET 635 PIDCOCK AVE	COMOX VALLEY KIWANIS VILLAGE SOCIETY	75%
1286.045	LOT 8, BLOCK 3, PLAN 16252	534 – 19TH STREET	L'ARCHE COMOX VALLEY	75%
34.000	LOT 2, SECTION 61, CD, PLAN 20159 PID 003-698-254	231 6TH STREET	COURTENAY ELKS' LODGE #60 OF THE BENEVOLENT AND PROTECTIVE ORDER OF THE ELKS' OF CANADA	40%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
88.000	LOT 85, PLAN VIP 311 SECTION 61, LD 15 EXCEPT PLAN 66BL PID 000-337-366	355 6TH STREET	AVI HEALTH AND COMMUNITY SERVICES (LEASED FROM DELIA VON SCHILLING)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
166.000	LOT 8 PLAN 2834 PID 003-451-941	267 3RD STREET	COMOX VALLEY CHILD DEVELOPMENT ASSOCIATION	40%
432.000	LOT 14, SECTION 61, LD 15, PLAN VIP3939 PID 004-154-894	A & C 450 – 8TH STREET	COMMUNITY JUSTICE CENTRE OF THE COMOX VALLEY (LEASED FROM VISTA RADIO PROPERTIES LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
459.000	LOT B, PLAN 20211 PID 003-519-376	956 GRIEVE AVENUE	UPPER ISLAND WOMEN OF NATIVE ANCESTRY	40%
969.001	LOT 1, SECTION 69, BLOCK 15, PLAN EPP123274 PID 031-766-030	1255 MCPHEE AVENUE	COMOX VALLEY FOOD BANK SOCIETY	40%
1113.000	LOT 19, SECTION 41, DL 15, PLAN 9230, PID 005-583-314	1465 GRIEVE AVENUE	L'ARCHE COMOX VALLEY	40%
1171.005 1171.006	LOT C, PLAN 13660, SECTION 41, DL 15 PID 004-619-048 LOT 5, PLAN 13075, SECTION 41, DL 15 EXCEPT PLAN VIP68431 PID 004-711-823	1625 MCPHEE AVENUE 1679 MCPHEE AVENUE	WACHIAY FRIENDSHIP CENTRE SOCIETY	40% OF THE ASSESSMENT – *EXCLUDING* 10% OF FACILITY USED FOR REVENUE GENERATING BUSINESS (WACHIAY STUDIO AND MULTIMEDIA)
1376.000	LOT 5 AND 6, PLAN VIP5659, DISTRICT LOT 104 PID 003-934-128 PID 003-934-152	1000 CUMBERLAND RD	COMOX VALLEY DAYCARE SOCIETY	40%
1568.000	LOT 5, PLAN VIP6065, SECTION 16, EXCEPT PLAN 27471, EXC PL VIP57106 PID 005-912-156	295 BACK RD	PUDDLEDUCK EARLY LEARNING SOCIETY	40%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
1700.332	STRATA LOT 2, SECTION 67, LD 15, PLAN VIS3934 PID 023-378-158	#10-12, 2683 MORAY AVENUE	THE CANADIAN RED CROSS SOCIETY (LEASED FROM 670431 BC LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
1960.004	LOT B, SECTION 67, CD, PLAN 33851 PID 000-262-170	#8, 468 - 29TH STREET	THE GOVERNING COUNCIL OF THE SALVATION ARMY IN CANADA (LEASED FROM NOORT INVESTMENT LTD)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
2091.108	LOT 4, PLAN VIP53637, DISTRICT LOT 230 PID 017-632-391	2356 A ROSEWALL CRES	COMOX VALLEY PROJECT WATERSHED SOCIETY (LEASED FROM ANDREW GRAY & LAVEADA AGAR)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
2091.116 2091.117	LOT 1, SECTION 230, PLAN VIS5565, PID 025-974-211 STRATA LOT 2, SECTION 230; PLAN VIS5565 PID 025-974-220	2342 B ROSEWALL CRES 2342 A ROSEWALL CRES	LUSH VALLEY FOOD ACTION SOCIETY	40%
2091.176	STRATA LOT 2, PLAN VIS6017, DISTRICT LOT 230 PID 026-715-171	102, 2456 ROSEWALL CRES	Y.A.N.A FUND SOCIETY (LEASED FROM ANDREW GRAY, MILES GRAY & LAVEADA AGAR)	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE LEASED BY THE LEASEE
2016.006	LOT 6, PLAN 27200 PID 002-344-408	1535 BURGESS ROAD	STEPPING STONES RECOVERY HOUSE FOR WOMEN (LEASED FROM JOSHUA HOPE)	40%
2024.009	LOT 2 PLAN VIP53672 PID 017-650-097	1755 13TH STREET	HABITAT FOR HUMANITY VANCOUVER ISLAND NORTH SOCIETY	40% OF THE ASSESSMENT ALLOCATED TO THE SPACE USED FOR ADMINISTRATION OFFICES
3200.032	LOT A, SECTION 18, CD, PLAN VIP 75369 PID 025-673-017	4729 HEADQUARTERS RD	YOUTH FOR CHRIST COMOX VALLEY	40% OF THE ASSESSMENT – *EXCLUDING* CARETAKER RESIDENTIAL SPACE

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. 3143

A bylaw to exempt certain lands and improvements from taxation for the year 2025.

WHEREAS the Council of the Corporation of the City of Courtenay deems that land and improvements described herein meet the qualifications of Section 224 of the Community Charter;

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

Citation

1. This Bylaw shall be cited as "Tax Exemption 2025, Bylaw No. 3143, 2024".

Definitions

The following properties are hereby exempt from taxation for land and improvements to the extent indicated for the year 2025:

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
461.050	LOT A, SECTION 61, DL15, PLAN 31213, PID 001-170-074	575 10TH STREET	JOHN HOWARD SOCIETY OF NORTH ISLAND	40%
750.100	LOT 1, PLAN VIP 62247 PID 023-241-667	994 – 8TH ST		

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. 3144

A bylaw to exempt certain lands and improvements from taxation for the year 2025.

WHEREAS the Council of the Corporation of the City of Courtenay deems that land and improvements described herein meet the qualifications of Section 224 of the Community Charter;

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

Citation

1. This Bylaw shall be cited as "Tax Exemption 2025, Bylaw No. 3144, 2024".

Definitions

The following properties are hereby exempt from taxation for land and improvements to the extent indicated for the year 2025:

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
170.002	LOT A, SECTION 61, PLAN 54105 PID 017-752-141	*Address intentionally omitted*	COMOX VALLEY TRANSITION SOCIETY	100%
131.002	LOT A, SECTION 61, PLAN EPP61970, PID 029-906-431	*Address intentionally omitted*	COMOX VALLEY TRANSITION SOCIETY	40%
409.000	LOT A, SECTION 61, PLAN 1674, PID 001-159-526	625 ENGLAND AVENUE	COMOX VALLEY TRANSITION SOCIETY (LEASED FROM SECRET VENTURE HOLDINGS LTD)	40%

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. 3145

A bylaw to exempt certain lands and improvements from taxation for the year 2025.

WHEREAS the Council of the Corporation of the City of Courtenay deems that land and improvements described herein meet the qualifications of Section 224 of the Community Charter;

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

Citation

1. This Bylaw shall be cited as "Tax Exemption 2025, Bylaw No. 3145, 2024".

Definitions

The following properties are hereby exempt from taxation for land and improvements to the extent indicated for the year 2025:

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER/LESSEE	PERCENTAGE EXEMPTION
1175.034	STRATA LOT 13, PLAN VIS2667, SECTION 41, LD 15, PID 018-180-876	#13, 1520 PIERCY ROAD	DAWN TO DAWN ACTION ON HOMELESSNESS SOCIETY	40%
338.000	LOT 5, SECTION 61, PLAN VI4906 PID 000-029-769	520- 5TH STREET		
1288.004	STRATA LOT 30, PLAN VIS932, DL 104, LD 15, PID 000-806-161	#102, 1015 CUMBERLAND ROAD		
1288.060	STRATA LOT 30, PLAN VIS932, DL 104, LD 15, PID 000-806-471	#311, 1015 CUMBERLAND ROAD		

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. 3146

A bylaw to exempt certain lands and improvements, set apart for public worship, from taxation for the year 2025.

WHEREAS the Council of the Corporation of the City of Courtenay deems that land and improvements described herein meet the qualifications of Section 220 of the Community Charter;

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

Citation

1. This Bylaw shall be cited as "Tax Exemption Churches 2025, Bylaw No. 3146, 2024".

Definitions

Pursuant to Section 224(2)(a)(f)(g) of the Community Charter, the following properties on which a church hall or facility is situated, the land on which such a hall stands, the remaining area of land surrounding the building set apart for public worship, and the remaining area of land surrounding the exempted building, exempted hall, or both, are hereby exempted from taxation for land and improvements to the extent indicated for the year 2025 except for that portion of the property used for residential or commercial purposes:

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER	PERCENTAGE EXEMPTION
143.000	LOT AM 11, SECTION 61, CD, PLAN 33854N	467 – 4TH STREET	GRACE BAPTIST CHURCH OF THE COMOX VALLEY	100%
313.100	LOT 1, SECTION 62, CD, PLAN VIP 74608	579 – 5TH STREET	ANGLICAN SYNOD DIOCESE OF B.C.	100%
341.000	AMENDED LOT 1, PLAN 55886N, SECTION 61 CD, PLAN 4906	566 – 5TH STREET	ELIM GOSPEL CHAPEL TRUSTEES	100%
342.000	LOTS 3 & 4, BLOCK 6, CD, PLAN 472B	576 – 5TH STREET	ELIM GOSPEL CHAPEL TRUSTEES	100%
346.000	LOTS 10,11,12, AND 13, SECTION 61, CD, PLAN 4906	505 – 6TH STREET	ST. GEORGE'S UNITED CHURCH	100%
568.000	LOT A (DD EL132291), DL 127, PLAN 1464 EXCEPT PLAN VIP67475	765 MCPHEE AVENUE	CENTRAL EVANGELICAL FREE CHURCH OF COMOX VALLEY	100%
618.220	LOT 1, DL 118, CD, PLAN VIP 73074	2201 ROBERT LANG DRIVE	RIVER HEIGHTS CHURCH SOCIETY	100%

FOLIO	LEGAL DESCRIPTION	CIVIC ADDRESS	REGISTERED OWNER	PERCENTAGE EXEMPTION
1074.050	LOT A, PLAN 54316P, SECTION 41, CD, PLAN 7449	1580 FITZGERALD AVENUE 1590 FITZGERALD AVENUE	GOVERNING COUNCIL OF THE SALVATION ARMY CANADA WEST	100%
1166.000	LOT A, PLAN 121193EF, SECTION 41, CD, FORMERLY LOTS 32 & 33, CD, PLAN 10725	771 – 17TH STREET	TRUSTEES LUTHERAN CHURCH	100%
1211.004	LOT 4, SECTION 68, CD, PLAN 14176	1814 FITZGERALD AVE	NEW LIFE APOSTOLIC CHURCH	100%
1524.102	LOT B, SECTION 15, CD, PLAN 54793 EXCEPT PLANS 14713, 36414, 51121	1599 TUNNER DRIVE	BISHOP OF VICTORIA, CHRIST THE KING CATHOLIC CHURCH	100%
1594.000	LOT 16, SECTION 16, CD, PLAN 7037 EXCEPT PLAN 44368	1581 DINGWALL RD	TRUSTEES OF THE KINGDOM HALL OF JEHOVAH WITNESS	100%
1691.030	LOT 1, SECTION 17, CD, PLAN VIP 79479	4660 HEADQUARTERS ROAD	SEVENTH DAY ADVENTIST CHURCH	100%
1691.044	LOT 2, SECTION 17, CD, PLAN VIP 61425	4634 ISLAND HWY	ANGLICAN SYNOD DIOCESE OF BC	100%
1691.046	LOT 3, SECTION 17, CD, PLAN VIP 61425	1514 DINGWALL ROAD	ANGLICAN SYNOD DIOCESE OF BC	100%
2005.000	LOT 12, DL 96 & 230, CD, PLAN 1406	1901 – 20TH STREET	LDS CHURCH	100% EXCEPT THE PART ASSESSED FOR SCHOOL USE
2017.034	LOT 1, DL 96, CD, PLAN VIP 59504	1640 BURGESS RD	FOURSQUARE GOSPEL CHURCH OF CANADA	100%
2200.088	LOT A, PLAN 27596	2963 LAKE TRAIL ROAD	COURTENAY FELLOWSHIP BAPTIST CHURCH	100%

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

Staff Report

To: Council **File No.:**

From: Director of Development Services **Date:** July 31, 2024

Subject: SSDR Subdivision and Development Servicing Amendment Bylaw No. 3155-Road Classification

PURPOSE:

For Council to approve Subdivision and Development Servicing Amendment Bylaw No.3155- Road Classification which amends Subdivision and Development Services Bylaw No. 2919 to include an alternative local road cross-section (CSSD L3) and two collector road cross-sections (CSSD CUE, CUE2). The three cross-sections incorporate green infrastructure (e.g., rain gardens), active transportation, and appropriate space for mature trees to create an improved streetscape for current and future developments which aligns with the policies in the Official Community Plan (OCP) Bylaw No. 3070.

BACKGROUND:

In order to ensure current and upcoming developments are building infrastructure for the future that aligns with the City's goals, select cross-sections have been updated to better reflect green infrastructure, active transportation, and functional boulevard / street tree considerations. The immediate need is to support advancing the Crown Isle, Phase 6 application to ensure alignment with City policy. These three cross-section updates have been considered alongside a series of other SDS Bylaw cross-section updates that are forthcoming and illustrated in Attachment 1 Subdivision and Development Servicing Amendment Bylaw No. 3155 (Schedules A, B, C), to this report.

DISCUSSION:

The alternative local road cross-section (CSSD L3) introduces a dedicated space for a rain garden on one side, treating and infiltrating flows from the roadway and sidewalks. It notes that technical analysis of the rain garden must be undertaken by the developer and final design is subject to approval by City staff. This cross-section is intended to be applied on higher-volume local roads where moderate / high densities are anticipated and where the addition of stormwater management infrastructure and sidewalks on both sides is appropriate.

The two urban entry collector cross-sections (CSSD CUE / CUE 2) are specifically for transitioning between higher volume arterial / collector roads and local roads. One cross-section provides raised bicycle lanes with the intent to be applied along identified bike network roadways. The other provides wide boulevards in place of bicycle lanes, with sufficient minimum growing medium requirements to sustain large trees that support the City's urban forestry targets.

POLICY ANALYSIS:

- OCP Policies (ST 11, ST 12, MI 15)
- Transportation Master Plan (implementing wider sidewalks in high activity / commercial areas, implementing boulevards and street trees consistent with the Urban Forest Strategy)

- Cycling Network Plan (meeting best practice facility widths and physical separation recommendations)
- Urban Forest Strategy (supporting larger canopied trees with increased soil volumes and spacing)

FINANCIAL IMPLICATIONS:
Impact to operating costs to maintain rain gardens; construction is by developer unless built as a capital project.

ADMINISTRATIVE IMPLICATIONS:
This initiative is lead by Development Services and is part of the workplan to update the existing Subdivision and Development Servicing Bylaw. Other departments involved in the development of the cross-sections are: Operations, Fire, and Infrastructure and Environmental Engineering.

STRATEGIC PRIORITIES REFERENCE:
This initiative addresses the following strategic priorities:

- Buildings and Landscape - Update Subdivision Bylaw, including offsite frontage improvements

PUBLIC ENGAGEMENT:
There are no legislative requirements for notification or public engagement as this amendment falls complies with Section 506 of the *Local Government Act*.

OPTIONS:

1. THAT Council give first, second and third readings to "Subdivision and Development Servicing Amendment Bylaw No. 3155 - Road Classification".
2. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Subdivision and Development Servicing Amendment Bylaw No. 3155 -Road Classification

Prepared by: Marianne Wade, Director of Development Services
Reviewed by: Michael Wright, Manager of Asset Management
Kyle Shaw, Director of Operations
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)

The Corporation of the City of Courtenay

Bylaw No. 3155

A bylaw to amend the Courtenay Subdivision and Development Servicing Bylaw No. 2919 by inserting new Road Classifications in Schedule 3 Supplemental Standard Detail Drawings.

WHEREAS the Courtenay Subdivision and Development Servicing Bylaw No. 2919 regulates and requires the provision of works and services in connection with the subdivision and development of land;

WHEREAS the City wants to incorporate green infrastructure, active transportation and functional boulevard / street tree considerations in the civil works and services provided in connection with the subdivision and development land;

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

Citation

1. This Bylaw shall be cited as "Subdivision and Development Servicing Amendment Bylaw No. 3155-Road Classification".

Amendment

2. "Courtenay Subdivision and Development Servicing Bylaw No. 2919" is amended as follows:

    a) Insert Schedule "A", Schedule "B", Schedule "C" attached to this Bylaw (collectively the Schedules") into SCHEDULE 3 – SUPPLEMENTARY STANDARD DETAIL DRAWINGS.

    b) The Schedules shall be inserted in SCHEDULE 3 – SUPPLEMENTARY STANDARD DETAIL DRAWINGS in the order described in the amended Table of Contents in section 2(c) below; and

    c) The Table of Contents on pg. i of SCHEDULE 3 – SUPPLEMENTARY STANDARD DETAIL DRAWINGS is amended by inserting the text underlined and bolded as below:

CSSD A1 ALTERNATIVE DESIGN STANDARD 1: MULTI-USE PATH CSSD
A2 ALTERNATIVE DESIGN STANDARD 2: GRAVEL TRAIL
CSSD A3 ALTERNATIVE DESIGN STANDARD 3: LANE
CSSD L1 LOCAL ROAD SECTION
CSSD L3 LOCAL ROAD SECTION: ALTERNATIVE
CSSD CRu COLLECTOR ROAD SECTION: RURAL
CSSD CRe COLLECTOR ROAD SECTION: RESIDENTIAL
CSSD CRB COLLECTOR ROAD SECTION: RESIDENTIAL – B
CSSD CRC COLLECTOR ROAD SECTION: RESIDENTIAL – C
CSSD CUB COLLECTOR ROAD SECTION: URBAN – B
CSSD CUP COLLECTOR ROAD SECTION: URBAN – P
CCSD CUE : COLLECTION ROAD SECTION: URBAN – ENTRY
CCSD CUE 2: COLLECTION ROAD SECTION: URBAN – ENTRY BOULEVARD
CSSD AB ARTERIAL ROAD SECTION: B
CSSD R2 MINIMUM PAVEMENT STRUCTURE REQUIREMENTS
CSSD R3 CUL-DE-SAC
CSSD R4 HAMMERHEAD TURNAROUND (PRIVATE ROADS)

CSSD R5 STREET NAME SIGN AND BASE DETAIL
CSSD R6 TYPICAL BULB OUT LOCATION AND DETAILS

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.

General

4. This Bylaw applies to Schedule 3 Supplementary Standard Detail Drawings for Road classifications within the City of Courtenay.

5. The attached Schedules A, B, C, form part of this Bylaw.

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

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

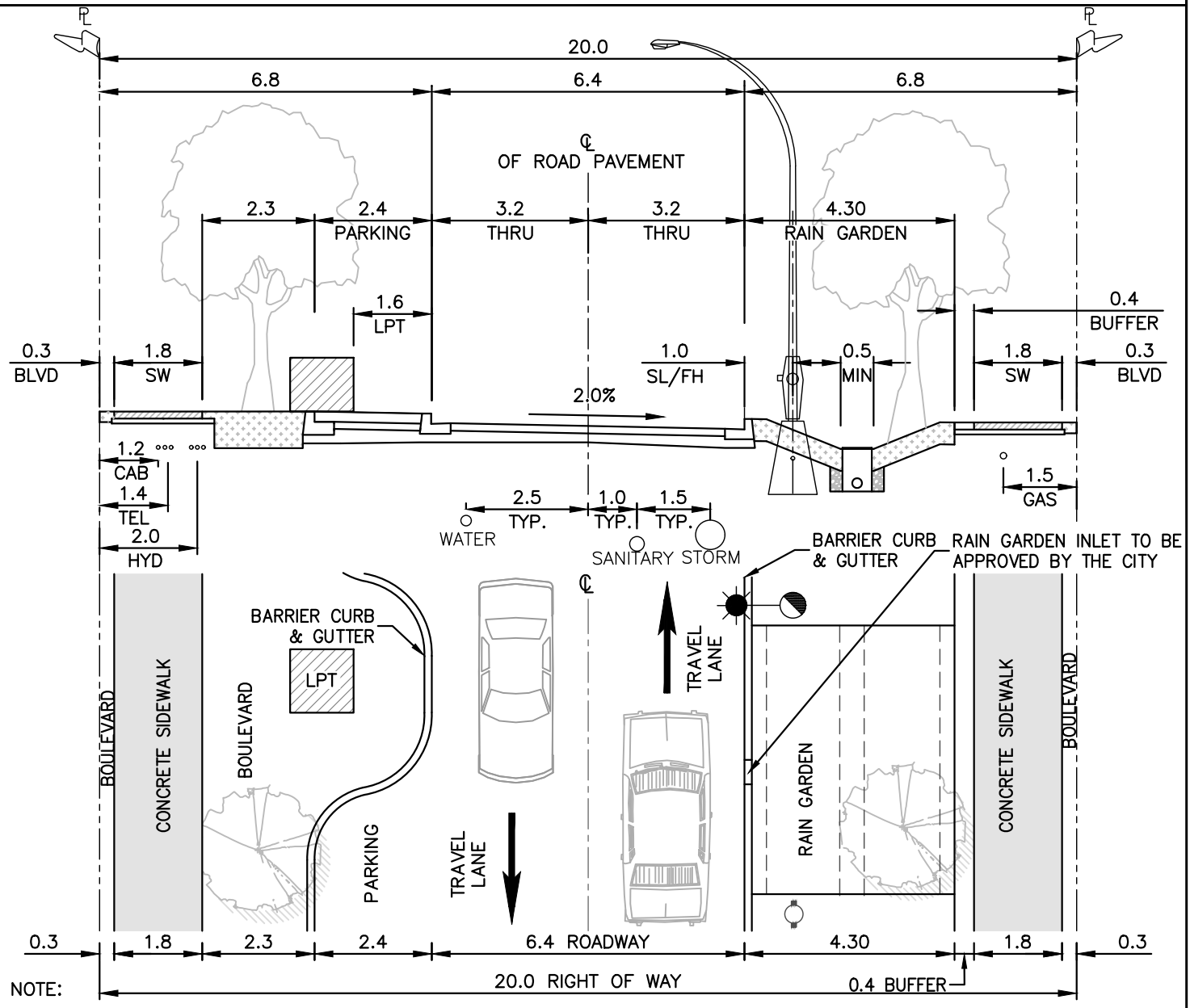
Read a third time this [day] day of [month], [year]

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

Mayor Bob Wells

Corporate Officer

CITY OF COURTENAY
SUPPLEMENTARY STANDARD DETAIL DRAWING



NOTE:

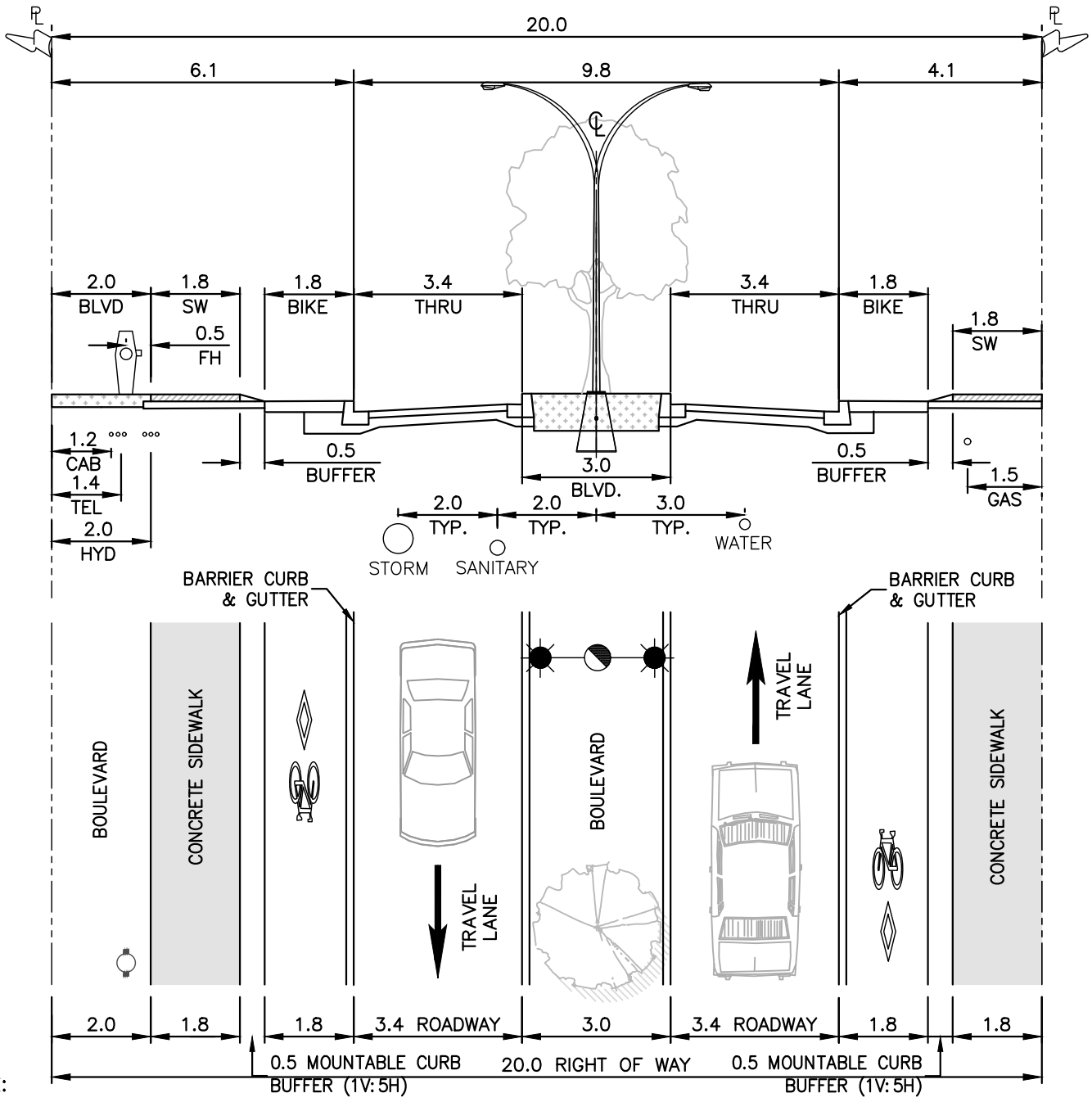
1. PAVEMENT MARKINGS TO INCLUDE: CENTERLINE AND TRANSVERSE ROAD MARKINGS TO TAC STANDARD.
2. 3rd PARTY UTILITY DESIGN TO BE PROVIDED BY THE RESPECTIVE UTILITIES.
3. BULB OUTS TO BE LOCATED AT LPTS, CROSSWALKS AND INTERSECTIONS TO DELINEATE PARKING POCKETS.
4. HYDRO SERVICE BOX TO INCLUDE A STORM SEWER SERVICE CONNECTION AS PER CSSD S8. INSPECTION CHAMBER TO BE LOCATED 300mm FROM SERVICE BOX.
5. DIMENSIONS IN METERS EXCEPT AS NOTED.
6. ORDER OF SIDEWALK AND RAIN GARDEN MAY SWAP. GAS TO REMAIN UNDER SIDEWALK AS SHOWN.
7. TREES TO BE CENTERED IN BOULEVARDS.
8. BOULEVARD SURFACE (NO TREES): 300mm TOPSOIL AND SEED, SOD OR MATERIAL APPROVED BY THE CITY (TYP.).
9. BOULEVARD SURFACE (WITH TREES): MIN. 750mm DEEP CONTINUOUS TRENCH WITH GROWING MEDIUM FOR TREES WITH SEED, SOD OR MATERIAL APPROVED BY THE CITY (TYP.).
10. RAIN GARDEN TO BE SUPPORTED BY TECHNICAL ANALYSIS TO DETERMINE STORMWATER CAPACITY AND WATER QUALITY MEASURES, WITH FINAL DESIGN SUBJECT TO APPROVAL BY THE CITY.
11. SIDEWALK WIDTH TO BE INCREASED TO 2.1m WIDE WHERE FRONTED BY MIXED-USE OR COMMERCIAL LAND USES.

LOCAL ROAD SECTION ALTERNATIVE

DRAWING NUMBER	REVISION NUMBER	SCALE
CSSD L3	1	N.T.S.

JULY, 2024

CITY OF COURTENAY
SUPPLEMENTARY STANDARD DETAIL DRAWING



NOTE:

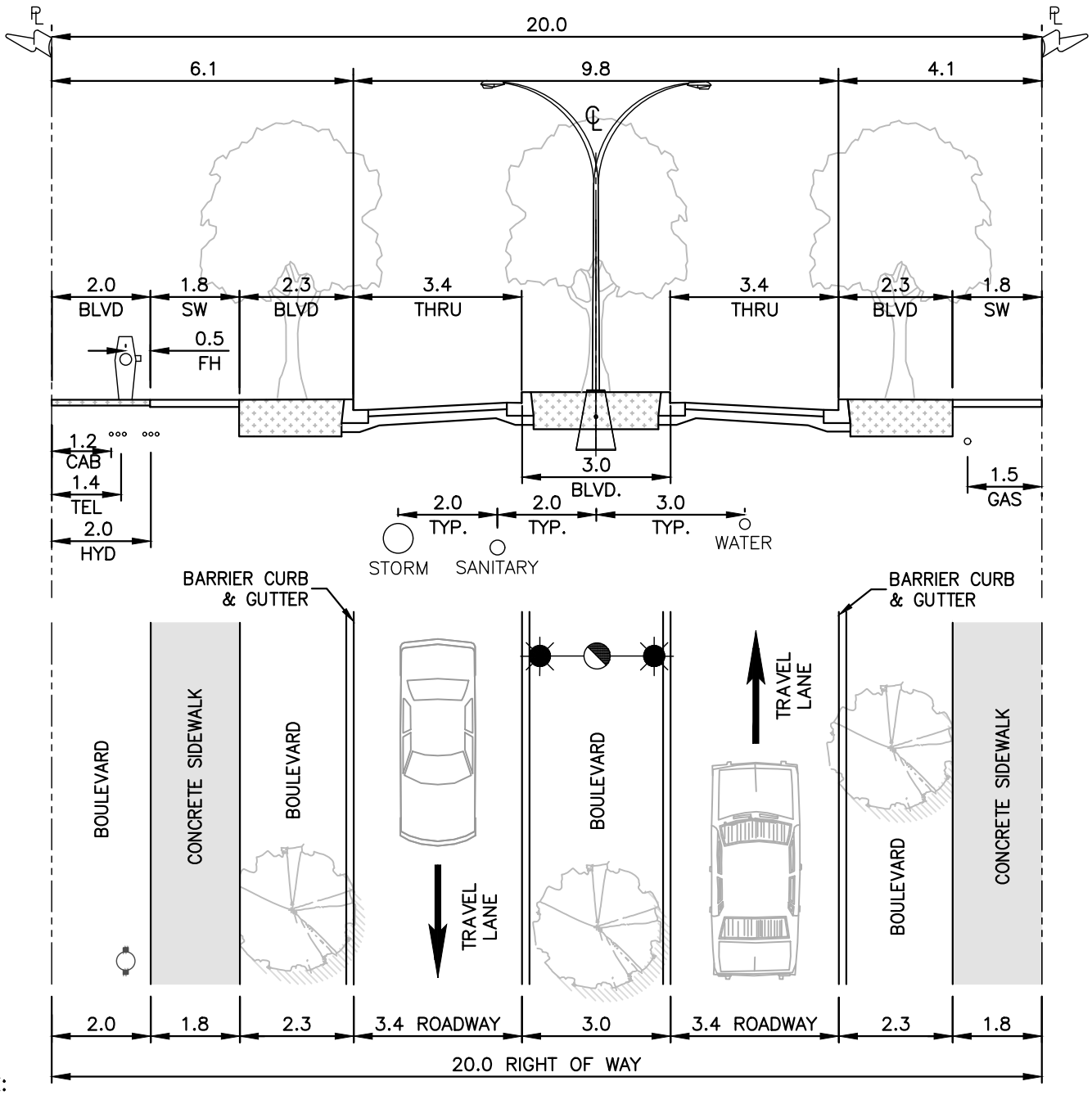
1. PAVEMENT MARKINGS TO INCLUDE: BIKE LANES AND TRANSVERSE ROAD MARKINGS TO TAC STANDARD.
2. 3rd PARTY UTILITY DESIGN TO BE PROVIDED BY THE RESPECTIVE UTILITIES.
3. THIS ROAD SECTION ASSUMES NO HYDRO LOADS OR LPT.
4. THIS CROSS-SECTION IS FOR USE WHEN TRANSITIONING BETWEEN ARTERIAL/COLLECTOR ROADS AND LOCAL ROADS.
5. DIMENSIONS IN METERS EXCEPT AS NOTED.
6. TREES TO BE CENTERED IN BOULEVARDS.
7. BOULEVARD SURFACE (NO TREES): 300mm TOPSOIL AND SEED, SOD OR MATERIAL APPROVED BY THE CITY (TYP.).
8. BOULEVARD SURFACE (WITH TREES): MIN. 750mm DEEP CONTINUOUS TRENCH WITH GROWING MEDIUM FOR TREES WITH SEED, SOD, OR MATERIAL APPROVED BY THE CITY (TYP.).

COLLECTOR ROAD SECTION
URBAN – ENTRY

DRAWING NUMBER	REVISION NUMBER	SCALE
CSSD CUE	1	N.T.S.

JULY, 2024

CITY OF COURTENAY
SUPPLEMENTARY STANDARD DETAIL DRAWING



NOTE:

1. PAVEMENT MARKINGS TO INCLUDE: BIKE LANES AND TRANSVERSE ROAD MARKINGS TO TAC STANDARD.
2. 3rd PARTY UTILITY DESIGN TO BE PROVIDED BY THE RESPECTIVE UTILITIES.
3. THIS ROAD SECTION ASSUMES NO HYDRO LOADS OR LPT.
4. THIS CROSS-SECTION IS FOR USE WHEN TRANSITIONING BETWEEN ARTERIAL/COLLECTOR ROADS AND LOCAL ROADS.
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6. TREES TO BE CENTERED IN BOULEVARDS.
7. BOULEVARD SURFACE (NO TREES): 300mm TOPSOIL AND SEED, SOD OR MATERIAL APPROVED BY THE CITY (TYP.).
8. BOULEVARD SURFACE (WITH TREES): MIN. 750mm DEEP CONTINUOUS TRENCH WITH GROWING MEDIUM FOR TREES WITH SEED, SOD, OR MATERIAL APPROVED BY THE CITY (TYP.).

COLLECTOR ROAD SECTION
URBAN – ENTRY (BOULEVARD)

DRAWING NUMBER	CSSD CUE 2
REVISION NUMBER	1
SCALE	N.T.S.

JULY, 2024

The Corporation of the City of Courtenay

Bylaw No. 3150

A bylaw to regulate the conduct of Council Members.

WHEREAS Council Members are keepers of the public trust and must uphold the highest standards of ethical behaviour in order to build and maintain the public's trust and confidence in local government;

AND WHEREAS it is to the benefit of the community for Council Members to conduct their business in accordance with the guiding principles of integrity, transparency, accountability, civility, respect, leadership and collaboration;

AND WHEREAS Council Members are expected to:

a) Make decisions that benefit the community;

b) Act lawfully and within the authority granted by the *Community Charter*, *Local Government Act* and other applicable enactments;

c) Be free from undue influence and not act to gain financial or other benefits;

AND WHEREAS a Code of Conduct bylaw establishes standards and expectations with respect to the conduct of Council Members;

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

PART ONE – ETHICAL CONDUCT

Division 1– Interpretation and Application

Citation

1. This Bylaw shall be cited as "**Council Code of Conduct Bylaw No. 3150, 2024**".

Definitions

2. In this Bylaw:

"**City**" means the City of Courtenay;

"**City Manager**" means the Chief Administrative Officer for the City;

"**Council Member**" means the Mayor and Councillors for the City;

"**FIPPA**" means the Freedom of Information and Protection of Privacy Act (British Columbia);

"**Investigator**" means the investigator appointed in section 23;

"**Solicitor**" refers to a lawyer in good standing with the Law Society of British Columbia appointed in section 19;

"**Staff**" means an officer or employee of the City, but does not include contractors.

"**Complaint**" means a formal allegation, in accordance with the complaint procedures set out in this Bylaw, that a Council Member has breached this Bylaw.

"**Complainant**" means a person who as submitted a Complaint.

"**Conflict of Interest**" refers to pecuniary and non-pecuniary conflicts of interest governed by the *Community Charter* and common law.

"**Gifts and Personal Benefits**" means an item or service of value that is received by a Council Member for personal use or enjoyment.

"**Municipal Officer**" means a member of Staff designated as an officer under Section 146 of the *Community Charter*.

"**Personal Information**" has the same meaning as in the Freedom of Information & Protection of Privacy Act.

"**Respondent**" means a Council member whose conduct is the subject of a Complaint.

Interpretation

3. (1) This Bylaw is to be interpreted broadly and in a manner that is consistent with the *Community Charter.*

(2) The intention of Council in enacting this Code is not to stifle Council Members or to limit their ability to fully perform the governmental and advocacy functions that their position entails, with all the vigour, flair and freedom that is typical of a well-functioning democratic institution, but instead to guide Council Members to undertake those functions in a manner that accords with sound ethical principles.

(3) This Bylaw is not intended to limit the content of comments made by Councillors on matters of public interest, which are protected by section 2(b) of the *Canadian Charter of Rights and Freedoms.*

(4) The foundational principles in section 4 are to inform the interpretation of the substantive provisions of this Bylaw and shall not form stand-alone bases for complaints.

(5) Nothing in this Bylaw is intended to preclude Council Members, prior to the filing of a complaint, from speaking to each other in order to resolve matters which may otherwise be captured by this Bylaw.

(6) Any enactment referred to herein is a reference to an enactment of British Columbia and its regulations, as amended or replaced from time to time.

Foundational Principles

4. Responsible conduct is based on the foundational principles of integrity, accountability, leadership, respect, openness and collaboration:

    a) Integrity: Council Members, both individually and as a collectively elected body, are keepers of the public trust and must uphold the highest standards of ethical behaviour including by acting lawfully, being free from undue influence, and making decisions that benefit the community;

    b) Democracy: Council Members are a key part of Canadian representative democracy and should strive to represent the electorate's perspectives to the best of their ability, while remaining true to themselves;

    c) Accountability: Council Members are trusted to act responsibly and are accountable to the public for their actions and decisions;

    d) Leadership: Council Members must demonstrate and promote the key principles of the Code of Conduct through their decisions, actions and behaviour, including by demonstrating behaviour that builds and inspires the public's trust and confidence in the City;

    e) Respect: Council Members must conduct public business with decorum and with proper attention to the City's diversity, by always treating each other and others with respect;

    f) Openness: Council Members must conduct their duties in an open and transparent manner, except where this conflicts with their duties to protect confidential information;

    g) Collaboration: The social fabric of communities and the wellbeing of residents depends on solid and sustainable community partnerships. Council Members shall seek to collaborate whenever possible and appropriate.

Application

5. (1) This Bylaw applies to all Council Members, inclusive of their actions in their capacity as members of various boards, committees, and other discretionary appointments.

(2) Unless otherwise provided, this Bylaw does not apply to a Council Member's conduct in their personal life, except to the extent that such conduct reasonably undermines public confidence in local governance.

(3) For clarity, the provisions of this Bylaw apply without limitation to a Council Member's use of personal and professional social media accounts.

(4) In the event of a conflict between this Bylaw and another City Bylaw or policy governing Council Member conduct, this Bylaw prevails.

(5) Where this Bylaw delegates specific duties to the City Manager and Corporate Officer, these employees may consult and coordinate with other staff members, including but not limited to, the Director of Corporate Services and the Manager of Human Resources.

Division 2 – Conduct Regulations

Comply with all Laws

6. Council Members shall comply with all applicable federal, provincial and municipal laws in the performance of their public duties, including but not limited to:

    a) the Local Government Act;
    b) the Community Charter;
    c) FIPPA;
    d) British Columbia Employment Standards Act
    e) the Financial Disclosure Act; and
    f) all bylaws and policies of the City.

General Conduct

7. Council Members shall not:

    a) engage with others, including Staff, members of the public and other Council Members, in a manner that is abusive, bullying, intimidating or derogatory; or

    b) use their office to attempt to gain personal or financial benefits for themselves or their family members, friends or business interests.

Interactions with Staff

8. (1) Council Members shall not:

    a) interfere with, hinder, or obstruct Staff in the exercise or performance of their roles, responsibilities, powers, duties, or functions in accordance with section 153

of the *Community Charter*, nor impair the ability of municipal officers or Staff to implement Council policy decisions;

b) request or require that Staff undertake personal or private work for or on behalf of a Council Member; or

c) request or require that Staff engage in political activities, or subject them to reprisal of any kind for refusing to engage in such activities.

(2) If a Council Member is unsure where to direct a question or inquiry regarding a departmental issue or other work-related item, or regarding a personal item that requires interactions with the regulatory functions of the City, they shall direct the question or inquiry to the City Manager, or to a Director or the Corporate Officer with a copy to the City Manager.

Interactions with the Public and Media

9. (1) Council Members shall not:

a) misrepresent a decision of Council, even if they disagree with that decision; or

b) make any disparaging comments about other Council Members, Staff or other City representatives.

(2) When presenting their individual opinions and positions, Council Members shall explicitly state that it is their own personal view and that they do not represent Council or the City in those views. For a social media account, this may be accomplished through a statement on the Council Member's profile.

Conduct of Meetings

10. (1) Council Members shall conduct themselves with decorum at meetings. This includes:

a) complying with all conduct provisions set out in *Council Procedure Bylaw No. 2730, 2013*;

b) adequately preparing for meetings;

c) using respectful language;

(2) Without limiting subsection (1), examples of behaviour that may constitute a breach of decorum could include:

a) using offensive gestures or signs;

b) failing to listen courteously and attentively to all discussions before the body;

c) making comments not germane to the business of the body;

d) interrupting other speakers, except to raise a point of order; or

e) otherwise interfering with the orderly conduct of a meeting.

(3) To find a breach of decorum under this section, the conduct of the member must, in the opinion of the Investigator, fall well below the standard expected of a Council Member.

Handling of Confidential Information

11. (1) Council Members shall keep information and records prohibited from release under section 117 of the *Community Charter* in strict confidence.

(2) Without limiting the generality of subsection (1), Council Members shall not disclose:

a) information or records concerning the property, personnel, legal affairs, or other information of the City distributed for the purposes of, or considered in, a closed Council meeting;

b) resolutions or Staff report contents from a closed meeting of Council unless and until a Council decision has been made for the information to become public; or

c) details on Council's closed meeting deliberations or how individual Council Members voted on a question in a closed meeting.

(3) Council Members shall not use confidential information to advance, directly or indirectly, their own personal, financial or other private interests.

(4) Council Members shall take all reasonable steps to ensure that they keep confidential records, and the devices on which those records are stored, secure as per the City's policies on records management or as directed by the City Manager or Corporate Officer from time to time.

Conflict of Interest

12. (1) Council Members shall not participate in discussion of a matter, or vote on a question in respect of that matter, if the Council Member has a conflict of interest.

(2) In respect of each matter before Council, Council Members shall:

a) assess whether they have a conflict of interest; and

b) determine whether it is necessary to seek independent legal advice.

(3) If a Council Member believes that they have a conflict of interest in respect of a matter in a Council or Committee meeting, the Council Member shall:

a) prior to the matter's consideration, notify the City Manager, Corporate Officer, and the Mayor or Chair of the meeting that they have a conflict of interest, stating in general terms why they consider that to be the case;

b) leave any meeting if the matter is discussed and not return until the discussion has ended or voting has been concluded;

c) refrain from discussing the matter with any other Council Member publicly or privately; and

d) refrain from attempting in any way to influence the voting on any question in respect of the matter.

Gifts

13. (1) Council Members shall not accept a gift or personal benefit, except in accordance with section 105 of the *Community Charter.*

(2) Council Members shall disclose a gift or personal benefit, received in accordance with section 105 of the *Community Charter,* as per section 106 of the *Community Charter.*

Use of Public Resources

14. (1) Council Members shall not use resources provided to them by the City, including but not limited to:

a) Staff time;

b) equipment;

c) technology;

d) supplies;

e) facilities; or

f) other property,

for private gain, personal purposes, or election-related purposes.

(2) Council Members shall not undertake municipal election campaign related activities at the City Office or on other premises owned by the City during regular working hours, unless such activities are organized by the City or undertaken on the same terms as a member of the public.

PART TWO – INVESTIGATION, COMPLIANCE AND ENFORCEMENT

Division 1 – Implementation and Preliminary Steps

Implementation

15. As an expression of the standards of conduct for Council Members expected by the City, this Code is intended to be self-enforcing. This Bylaw becomes most effective when Council Members are thoroughly familiar with it and embrace its provisions. For this reason, this Bylaw shall be provided as information to candidates for Council.

Preliminary Steps

16. If a Council Member believes that they have observed another Council Member engaging in conduct that would breach this Bylaw, they must attempt to resolve the complaint directly with the other Council Member, if possible, prior to submitting a complaint under section 18.

Division 2 – Complaint Intake

Complaint Procedure

17. (1) Subject to section 17, a Council Member or Staff member may submit a complaint to the City Manager or, if the complaint involves the City Manager, to the Corporate Officer.

(2) A complaint must be in writing, must be submitted within 60 days of the time that the complainant knew or ought to have known of the alleged breach, and must include, with sufficient detail:

a) the name of the complainant;

b) the name of the respondent Council Member(s);

c) the conduct that the complainant alleges was in breach of the Code;

d) the date of the alleged conduct;

e) the parts of the Code the alleged conduct breached;

f) the basis for the complainant's knowledge of the conduct; and

g) whether, if the complainant is a Council Member, there was any attempt to resolve the complaint informally under section 17.

(3) Where possible, a complaint should be accompanied by any documents relevant to it.

(4) A complaint may be accepted notwithstanding that it does not comply with every requirement in subsections (2) and (3), if the City Manager or Corporate Officer determines that there has been substantial compliance or if the circumstances otherwise warrant acceptance.

(5) A complaint submitted outside the time limits set out in subsection (2) must be rejected, except that the City Manager or Corporate Officer may grant an extension of no more than 30 further days if the circumstances of the complaint are sufficiently serious.

(6) In an election year, a complaint submitted after the nomination period has begun must be accepted and held in abeyance until after the new Council has taken office, at which time the complaint shall only proceed if they relate to a Council Member who was re-elected in that election year.

(7) For certainty, if the Council Member who is the subject of a complaint held in abeyance pursuant to subsection (5) is not re-elected, the complaint must be rejected.

Preliminary Assessment

18. (1) On receipt of a complaint, the City Manager or Corporate Officer shall conduct a preliminary assessment of the complaint in accordance with Part 1 and upon consideration of section 19(2) or forward the complaint to the City's Solicitor to conduct a preliminary assessment.

(2) If the City Manager, Corporate Officer or Solicitor determines that any of the following circumstances apply, they must notify the complainant and respondent Council Member in writing that the complaint will be closed, stating the reasons for the closure:

a) the complaint is not with respect to a breach of this Bylaw;

b) the complaint is frivolous, vexatious, or not made in good faith;

c) the complaint would be more appropriately addressed through another process;

d) the complaint is not in compliance with section 18(2) and the respondent Council Member will be prejudiced by the complainant's failure to comply;

e) the complaint concerns the same subject matter as a previous complaint that has already been accepted under this section, and it is not necessary to expand that original complaint or add the new complainant;

f) the complainant wishes to withdraw the complaint, and it would be appropriate to allow the complaint to be withdrawn;

g) the complaint was submitted by a Council Member, and the Council Member ought to have first attempted to resolve the complaint informally under section 17; or

h) there are no possible grounds on which to conclude that a violation of this Bylaw has occurred.

(3) In completing the preliminary assessment, the City Manager or Corporate Officer or Solicitor may request further information from the complainant before determining

whether there are sufficient grounds to believe that a breach of this Bylaw may have occurred.

(4) Once a complaint is accepted under subsection (1),

a) the Corporate Officer or City Manager must refer the complaint to the Solicitor, if not already referred under subsection (1), for a determination under subsection (b); and

b) the Solicitor must then determine whether the complaint requires a formal investigation or whether the complaint may be resolved informally.

(5) If the Solicitor receives multiple complaints concerning the same matter, the Solicitor must proceed with the first complaint accepted, but may expand the complaint and/or add complainants for the purpose of seeking resolution of the complaint.

Criminal Conduct

19. (1) If, at any stage in the complaint procedure, the City Manager, Corporate Officer, Solicitor or Investigator determines that there are reasonable grounds to believe that there has been a contravention of the *Criminal Code,* or learns that there is an ongoing police investigation into the conduct that gave rise to the complaint, then they must immediately refer the matter to the appropriate authorities and suspend any investigation into the complaint until any resulting police investigation and charge have been finally disposed of, and shall report the suspension to Council, the complainant, and the respondent Council Member.

(2) For certainty, a complaint must be suspended while the respondent is on a mandatory leave of absence under section 109.3(1) of the *Community Charter*, and may be re-commenced only once the mandatory leave of absence ends pursuant to section 109.3(1)(b) of the *Community Charter*.

Disqualification Proceedings

20. (1) If, at any stage in the complaint procedure, the City Manager, Corporate Officer, Solicitor or Investigator determines that:

a) the subject-matter of the complaint is being addressed in a disqualification proceeding commenced under section 111 of the *Community Charter*; or

b) the complainant could commence a disqualification proceeding under section 111 of the *Community Charter* in relation to the matter that is the subject of the complaint the complaint must immediately be suspended until the proceeding under subsection (a) has concluded or the time-period within which the complainant could commence a proceeding under subsection (b) has expired.

(2) If a complaint has been suspended under subsection (1), it may be re-commenced upon the conclusion of a disqualification proceeding, or the time-period within which a disqualification proceeding could be filed has expired, if:

a) the Council Member who is subject to the complaint has not been disqualified from office by the British Columbia Supreme Court; and

b) it would be in the public interest to do so.

Division 3 – Resolution Procedures & Investigations

Informal Resolution

21. (1) Where the City Manager, Corporate Officer, or the Solicitor has determined that the complaint may be resolved informally, the City Manager, Corporate Officer or the Solicitor may, at their discretion, either attempt to resolve the complaint directly, or refer the complaint to:

a) the Mayor, if the complaint is made by a Council Member or the City Manager, unless the complaint is against the Mayor in which case the complaint will be referred to the Acting Mayor; or

b) the City Manager, if the complaint is made by a Staff member.

(2) When determining whether the complaint may be resolved informally, the City Manager, Corporate Officer or the Solicitor may consider culturally appropriate or transformative or restorative justice approaches, and may engage a third-party mediator or facilitator to assist for this purpose.

(3) Where the City Manager, Corporate Officer or the Solicitor has referred the complaint in subsection (1), the Mayor or City Manager, as the case may be, may agree to assist in resolving the complaint directly, or may appoint a third party to assist in resolving the complaint at their discretion.

(4) The person assisting in the informal resolution of a complaint shall assess the suitability for settlement or resolution on an ongoing basis and may decline to assist at any point.

(5) The complainant or respondent Council Member may decline to participate in an informal resolution at any time.

(6) If the complaint is resolved informally by someone other than the Solicitor, the person assisting in resolving the complaint must notify the Solicitor in writing of the terms of the resolution, upon receipt of which, the Solicitor must close the complaint.

(7) If the person assisting in the informal resolution of a complaint declines to assist, the complainant or respondent Council Member declines to participate, or 30 days has passed since the determination in section 19(4) was made by the Solicitor to resolve the complaint informally, then the complaint shall be referred in accordance with section 23.

Referral to Third-Party Investigator

22. (1) If the Solicitor determines that the complaint requires a formal investigation under section 19(4), or in the event that informal resolution is unsuccessful, they shall refer the complaint to a neutral and independent third-party Investigator of their choosing to conduct an investigation and notify the complainant and respondent Council Member of the referral.

(2) The Investigator shall, at all times during an investigation, have power to dismiss a complaint on a preliminary basis as set out in section 19.

(3) The Solicitor may dismiss an Investigator if, in the Solicitor's judgment, the Investigator has engaged in conduct that would be detrimental to the continued processing of the complaint.

Formal Resolution

23. (1) Once retained, the Investigator shall deliver the complaint to the respondent Council Member, along with a request that the respondent Council Member provide a written response to the complaint, together with any submissions that the respondent chooses to make, within 10 days, subject to the Investigator's discretion to reasonably extend the timeline.

(2) The Investigator may, at their discretion, deliver the respondent Council Member's written response and submissions to the complainant and request a reply in writing within 10 days, subject to the Investigator's discretion to reasonably extend the timeline.

(3) The Investigator may:

a) speak to anyone relevant to the complaint;

b) (b) request disclosure of documents relevant to the complaint, including closed meeting minutes; and

c) (c) access any record in the custody or control of the City, within the meaning of FIPPA, with the exception of records subject to solicitor-client privilege.

(4) The Investigator has discretion to conduct the investigation as they see fit, but must ensure that the investigation complies with the rules of procedural fairness and natural justice required in the circumstances of the complaint.

Confidentiality

24. (1) The City Manager, Corporate Officer, Solicitor and Investigator must make all reasonable efforts to process and investigate complaints in a confidential manner.

(2) The Investigator and every person acting under the Investigator's instructions must preserve confidentiality with respect to all matters that come into the Investigator's knowledge in the course of any investigation or complaint, except as otherwise required by law.

(3) Council Members must make all reasonable efforts to keep complaints under this Bylaw, at any stage, confidential, except as otherwise provided in this Bylaw.

Obstruction

25. (1) No Council Member or Staff member will obstruct the Investigator, Solicitor, City Manager or Corporate Officer in relation to the administration of this Bylaw or the investigation of a complaint.

(2) Without limitation, the following shall constitute obstruction:

a) uttering of threats or undertaking any reprisal against any person involved in the complaint;

b) destruction of relevant records or documents; and

c) refusal to cooperate with the Investigator.

(3) A person who is found to have obstructed the Investigator, Solicitor, City Manager or Corporate Officer will be subject to appropriate disciplinary action, which may include, but is not limited to:

a) the sanctions and remedies as described in section 30;

b) discipline or termination of employment for just cause; or

c) prohibition against filing a complaint under this Bylaw for a specified and reasonable period of time.

Frivolous and Vexatious Complaints

26. Any individual who is found to have obstructed the Investigator, Solicitor, City Manager or Corporate Officer, or who makes complaint that is subsequently found to have been made in a deliberately frivolous, vexatious or malicious manner, or otherwise made in bad faith, will be subject to appropriate disciplinary action, which may include, but is not limited to:

a) in the case of Council Members, sanctions and remedies as described in section 30;

b) in the case of Staff, disciplinary measures or termination of employment for just cause, as applicable; or

c) in the case of any complainant, prohibition from filing complaints under this Bylaw for a specified period of time.

Division 4 – Adjudication and Reporting

Final Determination by Investigator

27. (1) The Investigator must conclude the investigation and make a determination regarding the alleged breach within 90 business days of referral under section 23(1), unless the Investigator determines that doing so is not practicable, in which case the Investigator must notify the complainant and respondent Council Member of the delay and provide a revised decision date, which may be extended by periods of up to 30 days at a time on provision of written notice to the complainant and respondent Council Member.

(2) If, after reviewing all the material information, the Investigator determines that a Council Member did not violate this Bylaw, then the Investigator shall:

a) prepare a written investigation report providing reasons for their determination, which shall include a determination of whether the complaint was submitted frivolously, vexatiously or in bad faith;

b) deliver a summary of the investigation report to the complainant; and

c) deliver a copy of the investigation report to the respondent Council Member and Council, along with the City Manager and the Corporate Officer.

(3) If, after reviewing all the material information, the Investigator determines that a Council Member did violate this Bylaw, then the Investigator shall:

a) prepare a written investigation report providing reasons for their determination, which must include:

i. a summary of the factual findings of the Investigator;

ii. an application of this Bylaw, and any other applicable law, to the facts;

iii. a recommendation of the appropriate sanction, subject to subsection (iv); and

iv. if applicable, a determination of whether the respondent Council Member took all reasonable steps to avoid the breach or whether the breach was trivial, inadvertent or due to an error in judgment made in good faith, in which case the Investigator may recommend that no sanction be imposed;

b) notify the complainant that the investigation is complete and inform them that the investigation report, or a summary thereof, will be subsequently released by Council in accordance with section 29(4);

c) deliver a copy of the investigation report to the respondent Council Member; and

d) 48 hours after the delivery of the investigation report to the respondent Council Member, deliver a copy of the investigation report to Council, along with the City Manager and the Corporate Officer.

(4) The Investigator may choose to distribute the investigation report to Council under this section through the Corporate Officer.

Final Determination by Council

28. (1) Council must, within 30 business days of the Investigator's delivery of the investigation report, decide on the appropriate measures, if any, that are warranted by a breach of this Bylaw.

(2) Prior to making any decision regarding the findings and recommendations set out in the investigation report, the respondent Council Member must be provided with an opportunity, in person and in writing, to comment to Council on the Investigator's determinations and recommendations.

(3) While an investigation report may be considered in a closed meeting, if the circumstances warrant and there is a valid reason to close the meeting under section 90 of the *Community Charter*, when Council deliberates and votes on the Investigator's recommendation, it will generally do so in an open meeting.

(4) If Council chooses to deliberate and vote in an open meeting, proper redactions to the materials shall take place to ensure that personal information is not disclosed in contravention of FIPPA.

(5) Within 30 days of receiving the investigation report under section 28(2)(c) or section 28(3)(d), Council must, subject to the City's obligations under FIPPA, release to the public the investigation report, or a summary thereof, along with a summary of Council's decision, if applicable.

Remedies

29. (1) Council may impose the following remedies for a violation of this Bylaw:

a) letter of reprimand from Council, addressed to the respondent Council Member;

b) a request from the Council that the respondent Council Member issue a letter of apology;

c) the publication of the letters contemplated in subsections (a) and (b), along with the respondent Council Member's response, if any;

d) directions to the City Manager or Corporate Officer regarding the method of providing documents that contain confidential information to the respondent Council Member;

e) a recommendation that the respondent Council Member:

i. attend specific training or counselling;

ii. complete a specified number of volunteer hours; or

iii. make a charitable donation of a specified or unspecified amount to a particular charity;

f) limitations on access to certain City facilities;

g) prohibition from representing the City at events and/or attending conferences or seminars;

h) suspension or removal of the respondent Council Member from the Acting Mayor rotation;

i) suspension or removal of the respondent Council Member from Council committees, commissions, boards or other Council appointments;

j) public censure of the respondent Council Member;

k) limitations on access to certain staff members, or rules with respect to interaction with staff; or

l) any other sanction recommended by the Investigator, so long as that sanction is within the authority of Council.

(2) must consider the following factors when determining whether to impose a sanction on a Council Member:

a) the degree and nature of the conduct;

b) whether the contravention was a single or repeated act;

c) whether the Council Member knowingly contravened this Bylaw;

d) whether the Council Member took steps to mitigate or remedy the contravention;

e) the Council Member's history of other contraventions; and

f) if applicable, the Investigator's finding that the respondent Council Member took all reasonable steps to avoid the breach, or that the breach was trivial or done inadvertently or because of an error in judgment.

(3) When Council imposes a remedy pursuant to section 30(1), it may include secondary remedies to take effect on a date set by Council in the event that the Council Member fails to comply.

Division 5 – Post-Decision Matters

Remuneration

30. (1) Where the Investigator finds that a Council Member:

a) breached this Bylaw; or

b) submitted a complaint that was frivolous, vexatious, or made in bad faith,

the remuneration to which that Council Member would otherwise have been entitled shall be reduced in accordance with the Council Remuneration Policy, as amended from time to time.

(2) Notwithstanding subsection (1), the remuneration of a Council Member shall not be reduced if the Investigator makes a finding that:

a) the Council Member took all reasonable steps to prevent the breach;

b) the breach was trivial or inadvertent; or

c) the breach was because of an error in judgment made in good faith.

31. (1) A Council Member who is found not to have breached the Code may make a request to Council for reimbursement of the costs of legal advice and representation in responding to the formal complaint process outlined in this Bylaw.

(2) If appropriate, after considering all of the circumstances, Council may resolve to reimburse legal fees reasonably incurred by a Council Member, provided that all of the following are met:

a) the Council Member has not previously been found to have breached this Bylaw;

b) the Council Member has not previously been reimbursed under this section during the current Council term;

c) the amount claimed does not exceed $10,000; and

d) the Council Member did not engage in dishonest, grossly negligent, or malicious conduct.

Read a first time this 17th day of July, 2024.

Read a second time this 17th day of July, 2024.

Read a third time this 17th day of July, 2024.

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

Mayor Corporate Officer

The Corporation of the City of Courtenay

Bylaw No. 3151

A bylaw to provide for the indemnification of municipal officials.

WHEREAS section 740 of the Local Government Act provides that a municipal council may, by bylaw, provide that the municipality will indemnify municipal officials in respect of certain matters in accordance with the bylaw.

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

Citation

1. This Bylaw shall be cited as "**Indemnification Authorization Bylaw No. 3151, 2024**".

Definitions

2. In this Bylaw:

    (a) "City" means the City of Courtenay;

    (b) "Code" means the *City of Courtenay Code of Conduct*; and

    (c) "Municipal Official" means

        (i) a current or former City council member;

        (ii) a current or former City officer or employee; and

        (iii) a person who is or was a person referred to in section 738(1) of the *Local Government Act*, but only in relation to the exercise of powers or the performance of duties or functions for or on behalf of the City.

3. This Bylaw does not apply to:

    (a) claims for a fine imposed on a person upon conviction for a criminal offence;

    (b) a municipal official who refuses to cooperate with the City, including the City's legal counsel, agents, and representatives, in relation to the action, prosecution or proceeding, including to secure information, evidence and witnesses and in the defense of an action or prosecution;

    (c) a municipal official, in relation to the conduct that is the subject matter of the claim, who:

        (iv) is guilty of gross negligence, malicious or willful misconduct, or a criminal act;

        (v) has willfully acted contrary to the terms of their employment;

        (vi) has willfully acted contrary to a lawful direction or order of a supervisor; or

        (vii) has not acted in the honest performance of their duties.

(d) claims that do not arise in connection with a Municipal Official's exercise or intended exercise of their powers or the performance or intended performance of their duties;

(e) any proceedings or complaints made under the Code, in relation to which current council members may seek indemnification under the Code;

(f) defamation claims against a council member; and

(g) proceedings to disqualify a council member from office brought pursuant to the *Community Charter*.

4. Subject to section 3, the City shall indemnify Municipal Officials by paying all amounts required or incurred:

(a) to defend an action or prosecution brought against a Municipal Official in connection with the exercise or intended exercise of the person's powers or the performance or intended performance of the person's duties or functions,

(b) to satisfy a judgment, award or penalty imposed in an action or prosecution referred to in paragraph (a), or

(c) in relation to an inquiry under the *Public Inquiry Act*, or to another proceeding, that involves the administration of the City or the conduct of City business.

5. For clarity:

(a) in accordance with section 740(3) of the *Local Government Act*, as a limit on indemnification under section 3, the City shall not pay a fine that is imposed as a result of a Municipal Official being convicted of an offence that is not a strict or absolute liability offence; and

(b) in accordance with section 740(6) of the *Local Government Act* and despite section 3, the City may seek indemnity against a Municipal Official in respect of any conduct of the person that results in a claim for damages against the municipality if a court makes a finding in the action that the person has been guilty of dishonesty, gross negligence or malicious or willful misconduct.

6. Where indemnity is or may be claimed under this Bylaw, the Municipal Official shall:

(a) promptly after being served with a document initiating an action, prosecution or proceeding, deliver a copy of such document to the City's Corporate Officer;

(b) not admit or assume liability, enter into a settlement or enter a guilty plea except with the approval of the City;

(c) consent in writing to the City having sole discretion to appoint and instruct legal counsel, to conduct all necessary investigations and to negotiate and settle the action, prosecution or proceeding; and

(d) co-operate with the City and appointed legal counsel in relation to the action, prosecution or proceeding, including to secure information, evidence and witnesses and in the defense of an action or prosecution.

Read a first time this 17th day of July, 2024.

Read a second time this 17th day of July, 2024.

Read a third time this 17th day of July, 2024.

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

Mayor Bob Wells

Corporate Officer