



The Corporation of the City of Courtenay

# Council Agenda

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**Meeting #:** R18/2024  
**Date:** October 23, 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.

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# Council Minutes

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**Meeting #:** R17/2024  
**Date:** October 9, 2024  
**Time:** 4:00 pm  
**Location:** City Hall Council Chambers

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

**Staff Present:** G. Garbutt, City Manager (CAO)  
C. Davidson, Director of Engineering Services (electronic)  
A. Langenmaier, Director of Financial Services  
K. Macdonald, Fire Chief  
K. O'Connell, Director of Corporate Services  
K. Shaw, Director of Public Works Services  
M. Wade, Director of Development Services  
E. Chow, Manager of Legislative Services  
N. Gothard, Manager of Community and Sustainability Planning  
J. Tazzioli, Manager of Engineering, Environmental Projects  
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.

On behalf of Council, Councillor Jolicoeur recognized World Mental Health Day, celebrated on October 10th. This day is dedicated to promoting global mental health education, raising awareness, and advocating against the stigma surrounding mental health issues. Councillor Jolicoeur encouraged residents to connect with their loved ones and offer support.

**2. INTRODUCTION OF LATE ITEMS**

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

**3. ADOPTION OF MINUTES**

**3.1 Regular Council Minutes - September 25, 2024**

**Moved By** Hillian

**Seconded By** McCollum

THAT Council adopt the September 25, 2024 Regular Council minutes.

**CARRIED**

**4. STAFF REPORTS**

**4.1 Infrastructure and Environmental Engineering**

**4.1.1 Flood Management Plan**

Tamsin Lyle, Principal and Founding Engineer of Ebbwater Consulting, presented an overview of the City-wide flood management plan. The plan includes a comprehensive 5-Year Capital Plan, outlines medium to long-term actions, and features over 80 specific recommendations, each accompanied by a timeline and budget.

**Moved By** Hillian

**Seconded By** Cole-Hamilton

THAT Council adopt the Flood Management Plan; and

THAT Council direct staff to implement the 86 recommended actions, and include budget for related projects in the 5 year financial plan.

**CARRIED**

**4.2 Fire Department**

**4.2.1 K'ómoks First Nation Fire Protection Agreement**

**Moved By** Frisch

**Seconded By** Cole-Hamilton

THAT Council direct staff to enter into an agreement with the K'ómoks First Nation to provide fire protection at Pentledge Indian Reserve Number 2 for a term of up to 5 years.

**CARRIED**

Without objection, the meeting was recessed at 5:42 pm. Mayor Wells reconvened the meeting at 5:59 pm.

**4.3 Operational Services**

**4.3.1 Water and Sewer Rate Review – 2024 Update**

**Moved By** Frisch

**Seconded By** Morin

THAT Council receive the "Water and Sewer Rate Review – 2024 Update" report for information and direct staff to implement the five-year utility rate rebalancing recommendations.

**CARRIED**

**5. INTERNAL REPORTS AND CORRESPONDENCE**

**5.1 Update: Animal Control Services and SPCA Contract**

Without objection, council received the "Update: Animal Control Services and SPCA Contract" briefing note for information.

**6. BYLAWS - For First, Second, and Third Readings:**

**6.1 Zoning Amendment Bylaw No. 3140, 2024 (small-scale, multi-unit housing)**

**Moved By** McCollum

**Seconded By** Frisch

THAT Council give first reading to Zoning Amendment Bylaw No. 3140, 2024 (small-scale, multi-unit housing); and

THAT Council give second reading to Zoning Amendment Bylaw No. 3140, 2024 (small-scale, multi-unit housing); and

THAT Council give third reading to Zoning Amendment Bylaw No. 3140, 2024 (small-scale, multi-unit housing).

**CARRIED**

## 7. COUNCIL REPORTS

### 7.1 Councillor Cole-Hamilton

No report provided.

### 7.2 Councillor Frisch

No report provided.

### 7.3 Councillor Hillian

Councillor Hillian submitted a report of activities, see agenda.

### 7.4 Councillor Jolicoeur

No report provided.

### 7.5 Councillor McCollum

No report provided.

### 7.6 Councillor Morin

Councillor Morin submitted a report of activities, see agenda.

### 7.7 Mayor Wells

Mayor Wells reviewed his attendance at the following events and submitted a report of activities:

- **Comox Valley Spirit Walk 2024:** An event organized by the Indigenous Women's Sharing Society and the Comox Valley MIKI'SIW Métis Association, held on September 30th in observance of Truth and Reconciliation Day.
- **Pulse on the Plaza:** Hosted by CV Arts on September 27, 2024.
- **Elected Officials Forum:** Regional Climate Action Strategy and Climate Panel held on October 3rd.

## 8. ADJOURNMENT

Mayor Wells concluded the meeting at 7:41 pm.

**CERTIFIED CORRECT**

Adopted by Council [MONTH] [DAY], 2024

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Mayor Bob Wells

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Kate O'Connell, Corporate Officer



The Corporation of the City of Courtenay

# Staff Report

**To:** Council

**File No.:** 4000-20

**From:** Director of Corporate Services

**Date:** October 23, 2024

**Subject:** Parks and Public Spaces Regulation Bylaw – First Nations and Indigenous Serving Organization’s Referral Response and 3rd Reading Consideration

## **PURPOSE:**

To provide Council with the responses received from referral organizations in regard to the proposed Parks and Public Spaces Regulation Bylaw 3121; and bring forward the Parks and Public Spaces Regulation Bylaw No. 3121 for consideration of 3<sup>rd</sup> reading.

## **EXECUTIVE SUMMARY:**

In February 2023, the City of Courtenay launched a project to update its 1992 Parks Control Bylaw. The goal of this initiative was to align the bylaw with the community's shifting needs and the evolving use of parks, ensure adherence to current legal standards, clearly define parks management authorities, and incorporate environmental, health, and cultural protections. The development of the proposed Parks and Public Spaces Regulation Bylaw No. 3121 was guided by three main phases: conducting an environmental scan to identify best practices, assessing operational impacts, and refining draft regulations based on feedback from a diverse range of contributors.

As the Parks Control Bylaw was being updated, the Recreation, Culture, and Community Services Department and the Development Services Department engaged Council in discussions regarding a diverse range of policy and operational considerations to address homelessness. After reviewing the options presented, Council provided direction, resulting in the City leading the development of the Winter Shelter Strategy, exploring various shelter and housing options in partnership with BC Housing, and evaluating temporary shelter solutions such as encampments and tiny homes.

Upon consideration of the third reading of the bylaw, Council deferred third reading and referred the Parks and Public Spaces Regulation Bylaw No. 3121 to three Indigenous-serving organizations and the K’ómoks First Nation (KFN), allowing 60-days for responses. Two responses were received, which outline policy expectations regarding the consideration of multi-day sheltering and managed encampments. The responses also emphasized the need for meaningful engagement and highlighted the importance of trauma-informed and culturally sensitive training.

## **BACKGROUND:**

The City of Courtenay embarked on a significant project to update its 1992 Parks Control Bylaw, with the goal of aligning it more closely with the evolving needs of the community, adhering to current legal standards, and incorporating environmental, health, and cultural considerations. Launched in February 2023, this initiative arose from the understanding that the existing bylaw was inadequate in addressing the demands of a growing population, changing patterns of park use, and pressing challenges associated with climate change and urban issues. An environmental scan, along with interviews with interested parties and

contributors, elected officials, and staff, revealed that the current bylaw not only posed substantial obstacles to effective parks service delivery—such as ambiguities in authority and insufficient legal compliance concerning sheltering regulations—but also lacked essential components like permits and permit requirements. This further underscored the need for a comprehensive re-evaluation of the existing bylaw to better serve the community.

The City created the Parks and Open Spaces Bylaw Guiding Document using a structured methodology that involved three key phases: conducting an environmental scan to identify best practices, performing an operational impact assessment, and refining draft regulations based on feedback from a diverse group of contributors. The drafting process emphasized key priorities such as clarity in regulations, smoking/vaping prohibition, protection of natural and cultural sites, accommodation of temporary sheltering in alignment with legal standards.

Important to note, while work was being undertaken by the Corporate Services Department to develop the Bylaw Policy, the Strategic Plan for Bylaw Compliance, and the Parks and Public Spaces Regulation Bylaw, critical policy work on homelessness supports and sheltering options were also being developed and presented to Council by the Recreation, Culture, and Community Services Department and the Development Services Department. In consideration of both the proposed bylaw, and ongoing policy discussions related to sheltering, homeless supports, and housing, Council has provided the following direction:

At the **September 27, 2023** Council meeting, Council passed the following motion:

*THAT Council approve the Parks and Open Spaces Bylaw Guiding Document and direct staff to work with external legal counsel to draft a new Parks and Open Spaces Control Bylaw; and,*

*THAT staff be directed to report back to Council on any further amendments to B.C.’s current decriminalization policy and or at such time as further guidance for local government is provided by the Province.*

Following approval of the Parks and Open Spaces Bylaw Guiding Document (Attachment 1), staff began developing the bylaw as directed. At the **January 10, 2024** Council meeting, Council considered the Parks and Open Spaces Regulation Bylaw No. 3121 passing the following resolution:

*THAT Council give first and second readings to the Parks and Open Spaces Regulation Bylaw No. 3121; and,*

*THAT staff be authorized to prepare a bylaw amendment to the Municipal Ticket Information Bylaw No. 2435, 2006 for Council consideration.*

At the **February 14, 2024 Council meeting**, a delegation requested Council consider amending the Parks and Open Spaces Regulation Bylaw No. 3121 as outlined in the submission entitled “*Working Towards System Change: Assessing Courtenay’s Approach to End Homelessness*” (Attachment 2). In addition to specific amendments to the proposed bylaw, the submission sought Council’s consideration of the following policy matters:

- **Day Time Sheltering:** Provision of leniency for health issues to better support those experiencing homelessness requiring shelter in City Parks, allowing individuals experiencing illness and physical disabilities to shelter in place beyond the proposed time slots of 7 pm to 9 am.

- **Cannabis and Vaping:** Allow for regulated consumption of cannabis and implement accessible, designated smoking and vaping areas within parks spaces.

At the same meeting (**February 14, 2024**), staff confirmed with Council that the scope of the Parks Control Bylaw Modernization Project, as outlined in the project priorities, did not include a policy options review of day time sheltering, multiple day sheltering options, or reconsideration of Council’s previous direction on smoking/vaping in parks. Upon consideration of the comments and requests outlined in *Working Towards System Change: Assessing Courtenay’s Approach to End Homelessness*, Council did not give the bylaw third reading, passing the following motion:

*THAT Council direct staff to report back on the following requests and amendments, as proposed in the report “Working Toward System Change – Assessing Courtenay’s Approach to Homelessness”:*

1. *Remove the term “offensive” from section 5.9(b)*
2. *Strike out “with or without shelter” from section 5.9(d)*
3. *Strike out 5.9(g) in its entirety*
4. *Incorporate language from the Bylaw Compliance Policy, which discusses how City employees should behave while enforcing the bylaw*
5. *Include express language outlining trauma-informed bylaw enforcement*
6. *Remove reference to “interfering with a bylaw officer in performing their duties” and replace with language that prohibits physical obstruction or interference with City employees while carrying out their duties in parks*
  - *Strike out Section 5.10(d) and combine it with 5.10 (c)*
7. *Strike out section 7.2(f)*
8. *Strike out “and in doing so may be assisted by another such officer or a City personnel” from section 10.2, and consider specifying “emergency personnel”*
9. *Add language to the bylaw that emphasizes Social Service partnership and support.*

*AND THAT Council direct staff to highlight options to work with Indigenous partners on the proposed bylaw in the report.*

While Council, at the February 14, 2024 meeting did not provide direction to adjust the scope of the bylaw to include consideration for the policy questions posed by the delegation, Council has considered a variety of homelessness and shelter options presented by the Recreation, Culture and Community Services Department and the Development Services Department.

**March 13, 2024**, Council meeting:

**(In Camera: Rise and Report)**

*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.*

**March 13, 2024**, Council meeting:

**(Temporary Shelter Options)**

*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.*

**March 13, 2024**, Council Meeting:

Council received a report from staff entitled “Parks and Open Spaces Regulation Bylaw – Amendment” (Attachment 3). This report was provided to Council based on direction to staff on **February 14, 2024**. Upon consideration of the report, Council did not consider third reading of the bylaw, passing the following motion:

**(Bylaw 3<sup>rd</sup> Reading Deferment and Bylaw Referral)**

*THAT Council defer third reading of the “Parks and Open Spaces Regulation Bylaw No. 3121” and direct staff to send a letter to K’ómoks First Nation, Wachiay Friendship Centre Society, Métis Association and the Indigenous Women’s Sharing Society, Unbroken Chain Harm Reduction requesting comments and input on the “Parks and Open Spaces Regulation Bylaw No. 3121”, and provide a 60 day period for a response.*

In accordance with **March 13, 2024** Council direction, the bylaw was provided to the K’ómoks First Nation, Wachiay Friendship Centre Society, Métis Association and the Indigenous Women’s Sharing Society for comment. Each referral letter included a copy of the proposed Parks and Open Spaces Regulation Bylaw No. 3121, the City of Courtenay’s Strategic Plan for Bylaw Compliance, the City of Courtenay Bylaw Compliance Policy and an offer for an in-person presentation by staff on the proposed bylaw.

In response to the referral, the Director of Corporate Services presented to the following:

- Wachiay Friendship Centre, April 30, 2024
- K’ómoks First Nation (KFN), May 2, 2024 (Mayor Wells was also in attendance)
- Indigenous Women’s Sharing Society, May 6, 2024

The MIKI’SIW Métis Association did not request a presentation or meeting with staff.

On **April 10, 2024** staff presented a Briefing Note entitled “Update on Temporary Shelter Options” (Attachment 4) in response to Council’s direction March 13, 2024 regarding temporary shelter options which provided an update on a range of temporary shelter options and preliminary considerations of operational requirements, budget estimates, number of individuals supported, partnership for provision of services and other impact considerations. The report considered temporary shelter options in partnership with BC Housing, the Ministry of Housing, CMHC, and the non-profit sector including: temporary shelters in buildings, temporary shelters on vacant land such as trailers or tiny homes, and managed encampments. The Briefing Note concluded as follows:

“With the announcement of the purchase of 925 Braidwood by BC Housing, and the City’s letter to the Province requesting support through the HEART / HEARTH program, staff will continue to work with BC Housing and the Ministry of Housing to identify

opportunities to work together on addressing the significant gap in shelter in the Comox Valley and Courtenay, including pursuing interim temporary shelter options.

Staff will continue to review the municipal land inventory for consideration as potential interim temporary shelter locations as well as work with BC Housing, the non-profit sector, and the CVRD on further exploring options. There is an immediate need to work with the CVRD through functions 450 and 451 to discuss interim temporary shelter options, advocate for the development of a winter shelter response strategy, and review existing temporary shelters operated by local non-profit organizations consider additional locations. With the upcoming work the CVRD is conducting regarding the Homelessness Needs Assessment and Community Plan as well as Regional Housing Action Plan, it is imperative that the City of Courtenay play a significant role on these projects to support those experiencing homelessness and the impacts on the broader community.”

At the **July 31, 2024** Council meeting, staff presented a report entitled “Report Back on Temporary Shelter, Washrooms and Storage” (Attachment 5), and Council passed the following motion:

*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.*

At the same **July 31, 2024** Council meeting, Council rose and reported on a motion passed at a previous in-camera meeting, directing staff to forward the report “Winter Shelter Strategy-Request to Comox Valley Regional District” to the CVRD Board and request that \$91,000 be transferred from the CVRD’s Homelessness and Supports Services to the City of Courtenay towards the development and implementation of a Winter Shelter Strategy for the Comox Valley. Council also directed staff to forward the report to the Town of Comox and request funding support for the City of Courtenay to lead the strategy’s development.

***Pending Consideration of a Proposed Bylaw Amendment:***

On March 13th, 2024, a report entitled “Parks and Open Spaces Regulation Bylaw – Amendment” was considered by Council. The report addressed the various amendments requested within the delegation submission “*Working Toward System Change – Assessing Courtenay’s Approach to Homelessness*”. Staff reviewed and considered the requested amendments, and outlined rationale in response to the requested amendments, resulting in a recommendation to Council to amend the bylaw to remove section 7.3(f) which read as follows “Temporary shelters must not be left unattended”. As Council moved to defer third reading of the bylaw, no direction regarding the recommended amendment has been provided.

**DISCUSSION:**

***Parks Bylaw Modernization Project Engagement Overview:***

The engagement plan for the Bylaw Modernization Project was primarily motivated by the delicate nature and expected effects of shelter regulations on the City’s unhoused population. Considerable time and resources were allocated to fostering a true understanding of how the proposed regulations could affect Courtenay residents facing homelessness. To understand the impacts of the proposed environmental and cultural protection areas, the engagement process included:

- Interviews with the leadership of the Comox Valley Coalition to End Homelessness (CVCEH)
- Discussions with Island Health
- A tailored in-person presentation for unhoused community members
- Presentations to the CVCEH’s membership and Homelessness Response Team
- Interviews with Council and staff

While the Parks Control Bylaw Modernization project engagement activities focused specifically on the impacts of sheltering regulations on unhoused individuals, broader community engagement for other City initiatives have provided additional insight. For example, feedback gathered during the Parks Playground Design Standards project highlighted safety as a significant concern for park users, with respondents referencing the following:

- Cleanliness and safety: Presence of garbage and drug paraphernalia.
- Mental health and substance-use related behaviours.
- Sheltering in parks and playgrounds.

These concerns extended beyond playground design, emphasizing the need for broader solutions such as bylaw enforcement and community mental health support. Notably, 68% of survey respondents identified as women or girls, a demographic known to feel less safe in public spaces. This underscores the urgency of addressing these broader community concerns through effective and updated regulations in the City’s parks and open spaces.

Furthermore, approximately 30 respondents explicitly expressed support for the proposed Parks and Open Spaces Bylaw, specifically citing:

- Regulation of temporary sheltering in parks.
- Enforcement of dog leash regulations.
- Addressing offensive and indecent behaviour.

These findings support the need to implement regulations that enable the City to respond to legitimate concerns while also balancing permitted uses in parks and open spaces.

### ***Shelter and Homelessness Support Policy Options***

The Parks Control Modernization Project focused on updating sheltering regulations within City parks and related public spaces, with a focus on legal compliance. The current bylaw, which prohibits sheltering in parks conflicts with provincial case law. The proposed bylaw, aims to align with legal precedent, permitting sheltering in the majority of City parks between 7pm and 9am each day. This shift towards legal compliance reflects a more practical approach to addressing the needs of the unhoused population while maintaining the City’s commitment to providing safe and accessible public spaces for all residents.

While the Parks Control Modernization Project focused on legal compliance and balanced park usage, policy questions and options regarding shelters, housing, and supporting the unhoused community are being reviewed and led by other City departments, specifically those responsible for community services and housing. These departments are dedicated to developing comprehensive and effective solutions that address the needs of the unhoused population.

### ***Referral Responses:***

On March 13, 2024, the Council referred the Parks and Public Spaces Regulation Bylaw to three organizations that serve Indigenous communities, as well as the K’ómoks First Nation. Although some of these organizations are part of the Comox Valley Coalition to End Homelessness, which was involved in the engagement process for the Parks Bylaw Modernization Project, the follow-up discussions revealed a range of perspectives within the Coalition. This was particularly true among Indigenous-serving organizations and their clients, highlighting the need for a distinct engagement process.

Written responses were received from the Wachiay Friendship Centre (Attachment 6) and the Indigenous Women’s Sharing Society (Attachment 7). Although there was regular communication between the both KFN and City staff regarding the requested input, KFN did not provide a response to the referral (additional time was provided in acknowledgment of the principles of reconciliation).

The issues raised by the Wachiay Friendship Centre in regard to the proposed bylaw are:

- Insufficient inclusion of Indigenous peoples in the consultation process
- Lack of adequate consideration for people with health conditions or disabilities
- The need for environmental factors (e.g. rain, snow) to be listed as exemptions related to encampments
- Importance of creating systems that avoid removing tents and belongings without allowing for retrieval
- The necessity for a managed encampment in Courtenay to help people step away from the cycle of poverty, displacement and instability.

The Wachiay Friendship Centre is advocating for several key changes to the proposed bylaw to protect vulnerable unhoused community members and acknowledge the history of the land. They request more specific language in the policy addressing health and disabilities, ensuring protection for those experiencing homelessness. Furthermore, they advocate for the new bylaw to explicitly acknowledge and reference decolonization and the fact that the Courtenay area is on unceded territory. To ensure a more comprehensive and ethical approach, they urge the integration of references to the Reconciliation Framework, Strategic Plan for Bylaw Compliance, and Bylaw Compliance Policy into all bylaws. Ultimately, their central goal is to safeguard the rights and well-being of the most vulnerable members of the community within the framework of the bylaw.

The issues raised by the Indigenous Women’s Sharing Society in regard to the proposed bylaw are:

- Lack of meaningful Indigenous consultation in the development of the proposed bylaw
- Concerns regarding the potential negative impact of the bylaw on the Indigenous community
- The importance of upholding the human rights and dignity of Indigenous peoples in Canada
- The need for decolonizing practices and policies to address underlying issues of homelessness
- The call for true reconciliation through compassionate understanding and collaboration with Indigenous organizations

The Indigenous Women’s Sharing Society is advocating for key changes within the City, including prioritizing ongoing training for staff in trauma-informed care, community collaboration, dismantling racism, and working effectively with Indigenous peoples. The Society further urges the City to align its policies and bylaws with the United Nations Declaration on the Rights of Indigenous Peoples, requiring a critical review and revision of existing frameworks to ensure they uphold Indigenous rights and self-determination. Additionally, they call for meaningful consultation and collaboration with Indigenous organizations and individuals throughout the entirety of policy development and implementation. Finally, the Society emphasizes the need for the City to prioritize sustainable solutions that address the root causes of challenges faced by Indigenous communities while upholding the inherent dignity of all peoples and ensuring those with lived experiences are meaningfully involved in all decision-making processes.

### ***Engagement Impact on the Development of the City’s Engagement Strategy***

The insights and expectations shared with staff during in-person discussions with the Wachiay Friendship Centre and the Indigenous Women’s Sharing Society, and the written feedback, resulted in immediate changes to the engagement approach taken in the development of the City’s Engagement Strategy (project in progress). Recognizing the distinct needs and impacts that City projects may have on urban Indigenous populations and Indigenous-serving organizations, the Engagement Strategy Project plan was amended to include an Indigenous Engagement Specialist to help the City design a meaningful and culturally appropriate engagement workshop for Indigenous serving organizations. Conducted in September 2024, the workshop aimed to pinpoint activities that will elevate Indigenous voices, ensuring they are effectively represented in future engagements.

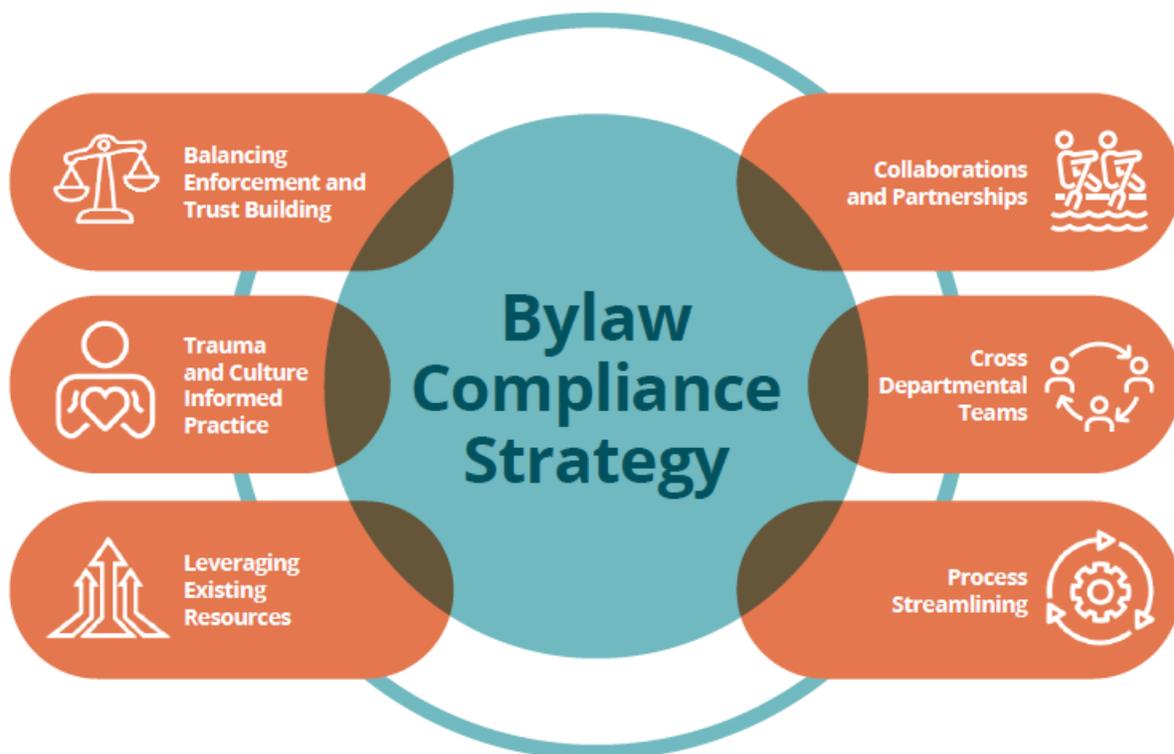
### ***Priority Training***

Over the past two years, the Director of Corporate Services, the Manager of Bylaw Services, and Bylaw Enforcement Officers have completed training aimed at enhancing their skills and bylaw service’s understanding of community needs. Training has included specialized learning opportunities offered by the Indigenous Women’s Sharing Society, covering crucial topics such as Intro to Trauma Informed Practice and Not Just Naloxone, as well as overdose awareness workshops presented by AVI. Staff have also developed critical skills in managing challenging interactions and supporting mental health, highlighted by training such

as Responding with Respect on the Front Lines, Managing Hostile Interactions, and Critical Incident Stress Management. Further, programs like Walk with Me and Let's Get Real About Mental Health emphasize the importance of empathy and understanding in community engagement. Training on Gender Diversity in the Workplace reinforces the commitment to inclusivity within the team. Collectively, these educational experiences are equipping the bylaw team to ensure that their enforcement actions are consistent with the values outlined in the Bylaw Compliance Policy related to trauma and culture informed practices.

**Trauma Informed Care and Relationship Building, Pillars of the Bylaw Compliance Strategy**

The City of Courtenay’s Strategic Plan for Bylaw Compliance was approved by Council in 2023 and is founded on the following six priority themes:



Strategies identified under the priority areas of Collaboration and Partnership, and Trauma and Culture Informed Practice, commit to developing and providing ongoing engagement opportunities:

- Enhance relationships with key contributors including outreach support services, health services and the RCMP by participating in roundtables and identifying communication channels
- Collaborate with internal and external agencies to create approaches to responding to bylaw matters related to the unhoused to ensure enforcement activities do not lead to re-traumatization

Through open and honest communication, we aim to build trust and understanding, and to develop approaches that prioritize the well-being and dignity of all community member

**Developing Trust and Partnerships**

Following the adoption of the Bylaw Compliance Policy and through the ongoing implementation of the Strategic Plan for Bylaw Compliance, Bylaw Services has diligently worked to ensure compliance with bylaws

in accordance with the defined policy objectives. Addressing sheltering in parks and public spaces has been informed by the core principles outlined in the Bylaw Compliance Policy, the Strategic Plan for Bylaw Compliance, and relevant BC Supreme Court case law.

To cultivate a more collaborative environment, Bylaw Services communicates and coordinates with outreach organizations building trust and strengthen community connections, exemplified by a letter of support for SOLID Outreach from the Manager of Bylaw Services (Attachment 8). This endorsement underscores the City’s commitment to achieving positive outcomes for unhoused community members while preserving the integrity of public spaces.

### ***Parks and Public Spaces Regulation Bylaw***

While recognizing the concerns and policy options presented by the Wachiay Friendship Centre, the Indigenous Women's Sharing Society, and other outreach organizations about multi-day sheltering in parks, delaying the Parks and Public Spaces Regulation Bylaw NO. 3121 would postpone the implementation of Council-directed policies and could hinder progress on addressing regulatory issues not currently addressed in the existing Parks Control Bylaw. These unresolved matters encompass legal compliance, smoking regulations, permitting, fire prevention measures, and the protection of environmentally and culturally sensitive areas.

With the introduction of the new Parks and Public Spaces Regulation Bylaw 3121 (Attachment 9), staff anticipate significant improvements in the City’s ability to address ongoing challenges and public expectations related to public health, safety and shared park use. The proposed bylaw includes several key regulations aimed to address:

1. ***Smoking and Vaping Restrictions:*** introduces comprehensive regulations to prohibit smoking and vaping in parks and public spaces. This measure is expected to enhance the experience of all park users, including children and families, sports participants and spectators, and attendees at community events, such as the Simms Concert Series, by reducing exposure to second hand smoke and promoting overall public health.
2. ***Legal Compliance and Balancing the Needs of Park Users:*** provides clear authority for temporary sheltering in public parks, and addresses sheltering locations within parks that are intended to balance environmental protections and the recreational, social, and cultural uses of these spaces. This alignment with established case law will create a consistent legal framework, reduce ambiguity, and foster responsible use of public areas.
3. ***Protection of Sensitive Areas:*** safeguards environmentally and culturally sensitive regions within our parks. By implementing regulations that prohibits all activities in these areas, we can preserve their ecological integrity and respect the cultural significance they hold for the community.
4. ***Fire Risk Mitigation:*** includes specific measures aimed at reducing the potential for fires in public parks caused by non-CSA compliant appliances and smoking.

In addition, the proposed bylaw also includes improved or additional language to support enhanced regulation of park uses, including exclusive and non-exclusive uses; delegated authorities to expedite operational decision making and implementation; and regulations for equipment / vehicle / bicycle use in parks and on trails.

**Next Steps:**

Council faces a significant decision regarding the City’s approach to sheltering, as it is being requested to reconsider or expand prior directives.

**Expand Shelter Options Policy Scope:** Council has previously focused the City's efforts on investigating non-encampment shelter solutions and working with BC Housing. However, if Council decides to revisit the City's approach to both shelter provision and park usage, the proposed bylaw offers a path forward. This bylaw expands sheltering permissions and is legally compliant, unlike the current Parks Control Bylaw which is legally non-compliant as it prohibits sheltering in parks. Should Council determine that policy changes warrant amendments to the Parks and Public Spaces Regulation Bylaw No. 3121, staff will provide a full range of procedural options.

**Proceed, Collaborate and Monitor:** Council could proceed with the proposed bylaw and reaffirm its commitment to expanding suitable shelter spaces. This option aligns with the Council's prior directives to collaborate with BC Housing on the development of a new shelter and supportive housing facility, investigate interim shelter options, explore personal belonging storage options, and develop the Winter Shelter Strategy. Bylaw Services would continue to build relationships with community partners as outlined in the Strategic Plan for Bylaw Compliance, and would report back to Council on the bylaw’s implementation.

**POLICY ANALYSIS:**

**Official Community Plan:** The City of Courtenay’s Official Community Plan (OCP) includes a commitment to reconciliation with Indigenous peoples. It emphasizes the importance of recognizing and respecting the rights and traditions of Indigenous communities, and integrating Indigenous perspectives in urban planning and decision-making processes.

**Strategic Plan for Bylaw Compliance:** The City of Courtenay’s Strategic Plan for Bylaw Compliance is dedicated to reinforcing adherence, fostering awareness, and streamlining enforcement to benefit all community members, providing a clear roadmap for implementing six objectives effectively.

**Bylaw Compliance Policy:** The purpose of the Policy is dual: firstly, to provide an understanding of Bylaw Services’ approach to activities that may negatively impact the environment, public health, safety, and well-being; and secondly, to encourage compliance and promote accountability within the community through responsible enforcement. This is achieved by ensuring fairness, promoting education, and fostering community involvement.

**FINANCIAL IMPLICATIONS:**

There are no financial implications.

Should Council provide new direction, staff can report back on any financial implications.

**ADMINISTRATIVE IMPLICATIONS:**

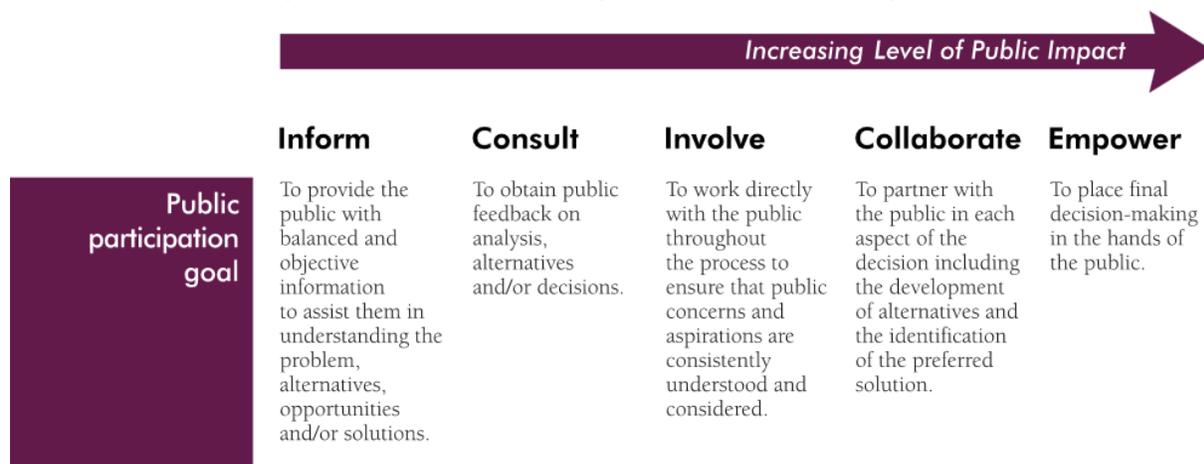
There are no administrative implications at this time.

Should Council provide new direction, staff can report back on any administrative and corresponding operational implications.

**PUBLIC ENGAGEMENT:**

Should the proposed Parks and Public Spaces Regulation Bylaw No. 3121 be adopted by Council, staff will develop a communication strategy informed by the Strategic Plan for Bylaw Compliance and the City of Courtenay Communication Strategy. Focusing on raising awareness, and voluntary compliance, the approach would include printed materials (Good Neighbour Guide – Parks Users), in-park signage, social media, and direct communication with parks user groups, outreach organizations and unhoused community members.

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



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**OPTIONS:**

1. THAT Council direct staff to amend the Parks and Open Spaces Regulation Bylaw No. 3121 by removing Section 7.3(f), which reads as follows “Temporary shelters must not be left unattended”; and, THAT Council give third reading to the Parks and Open Spaces Regulation Bylaw No. 3121 as amended.
2. THAT Council provide alternative direction to staff.

**ATTACHMENTS:**

1. Parks and Open Spaces Bylaw Guiding Document
2. March 13, 2024 Delegation Submission: Working Towards System Change: Assessing Courtenay’s Approach to End Homelessness
3. March 13, 2024, Council Report: Parks and Open Spaces Regulation Bylaw – Amendment
4. April 10, 2024 Council Report: Update on Temporary Shelter Options
5. July 31, 2024 Council Report: Report Back on Temporary Shelter, Washrooms and Storage
6. Referral Response: Wachiay Friendship Centre
7. Referral Response: Indigenous Women’s Sharing Society
8. Solid Outreach Letter of Support
9. Parks and Public Spaces Regulation Bylaw No. 3121, 2024

Prepared by: Kate O’Connell, Director of Corporate Services (CO)

Reviewed by: Mike Kurvers, Manager of Bylaw Services  
Susie Saunders, Director of Recreation, Culture and Community Services

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

# Parks and Open Spaces Bylaw Guiding Document

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The City of Courtenay respectfully acknowledges that the lands to which this Bylaw apply are on the Unceded territory of the K'ómoks First Nation, the traditional keepers of this land.

## Part I – General Provisions

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The City of Courtenay's Parks and Open Spaces Bylaw is essential to ensure that these public areas are accessible, safe, and enjoyable for everyone while protecting the environment and areas of cultural significance, and promoting healthy, active lifestyles.

### Objectives and Principles

- Ensure that parks and open spaces are accessible, safe, and enjoyable for all members of the public.
- Encourage the use of parks and open spaces for healthy and active lifestyles.
- Regulate and manage commercial activities and events in parks and open spaces to minimize their impact on the environment and other park users.
- Protect and preserve natural areas and wildlife in parks and open spaces for future generations.
- Promote responsible and sustainable use of parks and open spaces to minimize environmental and natural resources damage.
- Foster a sense of community responsibility and pride in parks and open spaces among local residents and businesses.
- Permit diverse activities that promote vibrant and engaging spaces, including recreational, cultural, and community-building events.
- Ensure compliance with applicable laws and regulations related to parks and open spaces.

### Delegation of Powers

Staff members, including the City Manager (Chief Administrative Officer), Director of Recreation, Culture, and Community Services, Director of Engineering, Director of Public Works Services, Director of Corporate Services, or Fire Chief, and other designated personnel, have defined responsibilities and authorities corresponding to their roles and functions in implementing and enforcing the bylaw. These include issuing permits, conducting inspections, enforcing regulations, ordering closures, and ensuring compliance, safety, and efficient management of parks and open spaces. Specific responsibilities and roles of staff members are outlined in relevant sections of the bylaw, aligning with their expertise and jurisdiction.

## Part II - Definitions

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**Animal At Large** – means an animal which is unrestrained or not contained.

**Camping** - The act of setting up tents, campers, or recreational vehicles, within a park or open space for recreational purposes. Camping typically involves activities associated with outdoor recreation, including sleeping, cooking, and leisure activities.

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**Casual use of a park or open space** - refers to non-exclusive use of the area for recreational activities or relaxation, where the space is available for use by all park users on a first-come, first-served basis. Examples of casual use of a park may include picnics, playing catch or Frisbee, jogging, or walking dogs.

**City** - means the City of Courtenay

**Council** – means the council of the City

**Environmentally Sensitive Area (ESA)** - Parcels of land that already have, or with restoration or enhancement could become, natural features. These features contribute to the retention and/or creation of wildlife habitat, soil stability, water retention or recharge, vegetative cover and similar vital ecological functions

**Exclusive use of a park or open space** - refers to the reservation or booking of a specific area for a specific time and purpose. This may include private events, games, organized sports impacting other park users, or commercial activities. A permit is required to ensure that the exclusive use of the area does not conflict with other park activities and is safely conducted.

**Open Space** – Open spaces may encompass natural landscapes, wetlands, wildlife habitats, greenbelts, civic plazas, picnic areas, footpaths, public parking lots that service recreational facilities and parks, squares, and similar areas that contribute to the city's biodiversity, ecological sustainability, and the well-being of its residents.

**Parks** – Defined areas of land designated and maintained by the City for the purpose of providing recreational, cultural, and leisure opportunities to the public. Parks may include facilities such as playgrounds, sports courts and fields, trails, picnic areas, and green spaces, and are intended for the use and enjoyment of individuals and community groups.

**Park Closures:** The temporary restriction or prohibition of access by the public to all or specific areas of a park or open space, either in their entirety or during certain times, due to maintenance, renovation, safety concerns, hazardous conditions, special events, or other authorized reasons.

**Person who is unhoused** – means a person who has neither a fixed address nor a predictable residence to return to on a daily basis.

**Sheltering:** Seeking temporary protection or refuge in a park or open space, often due to being unhoused or adverse weather conditions.

**Temporary Shelter** – means a tent, lean to or other form of shelter that is temporary and portable in nature that is constructed from nylon, plastic, cardboard or other similar non-rigid material.

## Part III – Use of Parks and Open Spaces

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The City's vision for its parks and open spaces network is to foster a healthy, engaged, and inclusive community with a high quality of life by offering diverse parks, interconnected trails, natural areas, and multi-use outdoor recreation and cultural spaces. These spaces aim to accommodate individuals of all ages and abilities and address emerging parks, recreation, and cultural needs and

# Parks and Open Spaces Bylaw

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trends. The City's goal is for parks and open spaces to be utilized safely and respectfully, promoting health, well-being, and social interaction for all park users.

### Facility Use

The City aims to provide recreational, cultural and leisure opportunities that promote physical and mental well-being, community engagement, and appreciation of the natural environment while also recognizing the value commercial activities can have in enhancing the public realm and supporting local businesses. The goal of the bylaw is to balance these benefits with the need to preserve the natural, cultural, and social integrity of parks and open spaces.

### Casual Use of Facilities in Parks and Open Spaces

1. A person may have casual use of a park and open space only in accordance with the following:
  - a) If the activity is using a park or a portion of a park that is designated for that purpose.
  - b) If the activity is played according to the rules of the activity, and in accordance with the times posted in the park or at the relevant sport facility, if applicable; and
  - c) If playing at a sports facility in a park, participants must wear appropriate equipment for the activity they are engaged in, such as helmets for skateboarding, shin guards for soccer, and appropriate footwear for basketball.

### Permits for Exclusive Use

To ensure the safety and enjoyment of all park users, the City requires permits for specific activities in parks, including exclusive use of park spaces for recreational activities, games and organized play, special events, cultural activities, and commercial use. Permits issued by the City are required for the exclusive use of the following activities:

1. Exclusive use of a park or open space for cultural, recreational & social activities, games, or organized sports require a Park Facility Permit.
2. Special Events conducted in a park require a Park Facility Permit and must comply with the Special Events Regulation Bylaw No. 2396.
3. Commercial use of a park or open space requires a Commercial Use Permit, and all commercial activities conducted in a park must comply with the Business Licence Bylaw No. 2523 requirements.

Applicants for permits under this section must pay the applicable fee specified in the relevant Fees and Charges Bylaw . Permits must be obtained prior to engaging in any games or organized play or conducting a special event or commercial activity in a park or open space.

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### Permit Applications and Refusals

1. The Director of the Recreation, Culture, and Community Services Department may modify or impose additional requirements on the permits outlined in this bylaw based on the needs and characteristics of the event, location, and potential impact on the community.
2. The Director of Recreation, Culture, and Community Services may refer an application for a permit under this Bylaw to Council for consideration and determination.
3. If the Director of Recreation, Culture, and Community Services refuses a permit application under this Bylaw, the applicant may request that Council reconsider the decision by submitting a written request to the Corporate Officer within seven (7) business days of the Director's refusal.

### Animals at Large

The City aims to promote the safety, well-being, and harmonious coexistence of park users, wildlife, and domestic animals. By setting clear guidelines and expectations for animal owners, this section seeks to prevent incidents, protect natural habitats, and maintain an enjoyable environment for all individuals accessing the park facilities.

1. It is prohibited to allow an animal to run at large in a park or open space unless in compliance with the Animal Control Bylaw No. 1897.
2. Despite subsection 1, the Director of Recreation, Culture and Community Services has the authority to post areas where dogs are allowed off-leash, including limitations in time.
3. Any individual who owns, has care, custody, or control of an animal in any public park or Open Space must promptly remove any defecated matter deposited by the animal. The obligation to remove defecated matter does not apply to individuals certified as legally blind.
4. No person shall ride or walk a horse on any part of a park or open space except on trails and other areas specifically designated for horse riding by signs or a Posted Notice.

### Research

For individuals wishing to conduct research or collect specimens within a park, the following requirements must be met:

1. Prior to conducting research or collecting specimens, an applicant must obtain a Research Permit from the City. The Research Permit serves as official authorization for the proposed activities and ensures compliance with applicable regulations.
2. While there is no fixed fee for a Research Permit, the applicant is responsible for reimbursing the City for any costs incurred during the surveying, examination, and inspection of the area affected by the application.
3. All research activities and specimen collection must comply with relevant municipal bylaws, and provincial and federal environmental regulations. This includes adhering to guidelines and protocols pertaining to the protection of flora, fauna, and ecological systems.
4. The Director of Recreation, Culture, and Community Services and/or the Director of Public Works Services reserves the right to deny or revoke a Research Permit based on the nature

## Parks and Open Spaces Bylaw Guiding Document

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of the proposed research, noncompliance with this bylaw or provincial regulations, or any other concerns deemed inappropriate or unfit. Such decisions will be made in the interest of preserving the integrity of the park and its environmental resources.

5. If the Director of Recreation, Culture, and Community Services and/or the Director of Public Works Services refuses a permit application under this Bylaw, the applicant may request that Council reconsider the decision by submitting a written request to the Corporate Officer within seven (7) business days of the Director's refusal.

### Vehicle Usage

The intent of this section is to regulate the use of vehicles within parks and open spaces, including but not limited to motor vehicles, e-bikes, and cycles, to ensure that they are used safely and responsibly. This includes, but is not limited to:

1. Prohibitions for Motor Vehicle and Motorcycle Usage:
  - a. Operating any motor vehicle, motorcycle, dirt bike, all-terrain vehicle, or other motorized vehicle on a trail, except for wheelchairs or mobility devices, is strictly prohibited.
  - b. Usage of motor vehicles and motorcycles is prohibited in closed parks or closed parking areas.
  - c. Motor vehicle operation below the natural boundary or high tide mark is strictly prohibited.
  - d. Damaging natural features, park facilities, or improvements through motor vehicle operation is strictly prohibited.
  - e. Operating motor vehicles in a manner that obstructs the intended use of the park is prohibited.
  - f. No vehicle may be parked in any Park at any time between an hour after sunset on one day and one hour before sunrise the following day without the prior written consent of the City, or unless otherwise posted.
2. Regulations for E-bikes and Bicycles:
  - a. Riding e-bikes and cycles is prohibited in closed parks or closed parking areas.
  - b. E-bike and cycle usage below the natural boundary or high tide mark is prohibited.
  - c. Usage of E-Bikes on trails within parks is strictly prohibited.
  - d. Damaging natural features, park facilities, or improvements through e-bike or cycle usage is strictly prohibited.
3. Age Restriction for E-bike Usage: No person under the age of 16 years is allowed to operate an e-bike in a park.
4. Impoundment of Violating Motor Vehicles: Any motor vehicle parked in violation of this bylaw may be removed and impounded. The motor vehicle owner is responsible for the cost of removal and impoundment before the vehicle will be returned.
5. Exceptions for Authorized Personnel and Access Permit Holders: Motor vehicles, e-bikes, and cycles used by authorized personnel for park maintenance, park patrols, security, or with written permission from the City are exempt from the above regulations.

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### Park and Open Space Closures

The City Manager, Director of Recreation, Culture, and Community Services, Director of Engineering, Director of Public Works Services, or Fire Chief hold the authority to order park closures as necessary to ensure public safety and facilitate essential park operations.

1. A park or open space may be subject to closure, either in their entirety or specific areas, for various reasons, including but not limited to:
  - (a) Maintenance, Renovation, or Other Work: Temporary closures may be required to conduct maintenance, renovation, or other work within the park, ensuring the upkeep and improvement of facilities.
  - (b) Safety of Park Users or Staff: Closures may be implemented to safeguard the well-being of park users and staff in situations involving ongoing construction activities or the presence of hazardous conditions.
  - (c) Any other reason as deemed appropriate by the City Manager, Director of Recreation, Culture and Community Services or the Director of Public Works Services.
2. Authorized personnel mentioned above are responsible for prominently displaying closure notices at park entrances or specific areas within the park. These notices communicate the closure and its implications to the public, ensuring compliance with the closure measures for the safety and security of all park users.

## Part IV - Protection of Parks and Open Spaces

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### Damage to the environment and structures

The natural and built environments in parks and open spaces are valuable resources that enhance the community's well-being by providing recreation, relaxation, cultural and education opportunities. These areas also provide habitat for wildlife and play an essential role in the local ecosystem and as such require regulations for their protection. The following provisions have been established to preserve the natural and built environments in parks and open spaces.

1. No person shall cut down, prune, or alter any vegetation in a park without first obtaining prior authorization from the Director of Public Works Services, and then only strictly following such authorization.
2. No person shall remove, destroy, damage, deface, break, or tamper with any tree, shrub, plant material or any building, structure, fence, float, wharf, piling, buoy, lifesaving device, bench, sign, road, trail, or any facility, equipment, material, or thing within a park or open space without first obtaining the express prior authorization from the Director of Public Works. This includes fallen or cut trees, whether they are naturally fallen or intentionally cut, and their removal without authorization is strictly prohibited.
3. No person shall foul or pollute or otherwise introduce any Contaminant on the land or into any natural stream, creek, ditch, pond, or any human-made water feature, fountain, or pond within a park or open space.

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### Substance Use

The City recognizes that substance use can negatively impact individuals and communities and aims to support harm reduction, prevention, and treatment services in partnership with other agencies and stakeholders. This bylaw is intended to be implemented in alignment with health orders and recommendations, in the interest of safety and well-being of all individuals and communities.

A person must not do any of the following activities in a park or open space:

1. Consume liquor, as defined in the Liquor Control and Licensing Act, except in compliance with a licence issued under the Liquor Control and Licensing Act.
2. Consume cannabis, as defined in the Cannabis Control and Licensing Act
3. Consume nicotine / smoke (include e-cigarettes) in accordance with recommendations from the Comox Valley, Strathcona, North Island medical health officer
4. Consume illicit drugs, as defined by the Controlled Drugs and Substances Act.

### Waste Disposal and Littering

The City is committed to maintaining clean and litter-free parks and open spaces for the enjoyment of all users., the City has established regulations to ensure proper waste management.

1. It is prohibited to deposit any waste, other than on-site refuse, within a park or community facility, and waste must only be placed in designated waste receptacles provided by the City.
2. No individual is permitted to transport or dispose of any kind of refuse, except on-site refuse, within a park or open space.
3. Disposing of any household or commercial waste within a park or open space is strictly prohibited, including prohibited within designated waste receptacles
4. It is strictly prohibited to dispose of any yard waste within a park or open space or receptacle. Yard waste includes, but is not limited to, grass clippings, leaves, branches, tree trunks, and other organic materials originating from gardening, landscaping, or tree maintenance activities.

### Behaviour and Conduct

The City is dedicated to creating safe and accessible parks and open spaces for all community members to enjoy. To achieve this goal, the City aims to minimize nuisances and obstructions that may impact the use and enjoyment of these spaces by all community members.

The following provisions aim to ensure that individuals using the City's parks and community facilities do so in a safe and respectful manner.

1. All individuals in a park or open space must abide by all Federal and Provincial laws, City bylaws, policies, and any posted notices or signs.
2. Disorderly, dangerous, or offensive behavior is not allowed in parks and open space.

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3. High-speed activities that involve projectiles, such as golf, archery, war games, radio-controlled aircraft, drones, or cars, require authorization through a facility use permit.
4. Camping in a park or open space, with or without shelter, is only permitted with a valid permit that complies with all terms and conditions of the permit.
5. Entering or using any frozen or apparently frozen body of water in a park is prohibited unless posted authorization indicates otherwise.
6. Constructing any permanent structure in a park or open space is only allowed if it complies with all City bylaws, permits, requirements, and regulations and has been authorized through a resolution of Council.
7. Preventing or obstructing other individuals' free use and enjoyment of parks or open Spaces is not permitted unless authorized through a valid permit.
8. Using or operating any device in a way that interferes with other individuals' enjoyment of the park is not allowed. This includes but is not limited to the use of amplified or projected sound equipment without a valid permit and in accordance the Prevention of Public Nuisance Bylaw No.2084.

### Interaction with City Employees

The City is committed to providing excellent service to the public and creating positive experiences for all individuals while promoting a culture of respect and professionalism. To ensure that this commitment is met, the City has established provisions outlining expectations for the interaction between City employees and members of the public.

1. City employees engaged in park maintenance, cleanup, or renovation may ask individuals within the park to relocate or leave in order to carry out their duties.
2. Individuals who are asked to move by City employees must comply with the request and remove all of their property as directed.
3. It is prohibited to obstruct or interfere with the duties of City employees in a park or open space.
4. Interfering with a bylaw officer in performing their duties, including issuing tickets or notices, is prohibited under this Bylaw.

### Fire and Firearms

The following fire and firearms provisions aim to prevent fire risk and ensure public safety in parks and open spaces.

1. No individual may undertake the following activities in a park:
  - (a) Discharge a firearm, air gun, air rifle, air pistol, or spring gun;
  - (b) Discharge a bow, as defined in the Wildlife Act;
  - (c) Fire or explode any combustible or explosive material, except for fireworks, as allowed by the Fire Protective Services Bylaw No. 2556;
  - (d) Discard or place any burning substance in park or open space.
2. No person may keep, store, or use in a park:
  - (a) An open flame appliance such as a barbecue, stove, heater, or any other appliance with an open flame; or

## Parks and Open Spaces Bylaw Guiding Document

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- (b) A flammable gas or liquid container such as a propane tank, gasoline container, or any other flammable gas or liquid.
- 3. Subsection (2) does not apply to a barbecue or a propane camping stove used for cooking food, provided that it:
  - (a) Is used according to the manufacturer's instructions;
  - (b) Is certified for outdoor use by the Canadian Standards Association (CSA);
  - (c) Is located at least 2 meters away from any building or structure, including temporary shelters, erected or maintained in accordance with subsection (X), or is located within a designated area for use by the City.
  - (d) Is not used in any park or location where open flames are explicitly prohibited.
- 4. A bylaw officer or firefighter may impound an appliance in cases where the appliance is found to be non-compliant based on Canadian Standards Association (CSA) standards, used contrary to the manufacturer's instructions, or deemed an unacceptable fire risk by a Fire Fighter.

### Part V – Temporary Sheltering

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The City recognizes that some individuals may need to shelter temporarily in public spaces due to being unhoused, emergencies, or other reasons, and aims to balance the rights and needs of all park users while addressing the root causes of homelessness and poverty through collaborative and inclusive strategies. The intent of this section is to regulate the use of temporary sheltering within parks and open spaces and to ensure that it is done in a safe and healthy manner for all park users.

- 1. Where there is no accessible shelter accommodation available in the City, individuals who are unhoused or unsheltered may temporarily shelter in a park if the following conditions are met:
  - a) They are in a designated park in a designated area where temporary shelters are allowed by this by-law.
  - b) They construct a temporary shelter in compliance with this by-law.
- 2. Erecting temporary shelters is permissible only during the hours from 7:00 p.m. one day until 9:00 a.m. the following day.
- 3. All temporary shelters must be taken down and moved before 9:00 a.m. each day, except for those situated in a location authorized by the City Manager for daytime use.
- 4. Temporary shelters must adhere to the following regulations:
  - a) must not be erected:
    - i. within 25 metres of a playground or school or community centre;
    - ii. within 5 meters of a private residential property
    - ii. in, on or within a:
      - A. beach, pond, slough or dock;
      - B. trail, bridge, seawall, roadway or park entrance;
      - C. environmentally protected natural area;
      - D. culturally significant area;
      - E. garden, community garden or horticultural display area;
      - F. pool or water park;

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- G. sports field, sports court, skate park, or fitness amenity;
  - H. fieldhouse;
  - I. bleacher, stage, gazebo, plaza, public monument, pavilion, designated picnic site, picnic shelter or washroom;
  - J. designated off-leash dog area; or
  - K. area identified by signs prohibiting or restricting sheltering in that location; or
  - L. designated areas of Park or Open Space that have otherwise been issued a permit pursuant to this Bylaw;
- b) must not impede public use of, or access to, a park or facility;
  - c) must not hinder or interrupt the ability of staff or contractors to perform their work, as set out in section X of this by-law;
  - d) must not contain any campfire, lighted candles, or propane lanterns or stoves, or other similar devices;
  - e) must not be used to sell goods or conduct business without the permission of the City Manager, as set out in sections X and X of this by-law; and the Business License Bylaw No 2523;
  - f) must not be left unattended.

### PART VI – Environmentally Sensitive Areas

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The intent of this section is to protect areas within parks and open spaces that are environmentally sensitive or culturally significant. By preserving these areas, the City aims to maintain biodiversity, ecological resilience, cultural diversity, and public appreciation of nature.

1. To ensure the protection of environmentally sensitive areas within parks as outlined in Schedule B of this bylaw, all forms of sheltering and recreational activities are strictly prohibited in these areas, unless designated zones within these areas have been specifically designed and approved for such purposes.
2. The City may establish additional measures, such as signs or fencing, to clearly identify and protect environmentally sensitive areas.

### PART VII – Unsafe Conditions

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In the event of unsafe conditions within a park or open space that pose a risk to public safety, the following measures may be implemented:

1. If an unsafe condition is identified, the City, through its designated representatives, has the authority to take immediate corrective action to eliminate or mitigate the unsafe condition. This may include but is not limited to, securing, or removing hazardous objects, repairing damaged infrastructure, or closing off areas posing significant risks.
2. The City may issue a notice to the responsible party, informing them of the unsafe condition and outlining the necessary remedial actions to be taken within a specified timeframe. The responsible party is required to promptly address the identified safety concerns and take appropriate measures to rectify the situation.

## Parks and Open Spaces Bylaw Guiding Document

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3. Failure to address unsafe conditions or non-compliance with the required remedial actions may result in penalties, fines, or legal consequences, as determined by the City.

### PART VIII – Enforcement & Penalties

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This section intends to provide the means to enforce the provisions of this bylaw, using various enforcement measures as deemed appropriate by the City. Enforcement of this bylaw shall be the responsibility of designated bylaw enforcement officers, and any other persons authorized by the City to enforce the bylaw.

Enforcement Measures:

Any person who contravenes any provision of this bylaw is guilty of an offence and may be subject to one or more of the following enforcement measures:

- (a) Fines or penalties as provided for by law.
- (b) Orders to vacate or other appropriate directives.
- (c) Prosecution of offenders in accordance with applicable laws.

Failure to comply with the provisions of this bylaw or the conditions of relevant permits may result in the imposition of fines, penalties, or the revocation of the permit, as determined by the Recreation, Culture, and Community Services Department or Bylaw Services.

Non-compliance with applicable provincial regulations in conjunction with this bylaw may lead to penalties or legal consequences as stipulated by the relevant provincial authorities.

### PART VIII - Severability:

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If any provision of this bylaw is found to be invalid or unenforceable, the remainder of the bylaw shall remain in full force and effect.

### Part VIII - Amendments:

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The City may, from time to time, amend this bylaw as it deems necessary. Any such amendments must be passed by City Council and shall be effective upon the date specified in the amending bylaw.

# Parks and Open Spaces Bylaw Guiding Document

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## Schedule A – Parks where sheltering is prohibited.

1. 13th Street Park
2. 26th Buffer Park
3. Air Park
4. Anderton & 1st
5. Arden Road
6. Bear James Park
7. Blue Jay Park
8. Buckstone Greenway
9. Capes Park
10. Cliffe & 5th Park
11. Condensory Park
12. CottonWood Community Garden
13. Courtenay Riverway
14. Crown Isle 150-yr Grove
15. Crown Isle Greenway
16. Crown Isle the Rise
17. Dogwood Park
18. Elderberry Park
19. Green Belt Park
20. Hawk Greenway
21. Hobson Park
22. Hurford Hill Nature Park
23. Idiens Greenway
24. Idiens Way and Suffolk Crescent
25. Lerwick Nature Park
26. Lewis Park
27. Marina Park
28. Martin Park
29. McPhee Meadows
30. Millard Creek Greenway
31. Millard Creek Park
32. Morrison Creek Park
33. Piercy Creek Greenway
34. Puntledge Park
35. Ridge Greenway
36. Ronson Road
37. Rosewall Buffer Park
38. Rotary Sky Park
39. Rotary Trail
40. Roy Morrison Park
41. Ryan Road and Cowichan Avenue
42. Ryan Road and Crown Isle Blvd
43. Sandwich Park
44. Second Street Park
45. South of City Park
46. Tarling Park
47. Valley View Greenway
48. Vanier Nature Park



NO SMOKING  
NO LOITERING

WORKING TOWARD **SYSTEM CHANGE**

**ASSESSING COURTENAY'S APPROACH TO  
HOMELESSNESS**

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Completed by Community Leadership, Social Service Providers, and Persons with Lived  
Experience of Homelessness within the **Comox Valley**

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# Working Towards an Inclusive Future for the City of Courtenay

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The following report provides a comprehensive analysis of Courtenay's most marginalized community members, their experiences with Courtenay Bylaw enforcement and their concerns with the proposed Parks and Open Spaces Bylaw No. 3121 (City of Courtenay, 2023a).

The report evaluates the [alignment of Courtenay's Bylaw No. 3121 with human rights, Diversity, Equity, and Inclusion \(DEI\) practices and with the City of Courtenay's strategic commitments](#). Through this examination, the report identifies areas of misalignment and proposes recommendations for improvement.

The Coalition to End Homelessness and a collective of concerned community members wish to acknowledge the positive aspects of the proposed bylaw No 3121. We recognize its commitment to ensuring public safety and cultural and environmental preservation within our community's parks and open spaces.

The objective of this report is not to negate the progressive elements of Courtenay's proposed Bylaw 3121 but to collaboratively build upon them, fostering a balanced and inclusive approach to Bylaw No. 3121. We are eager to work with the City of Courtenay to support our most underrepresented community members, specifically those experiencing homelessness.

Research incorporating insights from individuals with lived experience underscores that the challenges faced by "people experiencing homelessness are exacerbated by legislation and policies that criminalize, marginalize, and stigmatize them" (Bennett & Larkin, 2018, p. 5).

This report will also provide specific recommendations and amendments to proposed Bylaw No. 3121.

# Ensuring Clarity and Equity in Bylaw No. 3121

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The amendments and considerations outlined below have been developed through the collaboration of legal advocates, social service professionals, and individuals who have firsthand experience with homelessness. These revisions have been carefully prioritized to align with the City of Courtenay's strategic objectives and core values. For additional proposed changes, please refer to the attached addendum.

- 1) Indigenous Consultation:** With the Council's efforts on Reconciliation, Bylaw No. 3121 should be reviewed by local Indigenous partners.
  - We must ensure the proposed bylaw is aligned with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and honour Indigenous peoples' entitlements to adequate housing, non-discrimination, and self-determination (United Nations General Assembly, 2008).
- 2) Amendments to ensure Bylaw No. 3121 is clear** and does not lead to unintended consequences for those experiencing homelessness:
  - I. Amendment recommendation to Section 5.9 (b):** "Disorderly, dangerous, or **offensive** behaviour is not allowed in parks and open spaces (City of Courtenay, 2023a):"
    - "Offensive behaviour" is too broad a term to provide any sort of objectivity. Disorderly or dangerous conduct can be objectively observed outside of a feeling or emotion. Implicit bias may lead to a disproportional impact on people experiencing homelessness.
  - II. Amendment recommendation to Section 5.9 (d):** "Camping in a park or open space, **with or without shelter**, is only permitted with a valid permit that complies with all terms and conditions of the permit:"
    - It is unclear how someone would camp without shelter. If they are referring to someone sleeping in the park, then that should be clearly defined. We recommend striking out "with or without shelter" to create a clear delineation between the definition of camping and sheltering.

- III. **Amendment recommendation to Section 5.9 (g): “Preventing or obstructing other individuals’ free use and enjoyment of parks or open spaces is not permitted unless authorized through a valid permit.”**
- It is unclear what behaviour would “prevent or obstruct” an individual’s use of parks or open spaces that are not already covered by the permissions Bylaw provisions. The bylaw already provides for situations in which a permit is necessary. There are provisions against dangerous or disorderly conduct that may obstruct someone’s use of a park or open space. There are also provisions prohibiting the building of permanent structures.
  - The unintended consequence of this provision may target a subset of the community, namely people experiencing homelessness, who may be seen as preventing or obstructing other individuals’ use and enjoyment simply by relying on that public space.
  - **Amendment recommendation:** Strike the entire provision.
- IV. **Amendment to Section 5.10 Interaction with City Employees:** “The City is committed to providing excellent service to the public and creating positive experiences for all individuals while promoting a culture of respect and professionalism, and to ensure that this commitment is met, **the City has established provisions outlining expectations for the interaction between City employees and members of the public.**”
- It is noted that the bylaw attempts to regulate the behaviour of the public when interacting with City employees. However, it does not incorporate language which governs how city employees behave towards the public.
  - **Amendment Recommendation 1:** To incorporate language directly from the Bylaw Compliance Policy, which discusses how City employees should behave while enforcing the bylaw.
  - **Amendment Recommendation 2:** to have express language outlining trauma-informed bylaw enforcement.

- V. **Amendment to Section 5.10 (c) & (d):** “It is prohibited to **obstruct or interfere** with the duties of City employees in a park or open space).” “**Interfering with a bylaw officer in performing their duties, including issuing tickets or notices, is prohibited under this bylaw.**”
- a. These provisions are frequently applied to impede advocates and observers during decampment operations. Mere inquiry, negotiation, or advocacy, whether for oneself or others, should not be deemed as ‘obstruction’ or ‘interference.’ To uphold the principles of democracy, public engagement, and freedom of speech, it is recommended that the provision explicitly recognizes the necessity for “physical obstruction or interference.”
  - b. **Amendment recommendation 1:** It is prohibited to *physically* obstruct or *physically* interfere with City employees while carrying out their duties in parks or open spaces, or bylaw officers while performing their duties, including issuing tickets or notices.
  - c. **Amendment recommendation 2:** Strike out Section 5.10 (d) and combine it with 5.10 (c).
- VI. **Clarification to Section 7.2 (d):** “**All temporary shelters must be taken down and moved before 9:00 a.m. each day, except for those situated in a location authorized by the City Manager for daytime use.**”
- a. Are there any locations authorized by the City Manager for daytime use? If so, why are they removing folks rather than encouraging them to occupy that space?
  - b. Access to daytime shelter is a basic human right and essential for upholding human dignity. Daytime shelter plays a crucial role in creating a pathway to stability for those experiencing homelessness.
  - c. **Leniency for Health Issues to better support those experiencing homelessness requiring shelter in City Parks.** It is imperative to consider the effects on the health needs of individuals experiencing homelessness and the resulting impact on hospitals with increased visits when these needs are unmet. We recommend leniency be expressly stated in Bylaw to recognize the

health needs of those experiencing homelessness, such as allowing individuals experiencing illness and physical disabilities to shelter in place beyond the proposed time slots of 7:00 pm to 9:00 am (stated in Bylaw 3121, section 7.2 C).

- d. This addition will support our most vulnerable populations, cultivate trust between City staff and those affected by the bylaw, and reduce the impact on support services by helping unhoused individuals maintain their belongings (vs. being thrown away, adding to the cycle of poverty and waste).

**VII. Amendment to Section 7.2 (f): “Temporary shelters must not be left unattended.”**

- a. The Bylaw states that people can temporarily shelter in designated parks and open spaces between the hours of 7:00 pm and 9:00 am, a span of 14 hours. There are numerous reasons why an unhoused person may need to leave their temporary shelter unattended, including to get food or use the washroom. It is unreasonable to require that someone not leave their temporary shelter over the course of 14 hours. This statement does not consider the reality of those experiencing homelessness.
- b. **Amendment recommendation:** Strike the entire provision.

**VIII. Amendment to Section 5.8 Substance Use:** A person must not do any of the following activities in a park or open space: **b) “Consume cannabis, as defined in the Cannabis Control and Licensing Act;” c) “Smoking or vaping (including e-cigarettes).”**

- a. **Amendment recommendation:** In alignment with the CVRD Substance Use Strategy and harm reduction principles, it is imperative to reconsider the prohibition outlined in Section 5.8 regarding the consumption of cannabis and smoking or vaping in parks or open spaces.
- o The use of marijuana is frequently prescribed for pain management and to mitigate the consumption of additional substances, as detailed by the UBC Faculty of Medicine in 2020. Therefore, a prohibition will

contradict the aim of harm reduction strategies and hinder access to therapeutic options for individuals.

- o Considering this, it is proposed to amend the section to allow for regulated consumption of cannabis and implement accessible, designated smoking and vaping areas within park spaces.

**IX. Amendment to Section 10.2 Enforcement:** “The Director, a bylaw enforcement officer or a peace officer may enforce this bylaw, and in doing so **may be assisted by another such officer or a City personnel** (City of Courtenay, 2023a).”

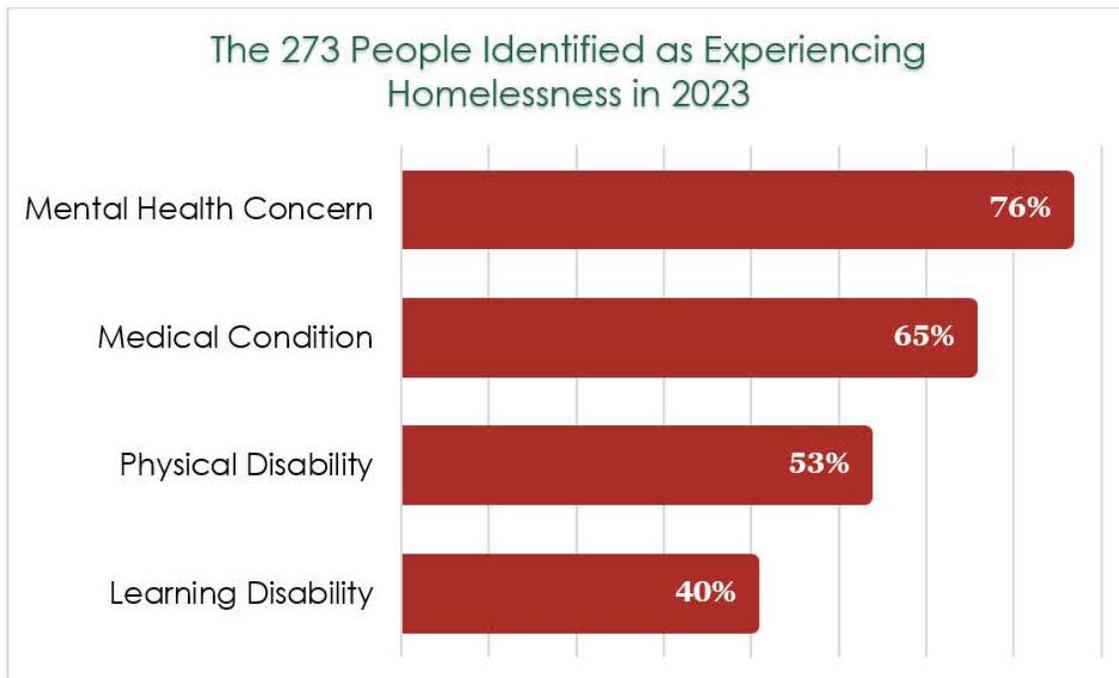
- a. Only trained officials should be enforcing the bylaw. City personnel is too broad and can include anyone employed by the city. This not only puts the public at risk but also the city personnel who are asked to operate outside their job responsibilities and without the proper training.
- b. Furthermore, it is redundant to authorize bylaw officers and peace officers to enforce the bylaw with the assistance of another bylaw officer or peace officer.
- c. **Amendment recommendation 1:** Strike out “and in doing so may be assisted by another such officer or a City personnel.” Alternatively, specify emergency personnel.
- d. **Amendment recommendation to emphasize Social Service partnership and support.** The Bylaw policy and regulation should incorporate language that promotes collaborative partnerships with social support services. Express language in Bylaw 3121 that acknowledges social support services diminishes the likelihood of conflicts but also enables individuals experiencing homelessness to receive timely information on available resources, services, and secure locations for additional support and rest.

## Reflecting on the Current Situation of Homelessness in the Comox Valley

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The 2023 Comox Valley Point in Time (PIT) Count has provided an annual snapshot of people experiencing homelessness during a 24-hour period (BC Housing Research Centre, 2023). The PIT's homelessness assessment demonstrates an extraordinary increase in homelessness in the Comox Valley since 2020 and a rising representation of minority groups such as Indigenous People, the LGBTQIA+ community, and persons with disabilities who are disproportionately affected by poverty and the housing crisis.

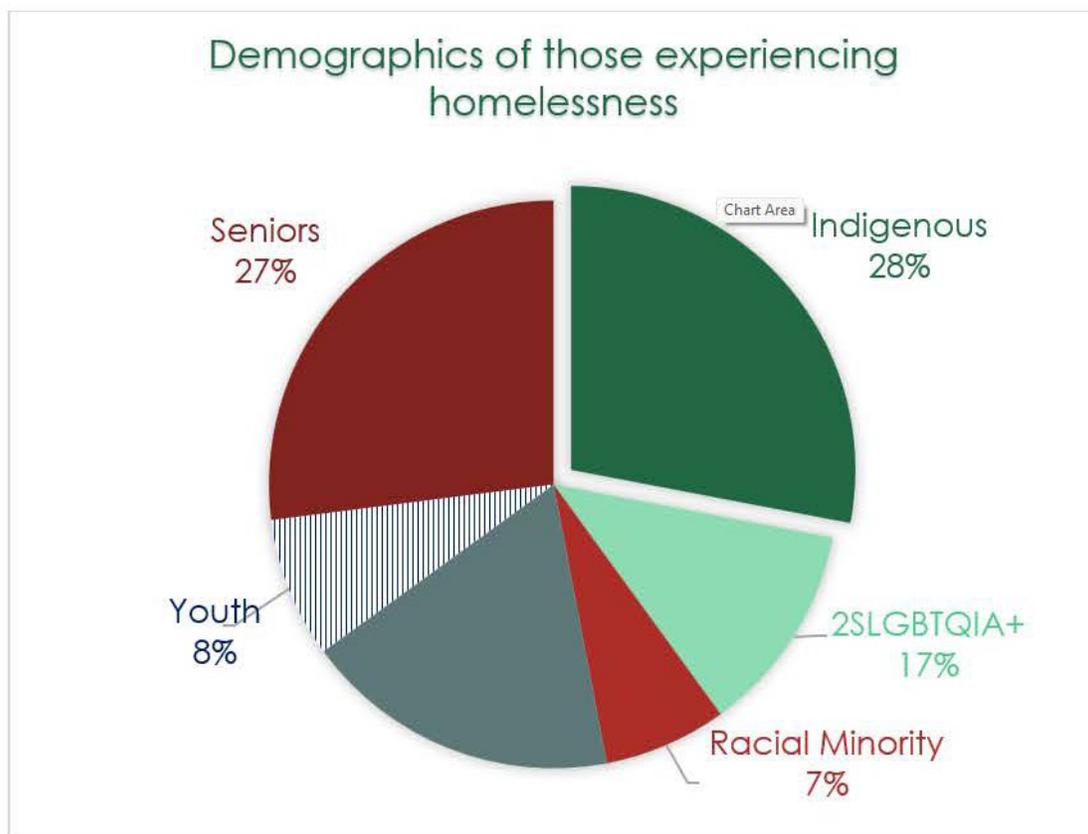
As proposed, Bylaw No. 3121 may exacerbate the already dire conditions faced by the homeless population in Courtenay, leading to mistreatment and, potentially, further loss of life. This experience is specifically impacting minority groups.



The 2023 Point-In-Time Count by BC Housing revealed that:

**Indigenous individuals are disproportionately impacted, representing 28% of those experiencing homelessness in the Comox Valley.**

A bylaw drafted without Indigenous consultation will contradict the City's stated dedication to reconciliation efforts and to providing a "high quality of life" "for all people" as set out in the City of Courtenay's Strategic Priorities for 2023-2026 (City of Courtenay, 2023).



(BC Housing, 2023)

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*"Our stuff is soaking wet and dirty. What can we do with it? It is impossible to pack it up."*

*– A community member experiencing homelessness*

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## Meeting the City's Strategic Goals

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The following commitment was released within the City of Courtenay's Official Community Plan in 2022:

*"Courtenay will ensure equity is integrated into planning and design considerations so that everyone – including racialized newcomers, SSLGBTQIA+, women, persons with disabilities, children, youth and elders – are equal participants in the City and city building (City of Courtenay, 2022)"*

The City of Courtenay pledged to review its operations through an equity lens, ensuring fairness, justice, and social responsibility (City of Courtenay, 2023b). Unfortunately, existing bylaw practices and the proposed Bylaw No. 3121 present multiple challenges that contradict these strategic goals, creating unintended consequences for the community's most marginalized.

Courtenay envisions itself as **"A City for All People,"** celebrating diverse identities and experiences. However, Bylaw 3121, in its current form, inadvertently impedes the inclusivity the City aspires to achieve.

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*"What are we supposed to do with no washroom? And where are we supposed to go when we get kicked out of a park?"*

*– A community member experiencing homelessness*

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For those experiencing homelessness, the bylaw's restrictions on public spaces create additional hurdles. This conflict with Courtenay's vision emphasizes the urgent need for further consultation and consideration for inclusive language that

"Good governance is at the very heart of the work of the City of Courtenay, ensuring public engagement, transparency, equity and inclusion, effectiveness and efficiency and accountability."

recognizes the diverse needs of our community.

Furthermore, restricting temporary shelters or housing options for unhoused individuals conflicts with Courtenay's commitment to affordable housing. Adequate housing is not only a civic duty but also a fundamental human right. Bylaw 3121, if not carefully amended, might inadvertently impede progress toward our

More than a roof over one's head, adequate housing is a fundamental human right in Canada and an important social determinant of health (City of Courtenay, 2023b)."

affordable housing goals.

In essence, the re-evaluation of Bylaw 3121 is not just a technicality; it reflects the City's values and an opportunity for systems change that better supports the most marginalized among us, particularly those experiencing homelessness. It is a call to align our bylaws with our aspirations for an inclusive, equitable, and compassionate community.

## Investing in Relationships

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To acknowledge the importance of reconciliation, it is essential to reflect on how Bylaw No. 3121 may affect Indigenous communities—ensuring that city regulations and policies respect and support reconciliation is not just a statement but an effort to truly consult those most affected.

“The City of Courtenay will value the contributions of all its citizens, nurturing and practicing a culture of proactive involvement in local government reconciliation and all community decisions by creating new avenues for community participation and action (OCP, 2023).”

### THE IMPORTANCE OF INDIGENOUS CONSULTATION

City regulations that contribute to homelessness among Indigenous individuals contradict **the United Nations Declaration on Indigenous People (UNDRIP)** by infringing upon Indigenous peoples' rights to adequate housing, non-discrimination, and self-determination (United Nations General Assembly, 2008).

- a. **Right to Adequate Housing:** UNDRIP recognizes Indigenous peoples' right to adequate housing, which includes the right to live in safe and healthy conditions. Bylaws that exacerbate homelessness directly undermine this right.
- b. **Protection of Cultural Identity:** Homelessness can disrupt cultural connections and exacerbate social marginalization, hindering the ability of Indigenous individuals to maintain their cultural practices and connections to their communities.
- c. **Right to Non-Discrimination:** UNDRIP prohibits discrimination against Indigenous peoples, encompassing bias in housing access and public services. Bylaws disproportionately impacting Indigenous individuals, like those aggravating homelessness, may be deemed discriminatory for perpetuating inequality or exacerbating existing disparities.
- d. **Right to Self-Determination:** Bylaws that perpetuate homelessness can limit the ability of Indigenous communities to exercise self-determination by undermining their ability to address housing and social issues within their communities.

# Compassionate Solutions for Addressing Immediate Needs of Homelessness in Courtenay: A System Change Approach

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*Working towards System Change must start with changing the policies and legislation that inadvertently criminalize and restrict the human rights and safety of people experiencing homelessness*

1. **Consultation and Engagement:** “Ensure equity is integrated into planning and design considerations so that everyone – including racialized newcomers, SSLGBTQIA+, women, persons with disabilities, children, youth and elders – are equal participants in the City and city building (City of Courtenay, 2022).”
  - Engage in further consultation, particularly with vulnerable groups, to ensure their voices are heard and needs are addressed.
  - Collaborate with consultants who adopt social justice and trauma-informed approaches to foster meaningful engagement.
2. **Clarity, Accessibility, and Transparency:**
  - Prioritize inclusivity by ensuring that legal documents are accessible to all individuals.
  - Use focus groups or community feedback sessions to test the clarity of language in regulations.
  - Specify within the Bylaw policy the commitment to collaborating with community outreach programs to enhance accessibility.
3. **Work with the community to seek solutions ensuring basic Human Rights and Dignity are met:**
  - a. Access to daytime shelter is a basic human right and essential for upholding human dignity. Daytime shelter plays a crucial role in creating a pathway to stability for those experiencing homelessness.

- b. Appropriate washroom facilities should be provided to those needing to shelter in parks.
  - c. Adding a monitored overnight washroom facility or additional public washroom hours will allow our most vulnerable community members to maintain proper gastrointestinal health, personal safety, and dignity with this basic human need.
4. **Support for the Unhoused:** Avoid punitive responses towards individuals experiencing homelessness and develop an equitable complaint system accessible to all.
5. **Education and Training:** Implement regular training programs for bylaw officers on harm reduction, cultural safety, and humility. Get curious about using a human rights lens in supporting the most marginalized.

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*"I tried to read the Bylaw, but it didn't make sense. It's confusing, and it makes it hard for me to be comfortable anywhere."*

*– A community member experiencing homelessness*

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# Addendum 1: Proposed amendments to the Parks and Open Spaces Bylaw No. 3121

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## Definitions:

### 2. In this Bylaw:

“camping” means the act of setting up tents, campers, or recreational vehicles, within a park or open space for recreational purposes ~~or taking up temporary overnight abode in a park or open space with or without shelter;~~

As the definition currently reads, there is overlap with the definition of “temporary shelter.” This creates confusion and can encourage misapplication.

**Amendment recommendation:** “camping” means the act of setting up tents, campers, or recreational vehicles within a park or open space for recreational purposes.

“park” means an area of land dedicated or designated and maintained by the City as a park and intended for the purpose of providing recreational, cultural, and leisure opportunities to the public, including facilities such as playgrounds, sports courts and fields, trails, picnic areas, and green spaces, and are intended for the use ~~and enjoyment of individuals and community groups;~~

We recommend more inclusive language to ensure that people experiencing homelessness are seen as community members who not only rely on public spaces and parks for their “enjoyment” but also for survival.

**Amendment recommendation:** “Park” means an area of land dedicated or designated and maintained by the City as a park and intended for the purpose of providing recreational, cultural, and leisure opportunities to the public, including facilities such as playgrounds, sports courts and fields, trails, picnic areas, and green spaces, and are intended for the use **all community members;**

“unhoused” means not having a fixed address or a predictable residence to return to on a daily basis.

**Amendment recommendation:** “unhoused” means having **no accommodation**, fixed address, or **permanent** residence to return to on a daily basis.

- 5.9 Behaviour and Conduct:** The City is dedicated to creating safe and accessible parks and open spaces for all community members to enjoy and to achieve this goal, the City aims to minimize nuisances and obstructions that may impact the use ~~and enjoyment~~ of these spaces by all community members; therefore, the following provisions aim to ensure that individuals using the City's parks and community facilities do so in a safe and respectful manner:

Again, we recommend more inclusive language to ensure that people experiencing homelessness are seen as community members who not only rely on public spaces and parks for their “enjoyment” but also for survival.

**Amendment recommendation:** strike out “and enjoyment.”

- 5.9 b) Disorderly, dangerous, ~~or offensive~~ behaviour is not allowed in parks and open spaces

What is “offensive behaviour?” Being offended is a subjective feeling. Disorderly or dangerous conduct can be objectively observed outside of a feeling or an emotion. To prevent the risk of unconscious bias, and the disproportionate application of this provision to people experiencing homelessness, we recommend removing the word “offensive” from the provision.

**Amendment recommendation:** Disorderly or dangerous behavior is not allowed in parks and open spaces.

- 5.9 d) Camping in a park or open space, ~~with or without shelter~~, is only permitted with a valid permit that complies with all terms and conditions of the permit.

It is unclear how someone would camp without shelter. If the Bylaw is referring to someone sleeping in the park, then that should be clearly defined. We recommend striking out “with or without shelter” to 1) keep the provision in line with the amended definition of “camping”, and 2) create a clear delineation between the definition of camping and sheltering.

**Amendment recommendation:** strike out “with or without shelter.”

5.9 (g) ~~Preventing or obstructing other individuals' free use and enjoyment of parks or open spaces is not permitted unless authorized through a valid permit.~~

The bylaw already provides for situations in which a permit is necessary. Therefore, this provision is unnecessary. There are provisions against dangerous or disorderly conduct that may obstruct someone's use of parks or open spaces and provisions against building permanent structures. Furthermore, it is unclear what behaviour would "prevent or obstruct" an individual's use of parks or open spaces that isn't already covered by the Bylaw. The unintended consequence of this provision appears to be targeting a subset of the community, namely people experiencing homelessness, who may be seen as preventing or obstructing other individuals' use and enjoyment, simply by relying on that public space.

**Amendment recommendation:** Strike the entire provision.

5.10 **Interaction with City Employees:** The City is committed to providing excellent service to the public and creating positive experiences for all individuals while promoting a culture of respect and professionalism, and to ensure that this commitment is met, the City has established provisions outlining expectations for the interaction between City employees and members of the public; therefore:

The bylaw attempts to regulate the behaviour of the public when interacting with City employees, but it does not incorporate language which governs how city employees behave toward the public. We recommend incorporating explicit language directly found in the Bylaw Compliance Policy, which discusses how City employees should behave while enforcing the bylaw.

a) City employees engaged in park maintenance, ~~cleanup~~, or renovation may ask individuals within the park to relocate or leave in order to carry out their duties;

Park maintenance involves cleaning the park. Our concern with the term "cleanup" is that it is associated with decampments and sweeps. We recommend striking out "cleanup". We also acknowledge this would bring the provision in line with the language used in section 9.2 (a)(i) of the Bylaw.

**Amendment recommendation:** strike out “cleanup.”

c) It is prohibited to obstruct or interfere with the duties of City employees in a park or open space; and

These provisions are frequently applied to impede advocates and observers during decampment operations. Mere inquiry, negotiation, or advocacy, whether for oneself or others, should not be deemed as 'obstruction' or 'interference.' To uphold the principles of democracy, public engagement, and freedom of speech, it is recommended that the provision explicitly recognizes the necessity for “physical obstruction or interference.”

**Amendment recommendation:** It is prohibited to **physically** obstruct or **physically** interfere with City employees while carrying out their duties in parks or open spaces, or bylaw officers while performing their duties, including issuing tickets or notices.

~~d) Interfering with a bylaw officer in performing their duties, including issuing tickets or notices, is prohibited under this bylaw.~~

**Amendment recommendation:** strike then entire provision and combine with (c).

#### 6.4 No Fouling or Polluting

a) Waste Disposal and Littering: The City is committed to maintaining clean and litter-free parks and open spaces ~~for the enjoyment of all users;~~ therefore:

**Amendment recommendation:** strike out “for the enjoyment of all users”

## Temporary Sheltering

- 7.2 **Permitted Sheltering:** Where there is no accessible shelter accommodation available in the City, ~~unhoused persons~~ individuals who are unhoused may temporarily shelter in a park if the following conditions are met:

We would like to see explicit language recognizing the human right to shelter.

**Amendment recommendation:** In recognition of the human right to shelter, where there is no accessible or adequate shelter accommodation available in the City, individuals who are unhoused may temporarily shelter in a park if the following conditions are met:

- d) All temporary shelters must be taken down and moved before 9:00 a.m. each day, except for those situated in a location authorized by the City Manager for daytime use.

Are there any locations authorized by the City Manager for daytime use? If so, why are they removing folks rather than encouraging them to occupy that space?

**Amendment recommendation:** In the spirit of human rights and trauma-informed interactions, we would like to see express language acknowledging bylaw officers' and peace officers' using discretion to exercise leniency when disabilities impede an unhoused person's ability to take down their temporary shelter before 9:00am.

- f) ~~Temporary shelters must not be left unattended~~

The Bylaw provides that people can temporarily shelter in designated parks and open spaces between the hours of 7:00 pm and 9:00 am; a span of 14 hours. There are numerous reasons why an unhoused person may need to leave their temporary shelter unattended including to get food or use the washroom. It is unreasonable to require that someone not leave their temporary shelter over the course of 14 hours. A blanket ban is not rooted in a human rights centric approach, nor does it consider the realities of those experiencing homelessness.

**Amendment recommendation:** strike the entire provision

10.2 **Enforcement:** The Director, a bylaw enforcement officer or a peace officer may enforce this bylaw, ~~and in doing so may be assisted by another such officer or a City personnel and:~~

Only trained officials should be enforcing the bylaw. City personnel is too broad and can include anyone employed by the city. This not only puts the public at risk but also the city personnel who are asked to operate outside their job responsibilities and without the proper training. Furthermore, it is redundant to authorize bylaw officers and peace officers to enforce the bylaw with the assistance of another bylaw officer or peace officer.

**Amendment recommendation:** strike “and in doing so may be assisted by another such officer or a City personnel.” Alternatively, specify emergency personnel.



# Staff Report

**To:** Council

**File No.:** 4000-20

**From:** Director of Corporate Services

**Date:** March 13, 2024

**Subject:** Parks and Open Spaces Regulation Bylaw – Amendment

**PURPOSE:** To provide information regarding amendments to the proposed Parks and Open Spaces Regulation Bylaw as requested by a delegation who appeared before Council at the February 14, 2024 Council meeting; to seek Council approval of a proposed amendment; and, to request Council consideration of third reading of the Parks and Open Spaces Regulation Bylaw No.3121.

## **BACKGROUND:**

At the February 14, 2024 Council meeting, a delegation requested Council consider amending the Parks and Open Spaces Regulation Bylaw No. 3121. Upon consideration of third reading of the Bylaw, and the amendments requested by the delegation, Council deferred consideration of the Bylaw and passed the following resolution:

*THAT Council direct staff to report back on the following requests and amendment, as proposed in the report “Working Toward System Change – Assessing Courtenay’s Approach to Homelessness”:*

1. *Remove the term “offensive” from section 5.9 (b)*
2. *Strike out “with or without shelter” from section 5.9 (d)*
3. *Strike out 5.9(g) in its entirety*
4. *Incorporate language from the Bylaw Compliance Policy, which discusses how City employees should behave while enforcing the bylaw*
5. *Include express language outlining trauma-informed bylaw enforcement*
6. *Remove reference to “interfering with a bylaw officer in performing their duties” and replace with language that prohibits physical obstruction or interference with City employees while carrying out their duties in parks*
  - a. *Strike out Section 5.10(d) and combine it with 5.10(c)*
7. *Strike out section 7.2(f)*
8. *Strike out “and in doing so may be assisted by another such officer or a City personnel” from section 10.9, and consider specifying “emergency personnel”*
9. *Add language to the bylaw that emphasizes Social Service partnership and support.*

*AND THAT Council direct staff to highlight options to work with Indigenous partners on the proposed bylaw in the report.*

## **DISCUSSION:**

The following section outlines the current language contained within proposed Parks and Open Spaces Regulation Bylaw No. 3121, interspersing requested amendments and considerations throughout.

### **Section 5.9 – Current (*Italicized*)**

*Behaviour and Conduct: The City is dedicated to creating a safe and accessible parks and open spaces for all community members to enjoy and to achieve this goal, the City aims to minimize nuisances and obstructions that may impact the use and enjoyment of these spaces by all community members; therefore, the following*

*provision aim to ensure that individuals using the City's parks and community facilities do so in a safe and respectful manner:*

*a) All individuals in a park or open space must abide by all federal and provincial laws, City bylaws, policies, and any posted notices or signs;*

*b) Disorderly, dangerous, or offensive behavior is not allowed in parks and open space;*

**Requested Amendment:** "Disorderly, dangerous, or offensive behaviour is not allowed in parks and open spaces (City of Courtenay, 2023a):"

- "Offensive behaviour" is too broad a term to provide any sort of objectivity. Disorderly or dangerous conduct can be objectively observed outside of a feeling or emotion. Implicit bias may lead to a disproportional impact on people experiencing homelessness."

**Consideration:** "Offensive" behavior typically refers to conduct that causes discomfort, upset, or annoyance to others, often by violating social norms or standards of decency. This can include actions, language, or gestures that are perceived as rude, disrespectful, or inappropriate. Some examples of offensive behavior may include verbal abuse of a sports referee, explicit language that disturbs others, discriminatory behavior – derogatory remarks.

Enforcement in response of offensive behaviors, similarly to other undefined terms, is subject to the test of reasonableness (see subsequent section of the report for more information), and would be required to be undertaken in accordance with the Bylaw Compliance Policy.

*c) High-speed activities that involve projectiles, such as golf, archery, war games, radio-controlled aircraft, drones, or cars, require authorization through a facility use permit;*

*d) Camping in a park or open space, with or without shelter, is only permitted with a valid permit that complies with all terms and conditions of the permit.*

**Requested Amendment:** "Camping in a park or open space, with or without shelter, is only permitted with a valid permit that complies with all terms and conditions of the permit:"

- It is unclear how someone would camp without shelter. If they are referring to someone sleeping in the park, then that should be clearly defined. We recommend striking out "with or without shelter" to create a clear delineation between the definition of camping and sheltering."

**Consideration:** Camping, as defined in the bylaw, is undertaken for recreational purposes and sheltering as defined in the bylaw "means seeking temporary protection or refuge in a park or open space, often due to being unhoused or adverse weather conditions". Examples of camping without shelter may include a Scouts Troop camping under the stars, or another group desiring a back-to-nature camping experience. This section does not apply to sheltering. Individuals sheltering in a park or public space do not require a permit, camping as a recreation activity and would require a permit.

*e) Entering or using any frozen or apparently frozen body of water in a park is prohibited unless posted authorization indicates otherwise.*

*f) Constructing any permanent structure in a park or open space is only allowed if it complies with all City bylaws, permits, requirements, and regulations and has been authorized through a resolution of Council.*

*g) Preventing or obstructing other individuals' free use and enjoyment of parks or open spaces is not permitted unless authorized through a valid permit.*

**Requested Amendment:** Preventing or obstructing other individuals' free use and enjoyment of parks or open spaces is not permitted unless authorized through a valid permit"

- It is unclear what behaviour would "prevent or obstruct" an individual's use of parks or open spaces that are not already covered by the Bylaw provisions. The bylaw already provides for situations in which a permit is necessary. There are provisions against dangerous or disorderly conduct that may obstruct someone's use of a park or open space. There are also provisions prohibiting the building of permanent structures.
- The unintended consequence of this provision may target a subset of the community, namely people experiencing homelessness, who may be seen as preventing or obstructing other individuals' use and enjoyment simply by relying on that public space.
- Amendment recommendation: Strike the entire provision.

**Consideration:** Any individual or group desiring exclusive use of a public space, which would prohibit free use and enjoyment for others, would require a permit.

The language of this section is consistent with recreation facility codes of conduct, and section 60 (b) of the City's Traffic Regulation Bylaw No. 1926.

*h) Using or operating any device in a way that interferes with other individuals' enjoyment of the park is not allowed. This includes but is not limited to the use of amplified or projected sound equipment without a valid permit and in accordance with the Prevention of Public Nuisance bylaw No. 2084.*

#### **Section 5.10 – Current**

**Interaction with City Employees:** *The City is committed to providing excellent service to the public and creating positive experiences for all individuals while promoting a culture of respect and professionalism, and to ensure that this commitment is met, the City has established provisions outlining the expectations for the interaction between City employees and members of the public; therefore:*

**Requested Amendment:** The City is committed to providing excellent service to the public and creating positive experiences for all individuals while promoting a culture of respect and professionalism, and to ensure that this commitment is met, the City has established provisions outlining expectations for the interaction between City employees and members of the public.

- It is noted that the bylaw attempts to regulate the behaviour of the public when interacting with City employees. However, it does not incorporate language which governs how city employees behave towards the public.

- Amendment Recommendation 1: To incorporate language directly from the Bylaw Compliance Policy, which discusses how City employees should behave while enforcing the bylaw.
- Amendment Recommendation 2: to have express language outlining trauma-informed bylaw enforcement.

**Consideration:** This section of the bylaw is reflective of the City’s Respectful Workplace Policy, and provides the ability to use enforcement approaches to ensure staff are treated in a way that is consistent with the Council adopted Bylaw Compliance Policy. In the event a City employee undertakes their work in a way that is contrary to the Bylaw Compliance Policy and the City’s Respectful Workplace Policy, Human Resource policies are in place that outline performance management and respectful workplace investigation processes. Employee rights and obligations are also outlined in the Collective Agreement. Further information regarding bylaw enforcement mechanisms and the City’s accountability framework are outlined in another section of this report.

- a) *City employees engaged in park maintenance, clean up, or renovation may ask individuals within the park to relocate or leave in order to carry out their duties;*
- b) *Individuals who are asked to move by City employees must comply with the request and remove all of their property as directed;*
- c) *It is prohibited to obstruct or interfere with the duties of City employees in a park or open space; and*
- d) *Interfering with a bylaw officer in performing their duties, including issuing tickets or notices, is prohibited under this bylaw.*

**Requested Amendment:** Amendment to Section 5.10(c) & (d): It is prohibited to obstruct or interfere with the duties of City employees in a park or open space. Interfering with a bylaw officer in performing their duties, including issuing tickets or notices, is prohibited under this bylaw.

- These provisions are frequently applied to impede advocates and observers during decampment operations. Mere inquiry, negotiation, or advocacy, whether for oneself or others, should not be deemed as ‘obstruction’ or ‘interference.’ To uphold the principles of democracy, public engagement, and freedom of speech, it is recommended that the provision explicitly recognizes the necessity for “physical obstruction or interference.”
- Amendment recommendation 1: It is prohibited to *physically* obstruct or *physically* interfere with City employees while carrying out their duties in parks or open spaces, or bylaw officers while performing their duties, including issuing tickets or notices.
- Amendment recommendation 2: Strike out Section 5.10 (d) and combine it with 5.10 (c).

**Consideration:** Limiting interference to physical obstruction would permit verbal obstruction in all forms. Permitting verbal obstruction at a level warranting enforcement would be contrary to the City’s Respectful Workplace Policy. Obstruction is subject to the test of reasonableness (outlined in another section of this report) and in accordance with the Bylaw Compliance Policy.

### **Section 7.3 – Current**

**Shelter Requirements:** *Temporary shelters must adhere to the following regulations:*

*a) Temporary shelters must not be erected:*

*i. within 25 metres of a playground or school or community centre;*

*ii. within 5 meters of a private residential property;*

*iii. in or on a:*

*(A) beach, pond, slough or dock;*

*(B) trail, bridge, seawall, roadway or park entrance;*

*(C) environmentally protected natural area; culturally significant area;*

*(D) garden, community garden or horticultural display area;*

*(E) pool or water park;*

*(F) sports field, sports court, skate park, or fitness amenity;*

*(G) fieldhouse;*

*(H) bleacher, stage, gazebo, plaza, public monument, pavilion, designated picnic site, picnic shelter or washroom;*

*(I) designated off-leash dog area;*

*(J) area identified by signs prohibiting or restricting sheltering in that location; or*

*(K) designated areas of park or open space that have otherwise been issued a permit pursuant to this bylaw;*

*b) Temporary shelters must not impede public use of, or access to a park or opens space or to a facility in a park or open space;*

*c) Temporary shelters must not hinder or interrupt the ability of staff or contractors to perform their work, as set out in section 3.10 of this by-law;*

*d) Temporary shelters must not contain any campfire, lighted candles, or propane lanterns or stoves, or other similar devices;*

*e) Temporary shelters must not be used to sell goods or conduct business; and*

*f) Temporary shelters must not be left unattended.*

**Amendment Requested:** Temporary shelters must not be left unattended.

- The Bylaw states that people can temporarily shelter in designated parks and open spaces between the hours of 7:00 pm and 9:00 am, a span of 14 hours. There are numerous reasons why an unhoused person may need to leave their temporary shelter unattended, including to get food or use the washroom. It is unreasonable to require that someone not leave their temporary shelter over the course of 14

hours. This statement does not consider the reality of those experiencing homelessness.

- Amendment recommendation: Strike the entire provision.

**Consideration:** This section was intended to decrease the attractant potential of an unattended shelter. Based on the City’s Bylaw Compliance Policy, a responding enforcement approach would be unlikely to result in the enforcement of this portion of the bylaw. Striking this section of the Bylaw as requested would not impede or impact the effectiveness of the bylaw.

## Section 10.2 – Current

**Enforcement:** *The Director, a bylaw enforcement officer or a peace officer may enforce this bylaw, and in doing so may be assist by another such officer or a City personnel and:*

**Requested Amendment:** The Director, a bylaw enforcement officer or a peace officer may enforce this bylaw, and in doing so may be assisted by another such officer or a City personnel.

- Only trained officials should be enforcing the bylaw. City personnel is too broad and can include anyone employed by the city. This not only puts the public at risk but also the city personnel who are asked to operate outside their job responsibilities and without the proper training.
- Furthermore, it is redundant to authorize bylaw officers and peace officers to enforce the bylaw with the assistance of another bylaw officer or peace officer.
- Amendment recommendation 1: Strike out “and in doing so may be assisted by another such officer or a City personnel.” Alternatively, specify emergency personnel.
- Amendment recommendation to emphasize Social Service partnership and support. The Bylaw policy and regulation should incorporate language that promotes collaborative partnerships with social support services. Express language in Bylaw 3121 that acknowledges social support services diminishes the likelihood of conflicts but also enables individuals experiencing homelessness to receive timely information on available resources, services, and secure locations for additional support and rest.

**Consideration:** The proposed Parks and Open Spaces Regulation Bylaw includes regulations and expectations regarding conduct in a variety of areas including but not limited to: event permitting, environmental protections, nuisance, sheltering, vehicle use etc. Restricting assistance to Bylaw Officers to emergency personnel would prohibit assistance from the following positions: arborists, towing services, event staff, animal control contractors, engineers, custodians, etc.

The Strategic Plan for Bylaw Compliance identifies “Collaborations and Partnerships” as a core objective and includes the following activities to be undertaken over the next three years:

- Enhance relationships with key contributors including outreach support services, health services, and the RCMP by participating in round tables and identifying communication channels to facilitate collaboration.

- Share appropriate resources and data to enhance the collective approach to problem-solving complex issues.
- Collaborate with internal and external agencies to create approaches to responding to bylaw related matters related to the unhoused to ensure enforcement activities to not lead to re-traumatization.

The inclusion of a reference in the Bylaw to the role of, and relationship between, the City and social service partners will be considered as part of the work identified in the Strategy. As the City does not currently have any formal agreements that identify the roles, responsibilities, and procedures that contemplate a partnership between the City and social services it would be difficult to define the role of social services in the bylaw at this time.

*a) The above referenced authorized personnel may order a person who contravenes this bylaw, or a park use permit to do any of the following:*

- i. cease and desist;*
- ii. leave the park or open space immediately;*
- iii. remove or cause to be removed any animal, bicycle, e-bike, vehicle, vessel, structure or other thing which causes or is contributing to a contravention of this bylaw or of a park use permit; and*
- iv. restore any damage caused by the contravention to natural park features or facilities;*

*b) Authorized personnel may restrain, seize and detain or cause to have restrained, seized and detained a dog or other domestic animal with no apparent custodian and have the animal removed to an animal shelter or other appropriate facility, in which case the provisions for impoundment and fees apply as established by applicable bylaws; and*

*c) Bylaw enforcement officers may enter onto any property in accordance with section 16 of the Community Charter in order to inspect and determine if this bylaw is being contravened.*

### **No Specific Section Reference**

**Requested amendment:** Include express language outlining trauma-informed bylaw enforcement.

**Consideration:** Trauma-informed bylaw enforcement approaches are yet to be fully developed, and there is no established standard of practice for the industry. However, working with external agencies to inform the City's trauma-informed procedures is identified within the Strategic Plan for Bylaw Compliance as follows:

- Identify training opportunities for bylaw enforcement staff that focus on culturally informed practice, trauma-informed practice, mental health, violence de-escalation and prevention, and addiction.
- Review and update bylaw compliance procedures to reflect principles of trauma and culture-informed practice.
- Collaborate with internal and external agencies to create approaches to responding to bylaw matters related to the unhoused to ensure enforcement activities do not lead to re-traumatization.

## Test of Reasonableness

The "test of reasonableness" is a legal principle used to assess whether a particular action or decision taken by authorities, such as law enforcement officers, bylaw enforcement officer, or government officials, is fair, rational, and justifiable in the circumstances. This test is often applied in cases where individuals challenge the legality of actions taken against them.

The test typically involves evaluating whether the action or decision:

1. Is rationally connected to a legitimate government objective or purpose.
2. Is proportionate to the importance of that objective.
3. Represents the least intrusive or restrictive means of achieving that objective.

In essence, the test of reasonableness requires that actions or decisions be justified by a legitimate purpose and be proportionate to that purpose.

## BYLAW ENFORCEMENT MECHANISMS AND ACCOUNTABILITY FRAMEWORK

The main difference between a local government bylaw and a local government policy lies in their nature and function.

### Local Government Bylaw:

- Bylaws are legally binding regulations that have the force of law within a municipality or local government's jurisdiction.
- They are typically enacted by a formal process, often involving public consultation, hearings, and approval by elected officials or governing bodies.
- Bylaws are enforceable through legal mechanisms, such as fines, penalties, or legal action, if violated.
- Bylaws generally address specific issues or behaviors and provide clear guidelines and consequences for non-compliance.

When a local government policy is adopted by City Council, it gains a level of authority and formality that sets it apart from informal guidelines or internal administrative procedures for the following reasons:

**Formal Adoption:** When a policy is adopted by City Council, it undergoes a formal approval process. This process often involves discussions, revisions, and a vote by the council members.

**Public Accountability:** Policies adopted by City Council are public and subject to scrutiny by residents, contributors, and oversight bodies.

**Implementation and Enforcement:** Although policies may not be enforceable in the same way as bylaws, they influence the implementation of programs, services, and initiatives within the municipality. City departments and officials are expected to adhere to these policies in their decision-making and operations.

In summary, when a local government policy is adopted by City Council, it gains a level of formal recognition and authority, providing guidance for decision-making and actions within the municipality. While it may not

have the same legal force as a bylaw, it still carries weight and serves as an important tool in local governance.

### **Human Resource Policies and the Collective Agreement**

When staff members undertake their work inconsistently or contrary to Council-adopted policies, human resource policies, and if appropriate, performance management approaches come into play. Human resource policies provide guidelines on employee conduct, expectations, and disciplinary procedures. If an employee's actions are inconsistent with Council policies, HR policies such as the City's Respectful Workplace Policy outline steps for corrective action including but not limited to counseling, warnings, or performance improvement plans. Ultimately, consistent application of HR policies and performance management ensures alignment with Council-adopted policies and maintains organizational integrity and compliance.

In situations where employee performance is inconsistent with Council-adopted policies, it is also essential to consider any rights outlined in the collective agreement regarding performance management processes. Union agreements often delineate procedures for addressing employee performance issues, including the right to representation, grievance procedures, and due process. Adhering to these agreements ensures that employee rights are upheld throughout the performance management process, fostering fairness and equity in dealing with policy violations.

### **FIRST NATIONS ENGAGEMENT**

In the engagement stages of both the Bylaw Compliance Policy and the Parks and Open Spaces Regulation Bylaw project, City staff contacted K'ómoks First Nation staff responsible for duties in line with bylaw services. Unfortunately, requests to participate in interview processes were not responded to. The City has just initiated a project to develop an Engagement Strategy and Council has identified a Reconciliation Framework as a strategic priority. The City will seek to engage K'ómoks First Nation and other Indigenous communities in the development of the Engagement Strategy. The following options are presented if Council desires further engagement with K'ómoks First Nation:

**Interest Confirmation:** Inquiry through a Council to Council process if K'ómoks First Nation desires further consultation on the Parks and Open Spaces Regulation Bylaw.

**Formal Request for Input:** Send a letter to K'ómoks First Nation, requesting comments and input on the Parks and Public Spaces Regulation Bylaw.

### **POLICY ANALYSIS:**

**Strategic Plan for Bylaw Compliance (Attachment A):** The City of Courtenay's Strategic Plan for Bylaw Compliance is dedicated to reinforcing adherence, fostering awareness, and streamlining enforcement to benefit all community members, providing a clear roadmap for implementing six objectives effectively.

**Bylaw Compliance Policy (Attachment B):** The purpose of this Policy is dual: firstly, to provide an understanding of our approach to activities that may negatively impact the environment, public health, safety, and well-being; and secondly, to encourage compliance and promote accountability within our community through responsible enforcement. This is achieved by ensuring fairness, promoting education, and fostering community involvement.

**FINANCIAL IMPLICATIONS:**

There are no financial implications.

**ADMINISTRATIVE IMPLICATIONS:**

There are no administrative implications at this time.

**STRATEGIC PRIORITIES REFERENCE:**

This initiative addresses the following strategic priorities:

- Streets and Transportation - Review City's approach to parking standards downtown: Bylaw Enforcement Policy review and update

**OPTIONS:**

- THAT Council direct staff to amend the Parks and Open Spaces Regulation Bylaw No. 3121 by removing Section 7.3(f), which reads as follows “Temporary shelters must not be left unattended”; and,  
THAT Council give third reading to the Parks and Open Spaces Regulation Bylaw No. 3121 as amended.
- THAT Council receive the Parks and Open Spaces Regulation Bylaw – Amendments Report for information; and,  
THAT Council direct staff on the form of First Nations and Indigenous engagement as desired; and,  
THAT Council defer third reading of the Parks and Open Spaces Regulation Bylaw No.3121 until such time as the directed First Nations and Indigenous engagement direction [details to be provided by Council] has been completed.
- THAT Council provide alternate direction to staff.

**ATTACHMENTS:**

1. Strategic Plan for Bylaw Compliance
2. Bylaw Compliance Policy
3. Parks and Open Spaces Regulation Bylaw No. 3121

Prepared by: Kate O’Connell, Director of Corporate Services  
Concurrence: Geoff Garbutt, M.Pl., MCIP, RPP, City Manager (CAO)



The Corporation of the City of Courtenay

# Briefing Note

**To:** Council  
**From:** Director of Development Services  
Director of Recreation, Culture and Community Services

**File No.:** 3005-01  
**Date:** April 10, 2024

**Subject: Update on Temporary Shelter Housing Options**

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## **PURPOSE:**

To provide an update regarding Council's motion from the regular council meeting held on March 13, 2024 requesting a staff report on a range of temporary shelter options and preliminary considerations of operational impact, budget estimates, number of individuals supported, partnerships for provision of services and other impacts or considerations.

## **BACKGROUND:**

Temporary sheltering options are funded under various provincial and federal housing programs which provide capital and operating. The form and value of the funding depends on a variety of factors including the structure of the arrangement, as well as things like land and building availability, and in-kind support. Courtenay currently has one temporary shelter, Connect (33 beds) operating on municipal lands by the Comox Valley Transition Society. The Pidcock House Shelter (36 beds), is operated by the Salvation Army, is moderate barrier and operated every day of the year, 24 hours a day.

Temporary shelters require a building and or land that can support the program requirements, and meet fire safety and any BC Building Code requirements. BC Housing and the Ministry of Housing look for partnerships with municipalities and non-profits to provide land or a building that can operate a temporary shelter and then can/may be able to provide capital and or operating funds. The pace at which temporary sheltering solutions can be acted upon depends upon the availability of land or buildings as well as availability of operating and capital funding. Provision of municipal land can be a key factor in speeding up the development process.

The 2023 Homeless count identified 272 individuals experiencing homelessness, an increase from 132 in 2020. 95 of these individuals are considered unsheltered, meaning they are typically living outside. Despite the addition of the Connect Temporary Shelter in recent years, the increase in homelessness in the Comox Valley has led to shelter operators turning people away on a nightly basis and a subsequent increase in visible encampments and outdoor temporary sheltering in the City.

At the regular Council meeting held on March 13, 2024, Council made the following rise and report resolution:

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.

A second resolution was made at the regular Council meeting held on March 13, 2024:

Update on Temporary Shelter Housing Options

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WHEREAS, in consideration of ongoing challenges with sheltering and congregation in the downtown core and the negative impacts to those unhoused having to pack up and move; and

THEREFORE, BE IT RESOLVED 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 has shared that this 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 indicated that there will be approximately 60 units of supportive housing and 33 shelter beds in the development and they expect construction to begin in early 2025. This presents an opportunity for the City to work with BC Housing and the CVRD through functions 450 and or 451 to develop a plan for temporary shelter while the project is under development.

The City of Courtenay participates in two functions of the Comox Valley Regional District (CVRD) that play a role in housing and shelter development:

- Function 450: Emergency Shelter and Supportive Housing Land Acquisition Service
  - As per the 2024-2028 CVRD Financial Plan, there is \$834,661 in the property acquisition reserve fund for emergency shelter and supportive housing land purchase.
  - This budget includes \$20,000 for CVRD to complete a land inventory as part of the Housing Action Plan.
- Function 451: Homelessness Supports Services
  - As per the 2024-2028 CVRD Financial Plan, the operating budget for this function is proposed at \$413,500 for 2024
  - Function 451 provides to one or more local nongovernmental organizations based on a board approved five-year action plan to address homelessness in the Comox Valley.
  - The 2024 strategic priorities include completing a Homelessness Needs Assessment and Community Plan.
  - \$100,000 has been allocated to the Comox Valley Coalition to End Homelessness for allocation of funds towards community homelessness initiatives in March 2024.

**DISCUSSION:**

In response to the March 13, 2024 Council resolution, staff have begun reviewing municipal land for potential accommodation of temporary shelter options and partnership with BC Housing, the Ministry of Housing, CMHC, and the non-profit sector.

### *Temporary Shelters in Buildings*

Currently the City is providing access to Native Sons Hall for warming centres activated under the Comox Valley Emergency Program, but does not have another building that can support an ongoing overnight temporary shelter. As such, other buildings such as religious institutions, organizations that have halls like the Legion, or vacant buildings that may be leased must be considered. During the search for an Extreme Weather Response (EWR) shelter location, all known vacant buildings or properties were explored however a suitable location was not identified by community partners.

### *Temporary Shelters on Vacant Land*

Staff have reviewed vacant municipal land that may be appropriate for development of temporary sheltering options. Considerations of use include flood plain impacts, as well as current site servicing. In order to be access Provincial funding to support the capital and operating costs of temporary shelters, the City would require funding through the HEART / HEARTH program or the Federal Reaching Home program to install buildings such as, trailers or tiny homes.

Staff have reviewed the capital costs per unit for modular, ATCO Trailers or tiny shelters that have been installed in other municipalities (such as Port Alberni and Kelowna). The average cost per unit is \$30,000 per tiny shelter to \$100,000 per trailer. These costs do not include site upgrades or required infrastructure to support the temporary shelters like washrooms, offices, laundry and storage. Partnerships with BC Housing, CMHC or Ministry are required to fund assistance for capital works.

The publicly available information regarding the tiny shelter development in Port Alberni is below, and is on par with recently released information regarding the Kelowna tiny shelters.

- Port Alberni Tiny Shelters (30 shelters)
  - Annual operating costs approximately \$850,000
  - Capital costs approximately \$965,000 (including \$165,000 grant from City), plus costs for connection fees and site preparation and ongoing in-kind fees (i.e. utility operating costs)

Temporary Modular Housing, either through renovated containers or pre-fabricated modular units, average approximately \$100,000 to \$150,000 per unit for all total construction costs excluding connection fees and any other in-kind contributions. Examples can be found in Vancouver through the Temporary Modular Housing (TMH) program and Kelowna.

In all cases, operating funds are required by BC Housing through its program allocation (i.e. Temporary shelter, HEART/HEARTH, or Extreme Weather Response shelters). The operational funds are dependent upon partnerships with municipalities on land or buildings or supporting another building that may be owned by a non-profit, service club or religious institution. Securing funding through BC Housing takes time and requires a secured capital plan for the shelter.

### *Managed Encampments*

Council's resolution also included exploration of managed encampments as a temporary sheltering solution. In review of managed encampments experienced in B.C., the average direct costs for managing an encampment are \$100,000 per month (based on publicly availability information from Kelowna and Vancouver). Direct costs include such items as security, on-site sanitation such as garbage and porta-potties, daily site clean-up, and warming facilities. This monthly cost does not account for costs associated with

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**Update on Temporary Shelter Housing Options**

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bylaw, fire, or police support to the location, nor other in-kind City costs such as additional staff time. Additionally, site remediation costs following an encampment range from approximately \$500,000 for the land to \$750,000 for any impacted buildings.

As per BC Housing's "Homeless Encampments in British Columbia" paper, municipalities are required to provide sanctioned encampment residents with sanitation, electricity, and storage options in addition to first aid supplies, fire extinguishers, professional pest control, collection and disposal of needles, and daily fire inspections.<sup>1</sup>

The City would need to identify a suitable piece of vacation land to move ahead with this option. It is important to note that it is difficult to access provincial or federal funding to support managed encampments.

***Next Steps***

With the announcement of the purchase of 925 Braidwood by BC Housing, and the City's letter to the Province requesting support through the HEART / HEARTH program, staff will continue to work with BC Housing and the Ministry of Housing to identify opportunities to work together on addressing the significant gap in shelter in the Comox Valley and Courtenay, including pursuing interim temporary shelter options.

Staff will continue to review the municipal land inventory for consideration as potential interim temporary shelter locations as well as work with BC Housing, the non-profit sector, and the CVRD on further exploring options. There is an immediate need to work with the CVRD through functions 450 and 451 to discuss interim temporary shelter options, advocate for the development of a winter shelter response strategy, and review existing temporary shelters operated by local non-profit organizations consider additional locations. With the upcoming work the CVRD is conducting regarding the Homelessness Needs Assessment and Community Plan as well as Regional Housing Action Plan, it is imperative that the City of Courtenay play a significant role on these projects to support those experiencing homelessness and the impacts on the broader community.

Staff will provide an update to Council in late Spring 2024.

**POLICY ANALYSIS:**

The OCP identifies affordable housing policies that provide guidance to this work.

**FINANCIAL IMPLICATIONS:**

As a participant in CVRD functions 450 and 451, Courtenay residents contribute taxes towards these services and will continue to do so in 2024.

**ADMINISTRATIVE IMPLICATIONS:**

Significant work is required from staff in Development Services and Recreation Culture and Community Services in order to proceed with this resolution and could impact other strategic priorities in 2024.

**STRATEGIC PRIORITIES REFERENCE:**

This initiative addresses the following strategic priorities:

- Affordable Housing - Explore approaches to develop affordable housing: Review potential of city property for housing partnerships with BC Housing

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<sup>1</sup> [Homeless Encampments in British Columbia \(bchousing.org\)](https://www.bchousing.org), pg.6.

Update on Temporary Shelter Housing Options

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- Affordable Housing - Explore approaches to develop affordable housing: Develop strategy for housing amenity fund

Prepared by: Marianne Wade Director of Development of Services

Reviewed by: Susie Saunders, Director of Recreation, Culture and Community Services

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



The Corporation of the City of Courtenay

# Staff Report

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**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

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**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”<sup>1</sup> 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

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<sup>1</sup> [Update on Temporary Shelter Housing Options \(escribemeetings.com\)](https://www.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.<sup>2</sup>
- Infrastructure costs for temporary washrooms:
  - Rental and servicing of temporary trailers: \$15,000 to \$20,000 per month (operating)<sup>3</sup>
  - Infrastructure connections for more permanent facilities: \$50,000 to \$100,000 (capital)<sup>4</sup>
- Temporary shelter options:<sup>5</sup>
  - 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.

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<sup>2</sup> [Downtown Public Washroom – Urbaloo 24 Hour Pilot Update \(escribemeetings.com\)](#)

<sup>3</sup> Ibid.

<sup>4</sup> [685 Cliffe Avenue – Lease Renewal and Temporary Washroom Consideration \(escribemeetings.com\)](#)

<sup>5</sup> [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.

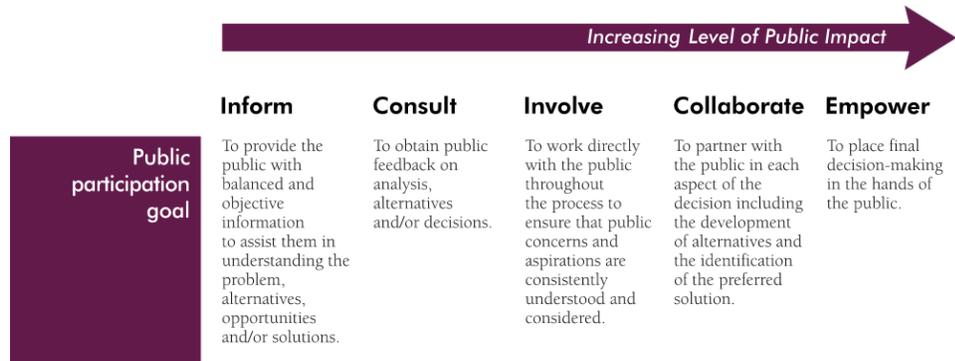
#### **STRATEGIC PRIORITIES REFERENCE:**

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](http://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.Pl., MCIP, RPP, City Manager (CAO)



# Wachiay Friendship Centre

Mail: 1625 McPhee Avenue, Courtenay, BC, V9N3A6

Phone: [250] 338-7793 Fax: [250] 338-7287 Website: [www.wachiay.org](http://www.wachiay.org)

Operating in the Traditional Territories of the Pentlatch,

Sahtlot, Sasitla, E'iksan, Yayaqwilta and K'omox Coast Salish People.

May 23<sup>rd</sup>, 2024

City of Courtenay  
Kate O'Connell  
Corporate Officer

Via email: [koconnell@courtenay.ca](mailto:koconnell@courtenay.ca)

Dear Ms. O'Connell,

Thank you again for meeting with us, we appreciate your time and commitment to having an open dialogue with members of the Indigenous community. As promised, Wachiay would like to provide a response to the March 18, 2024 letter from Mayor Wells, and share a few thoughts about our meeting on April 30, 2024.

To start, we would like to synthesize what we heard from you. On behalf of Courtenay Bylaw, you feel that the process of researching and developing the new Park Bylaw was thorough and that the time spent consulting with community organizations was substantial.

Here is the Wachiay Friendship Centre position on the proposed Bylaw:

1. First, the Bylaw does not adequately account for people with health conditions or disabilities. People who are asked to leave encampments early in the morning can face additional challenges if they are not physically able to move easily. We heard from you that this issue is at the discretion of Bylaw officers who are rarely able to cover each location in a day. Nonetheless, because Bylaw Officers have the power to make consequential decisions, Wachiay would like to see more language in the policy outlining health and disabilities to protect vulnerable unhoused community members.
2. Second, we do feel that Indigenous peoples were not properly included in the consultation process. As per the 2023 Point in Time count for homelessness in the Comox Valley, 28% of the unhoused population identified as Indigenous. Wachiay staff met exclusively with Indigenous people who all communicated to varying degrees that the proposed Bylaws do not adequately align with Courtenay's commitment to DRIPA. We recommend that language in the Bylaw Amendment explicitly acknowledge and reference decolonization and the fact that the Courtenay area is on unceded territory.
3. Third, environmental factors should be listed as exemptions relating to encampments. On rainy or snowy days, with fewer people using the parks, it should be noted in the Bylaw that the unhoused can use public spaces for longer. While Bylaw officers are unlikely to require a tent to be taken down in the rain, it is important to have protections referenced in the Bylaw to ensure consistency.



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4. Finally, while Wachiay understands that it may be out of the scope of this Bylaw, we want to highlight the importance of creating systems that avoid removing tents and belongings without allowing for retrieval. We also want to stress the necessity for a managed encampment in Courtenay to help people step away from the cycle of poverty, displacement, and instability.

Wachiay is excited to move forward with Bylaw and the City of Courtenay. As new Bylaws are made by the City of Courtenay we emphasize the significance of integrating references to the Reconciliation Framework, Strategic Plan for Bylaw Compliance, and Bylaw Compliance Policy into all bylaws. While there are many benefits to the Bylaw Amendments, and it is a long-overdue process, there is still work to be done to ensure that the most vulnerable members of our community are protected.

In friendship,

Wachiay Friendship Centre

Roger Kishi  
Coordinator- Homeless & Housing Programs

Dakota McGovern  
Community Homeless Outreach Specialist

Caleb Burd  
Poverty Law Advocate

Cc: Courtenay Council

Attn:  
City of Courtenay  
830 Cliffe Avenue  
Courtenay, BC V9N 2J7  
6/ 21/2024

Re: Indigenous Women's Sharing Society Comments to Proposed Bylaw #3121

Thank you for the opportunity to provide comments on the proposed bylaw, #3121. In this letter, we will explain some reasoning, our concerns, our recommendation, and comments on the proposed bylaw, and in doing so, explain why the Indigenous Women's Sharing Society (I.W.S.S.) will not support the passing of this bylaw.

We have taken the short amount of time given to us to deliberate on our response. Indigenous Women's Sharing Society, ( I.W.S.S.) actively supports the population that the proposed bylaw affects, and as such, is well-placed to provide unique, grounded, specific insights into how this bylaw's implementation will affect the community. We would welcome additional time to respond, and the opportunity to share these concerns and recommendations in person/in a different format, so that the gravity of our concerns can be heard. We would like to point out that although we appreciate the opportunity to comment at this time, this gesture for consultation was only made after several attempts to implement this bylaw had already occurred. The development of this bylaw and the implementation strategy were created without meaningful Indigenous consultation, and is in opposition to the United Nations Declaration of Human Rights of Indigenous Peoples Act.

As an Indigenous and peer-led organization, we have a deep and complex understanding of the history of racism and colonization of Canada. It is well documented that that colonizing practices and policies continue to oppress Indigenous peoples today in many diverse forms.

Indigenous peoples and organizations including Indigenous Women's Sharing Society are asked to provide consultation, emotional labour, and input on various projects. In situations like this, we are brought into the conversations only after the foundation of the project has been developed and created. This late ask for comments creates an issue where the ask feels forced and needed as a requirement, similar to tokenism. Based on our experience with this engagement, the conversation with I.W.S.S. is late into the process. An invitation to provide input only through comments, is not meaningful Indigenous consultation. First Nations Health Authority, who from our understanding were not consulted or listed. The only health authority consulted was with Island Health. While Island Health is an important collaborator, they do not necessarily represent Indigenous interests and therefore cannot necessarily meaningfully provide input or comments related to Indigenous experiences. As noted above, considering Indigenous experiences in the process of this bylaw development is necessary given that Indigenous people represent a disproportionate percentage of the population that this bylaw could affect, but it is also a legal requirement to consult with Indigenous peoples and organizations where they are affected by government processes.

It is highly concerning that some of the language of this bylaw does not explain how

collaboration with community organizations will be implemented to support individuals impacted by this bylaw. It is also concerning that trauma-informed practices will not be implemented by an additional accompanying support plan developed by the city until 2025. This indicates a lack of knowledge and training on trauma-informed practices on the part of City staff. We would encourage the City staff to complete ongoing, extensive training in trauma-informed care, community collaboration training, training on racism, and including specific training on working effectively with Indigenous peoples. We encourage the staff to review and align the City policies and bylaws with the United Nations Declaration of Human Rights of Indigenous People, which has been legally implemented in Canada since 2021.

Indigenous people represent a small percentage of the population (under 10%) in the Comox Valley, yet Indigenous people represent over 30% of Individuals in the Comox Valley experiencing homelessness. Furthermore, Indigenous youth represent over 50% percent of the children in foster care and are at high risk of experiencing homelessness. The over representation of Indigenous people impacted by these social issues is a direct result of colonization, current oppression, and murder of Indigenous people.

Because of the reasons above and additional reasons we are unable to expand on due to limited time, the Indigenous Women's Sharing Society cannot support the passing of this bylaw. We support actions that do not have the potential to create the possibility of further harm. In its current form, the proposed bylaw has real potential of furthering harm to Indigenous populations. As noted above, Indigenous Women's Sharing Society encourages the City to do the necessary work and ongoing training required to understand why this is the case. Government bodies ( at Federal, Provincial, and Municipal) have had many decades of opportunity to fully support and prioritize the issues of homelessness and homelessness prevention in unharmed ways; unfortunately this has not happened. There is strong evidence that punitive and reactionary authoritative action may briefly temporarily remove the person experiencing homelessness from public view, but perpetrating ongoing displacement of individuals can create further harm and re-traumatization that provides no long-term solution.

If the City is truly interested in a long-term solution aligned with Truth and Reconciliation Commission Calls to Action, trauma informed actions supported by evidence and the Indigenous experiences of those involved should be considered. The principle of 'nothing about us, without us,' is one that I.W.S.S. feels is relevant here: i.e., sustainable solutions (that allow each citizen to maintain their human dignity) to complex social dilemmas must include direct, meaningful, and ongoing consultation and collaboration from those that either have lived experiences in relation to such issues, or from those that can meaningfully and ethically advocate on behalf of those populations.

Upon completion of this letter, we would like to note we were advised during our meeting with the City on our options for commenting. One of the few options provided was that Indigenous Women's Sharing Society could refrain from commenting due to potential optics. This is a confusing and unacceptable statement. We did not choose this option. We are hoping that we now live in a time where Indigenous voices and experiences are valued and upheld, instead of punished, retaliated against, and/or oppressed. This bylaw is directly related to actions on

addressing homelessness. The United Nations Declaration of Human Rights of Indigenous Peoples outlines to pay specific attention to the health, well-being, safety, and dignity of Indigenous peoples in Canada. I.W.S.S. maintains that this issue of homelessness is intersected with many other systemic issues and historical facts that affect Indigenous existence in the Comox Valley. True reconciliation will require a compassionate understanding of such issues, while upholding the human Rights of Indigenous Peoples.

We encourage our City officials to actively address the underlying issues of homelessness, and develop decolonizing practices and policies that provide meaningful actions and interventions. In doing so, these practices and policies will contribute to improving the wellness and health of Indigenous people.

Thank you for your consideration, we look forward to your response and to be considered as meaningful collaborators going forward.

Sincerely,  
Indigenous Women's Sharing Society

August 30, 2024

File No.

Taija McLuckie  
SOLID Outreach

Sent via email only:

**RE: SOLID Outreach**

I am writing this in support of the SOLID Outreach program to maintain a presence in the Comox Valley and the City of Courtenay.

The City of Courtenay have “People Matter” and “Be Accountable” as part of their core values. In line with the City’s core values we have developed a professional working relationship with SOLID Outreach. SOLID Outreach provides a valuable community service to the unhoused population, bridges the gap with the City of Courtenay staff and provide insight and knowledge in the daily dialogue with our community clients.

The City of Courtenay acknowledges SOLID Outreach as a valuable community partner we would like to see continue.

This program is beneficial to the community and the unhoused population in providing a service delivery model that includes a layer of safety and a vehicle for continued communication between the unhoused population, Solid Outreach, community partners and the City of Courtenay.

Regards,

Mike Kurvers  
Manager of Bylaw Services  
City of Courtenay



The Corporation of the City of Courtenay

# Bylaw No. 3121

**A bylaw to establish regulations and control of parks and open public spaces.**

WHEREAS

- A. The Council of the City of Courtenay wishes to enact a bylaw to regulate, prohibit, and impose requirements respecting parks and open spaces;
- B. This bylaw is essential to ensure that the City's parks and open spaces are accessible, safe, and enjoyable for everyone while protecting the environment and areas of cultural significance, and promoting healthy, active lifestyles; and
- C. The Council of the City of Courtenay respectfully acknowledges that the lands to which this Bylaw apply are on the Unceded territory of the K'ómoks First Nation, the traditional keepers of this 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 "Parks and Open Spaces Regulation Bylaw, Bylaw No. 3121".

## **Definitions**

2. **In this Bylaw:**

"authorized personnel" means City employees and contractors, including bylaw enforcement officers, peace officers and emergency personnel and as specified in this bylaw;

"bicycle" means a device having any number of wheels that is propelled by human power only and upon which one or more persons may ride and includes the bicycle buggies and trailers that may be attached to the bicycle;

"camping" means the act of setting up tents, campers, or recreational vehicles, within a park or open space for recreational purposes or taking up temporary overnight abode in a park or open space with or without shelter;

"casual use" means the non-special use of a park or open space for recreational activities or relaxation, where the space is available for use by all park users on a first-come, first-served basis;

"City" means the City of Courtenay;

"Council" means the council of the City;

"Director" means the director of the City's Recreation, Culture and Community Services department or their successor;

"e-bike" means a cycle with an electric motor which is not capable of speeds greater than 32 kilometers per hour on level ground or of operating with pedals removed, and which looks like a bicycle and not a motor scooter;

“environmentally sensitive area” means those City lands, or parts thereof, that are in their natural state and which contribute to the retention or creation of wildlife habitat, soil stability, water retention or recharge, vegetative cover and similar vital ecological functions, or that are designated as such by the City;

“natural features” means any native or non-native tree, shrub, flower, herb, berry, bough, grass or plant of any kind, and all soil, sand, silt, gravel, rock, mineral, wood, fallen wood or other living or dead natural material;

“open space” means those City lands, excluding parks, consisting of natural landscapes, wetlands, wildlife habitats, greenbelts, civic plazas, picnic areas, footpaths, public parking lots that service recreational facilities and squares, and similar areas that contribute to the City's biodiversity, ecological sustainability, and the well-being of its residents;

“park” means an area of land dedicated or designated and maintained by the City as a park and intended for the purpose of providing recreational, cultural, and leisure opportunities to the public, including facilities such as playgrounds, sports courts and fields, trails, picnic areas, and green spaces, and are intended for the use and enjoyment of individuals and community groups;

“permit” means a permit issued by the City for a special use or another use that requires a permit under this bylaw;

“sheltering” means seeking temporary protection or refuge in a park or open space, often due to being unhoused or adverse weather conditions;

“special use” means the reservation or booking of a specific area of a park or open space for a specific time and purpose for any of the activities described in section 3.4;

“temporary shelter” means a structure, improvement, shield or cover used or intended to be used to house or protect people or things, and includes a tent, tarp, lean-to or other refuge made of cardboard, tarpaulin, canvas, plastic, metal, logs, brush, branches or other materials natural or man-made;

“unhoused” means not having a fixed address or a predictable residence to return to on a daily basis; and

“wildlife” means any wild mammal, bird, reptile, fish, amphibian or insect.

## **Objectives and Administration**

### **3.1 The objectives and principles of this bylaw are to:**

- a) Ensure that parks and open spaces are accessible, safe, and enjoyable for all members of the public;
- b) Encourage the use of parks and open spaces for healthy and active lifestyles;
- c) Regulate and manage commercial activities and events in parks and open spaces to minimize their impact on the environment and other park users;
- d) Protect and preserve natural areas and wildlife in parks and open spaces for future generations;
- e) Promote responsible and sustainable use of parks and open spaces to minimize environmental and natural resources damage;

- f) Foster a sense of community responsibility and pride in parks and open spaces among local residents and businesses;
  - g) Permit diverse activities that promote vibrant and engaging spaces, including recreational, cultural, and community-building events; and
  - h) Ensure compliance with applicable laws and regulations related to parks and open spaces.
- 3.2 **Delegation of Authority:** Staff members of the City, including the City Manager (Chief Administrative Officer), the Director, the Director of Engineering, the Director of Public Works Services, the Director of Corporate Services, or the Fire Chief, and other designated personnel, have been delegated defined responsibilities and authorities in this bylaw corresponding to their roles and functions in implementing and enforcing the bylaw. These include issuing permits, conducting inspections, enforcing regulations, ordering closures, and ensuring compliance, safety, and efficient management of parks and open spaces. Specific responsibilities and roles of staff members are outlined in relevant sections of the bylaw, aligning with their expertise and jurisdiction.
- 3.3 **Director's Power to Place or Erect Signs:** The Director may place or erect signs or other traffic control devices setting out rules and regulations for park and open space use.
- 3.4 **Director May Issue or Refuse Permits:** With regard to permits required under this bylaw:
- a) The Director shall be responsible for the issuance or refusal to issue permits;
  - b) The Director may modify or impose additional requirements on the permits outlined in this bylaw based on the needs and characteristics of the event, location, and potential impact on the community;
  - c) The Director may refer an application for a permit under this bylaw to Council for consideration and determination; and
  - d) If the Director refuses a permit application under this bylaw, the applicant may request that Council reconsider the decision by submitting a written request to the City's Corporate Officer within seven (7) business days of the Director's refusal.
- 3.5 **Permit Applications:** A person, group or organization intending to carry out special use of a park or open space under this bylaw may obtain a permit by:
- a) Submitting an application on the form provided by the City;
  - b) Agreeing in writing to all terms, requirements, restrictions and conditions of special use established by the Director;
  - c) Submitting all required fees, deposits, charges and insurance documents; and
  - d) Showing evidence of compliance with the requirements of other relevant enactments that may apply in the circumstances.

## Interpretation

- 4.1 **Interpretation:** Except as otherwise defined in this bylaw, words and phrases used herein have the same meaning as in the *Local Government Act*, the *Community Charter* and the *Interpretation Act* as the context and circumstances require. A reference to a statute refers to a statute of the Province of British Columbia unless otherwise indicated, and a reference to any enactment refers to that

enactment as it may be amended or replaced from time to time. Words in the singular include the plural, and words in the plural include the singular.

4.2 **Headings:** The headings to the clauses in this bylaw and table of contents have been inserted as a matter of convenience and for reference only and in no way define, limit or enlarge the scope or meaning of this bylaw or any provision of it.

4.3 **Schedules:** The following schedule is attached and form part of this bylaw:

A: Parks where sheltering is restricted

### **Use of Parks and Open Spaces**

5.1 **Vison Statement for Parks and Open Spaces:** The City's vision for its parks and open spaces network is to foster a healthy, engaged, and inclusive community with a high quality of life by offering diverse parks, interconnected trails, natural areas, and multi-use outdoor recreation and cultural spaces. These spaces aim to accommodate individuals of all ages and abilities and address emerging parks, recreation, and cultural needs and trends. The City's goal is for parks and open spaces to be utilized safely and respectfully, promoting health, well-being, and social interaction for all park users.

5.2 **City Objectives for Parks and Open Spaces:** The City aims to provide recreational, cultural and leisure opportunities that promote physical and mental well-being, community engagement, and appreciation of the natural environment while also recognizing the value commercial activities can have in enhancing the public realm and supporting local businesses. The goal of the bylaw is to balance these benefits with the need to preserve the natural, cultural, and social integrity of parks and open spaces.

5.3 **Casual Use of Facilities in Parks and Open Spaces:** A person may have casual use of a park or open space only if:

- a) The activity involves using a park or open space, or a portion thereof, that is designated by the City for that purpose;
- b) The activity is undertaken played according to applicable regulations and in accordance with applicable enactments and the times posted in the park, open space or at the relevant sport facility, if applicable; and
- c) If playing at a sports facility in a park, participants must wear appropriate equipment for the activity they are engaged in, including helmets for skateboarding, shin guards for soccer, and appropriate footwear for basketball.

5.4 **Permits for Special use:** To ensure the safety and enjoyment of all park users, the City requires permits for specific activities in parks and open spaces, including special use of parks and open spaces for recreational activities, games and organized play, special events, cultural activities, and commercial use. Permits issued by the Director are required for the special use of the following activities:

- a) A public or private, commercial or non-commercial service, activity or event that is intended to attract or requires participants or spectators and includes such as a gathering, wedding, festival, competition, tournament, procession, concert, march, show, party, ceremony, fishing derby or regatta;

- b) Group training, lessons or recreational or other programming;
- c) Recording, photography, filming or videotaping for use in television, motion pictures, on the web or in other commercial or institutional presentations;
- d) Research, survey, data collection or petition activity;
- e) Use of a park or open space for non-park purposes including vehicle access, utility lines, structures, road, signs, fences or walls;
- f) Use of a model airplane;
- g) Operation of a human or animal powered device to transport people or goods; or
- h) Exclusive use of a park or open space for cultural, recreational & social activities, games, or organized sports require a park facility permit;
- i) Special events conducted in a park or open space require a park facility permit and must comply with the Special Events Regulation Bylaw No. 2396;
- j) Posting, painting or distributing any kind of commercial advertisement, sign, handbill, pamphlet, poster or placard;
- k) Operating, parking or stationing a vehicle displaying advertising or equipped with a public address system, or
- l) Commercial use of a park or open space which shall require a commercial use permit, and which must comply with the Business Licence Bylaw No. 2523 requirements.

Applicants for permits under this section must pay the applicable fee specified in the relevant fees and charges bylaw. Permits must be obtained prior to engaging in any special use in a park or open space.

5.5 **Animals at Large:** The City aims to promote the safety, well-being, and harmonious coexistence of park users, wildlife, and domestic animals. By setting clear guidelines and expectations for animal owners, this section seeks to prevent incidents, protect natural habitats, and maintain an enjoyable environment for all individuals accessing the park facilities. Therefore:

- a) It is prohibited to allow an animal to run at large in a park or open space unless in compliance with the Animal Control Bylaw No. 1897;
- b) Despite subsection (a), the Director has the authority to post areas where dogs are allowed off-leash, including limitations in time;
- c) Any individual who owns, has care, custody, or control of an animal in any park or open space must promptly remove any defecated matter deposited by the animal, provided that the obligation to remove defecated matter does not apply to individuals certified as legally blind; and
- d) No person shall ride or walk a horse on any part of a park or open space except on trails and other areas specifically designated for horse riding by signs or a posted notice.

5.6 **Research:** Individuals who wish to conduct research or collect specimens within a park or open space must satisfy following requirements:

- a) Prior to conducting research or collecting specimens, the individual must obtain a research permit from the Director, with the research permit serving as official authorization for the proposed activities and ensuring compliance with applicable regulations;

- b) While there is no fixed fee for a research permit, the permit applicant is responsible for reimbursing the City for any costs incurred during the surveying, examination, and inspection of the area affected by the permit application;
  - c) All research activities and specimen collection must comply with applicable enactments, including adherence to guidelines and protocols pertaining to the protection of flora, fauna, and ecological systems;
  - d) The Director and/or the Director of Public Works Services shall have the authority to deny or revoke a research permit based on the nature of the proposed research, noncompliance with this bylaw or other applicable enactments or based on any other concerns made in the interest of preserving the integrity of the park or open space and their environmental resources; and
  - e) If the Director and/or the Director of Public Works Services refuses to issue a research permit, the permit applicant may request that Council reconsider the decision by submitting a written request to the Corporate Officer within seven (7) business days of the Director's refusal.
- 5.7 **Vehicle Usage:** The intent of this section is to regulate the use of motor vehicles, e-bikes, and bicycles, to ensure that they are used safely and responsibly, including, but not limited to the following:
- a) The following regulations shall apply in respect of motor vehicle and motorcycle usage:
    - i. operating any motor vehicle, motorcycle, dirt bike, all-terrain vehicle, or other motorized vehicle on a trail, except for wheelchairs or mobility devices, is strictly prohibited;
    - ii. usage of motor vehicles and motorcycles is prohibited in closed parks or open spaces or closed parking areas;
    - iii. motor vehicle operation below the natural boundary or high tide mark is strictly prohibited.
    - iv. damaging natural features, park facilities, or improvements through motor vehicle operation is strictly prohibited;
    - v. operating motor vehicles in a manner that obstructs the intended use of the park or open space is prohibited; and
    - vi. no vehicle may be parked in any park at any time between an hour after sunset on one day and one hour before sunrise the following day without the prior written consent of the Director, or unless otherwise posted; and
  - b) The following regulations shall apply in respect of e-bikes and bicycles:
    - i. riding e-bikes and bicycles is prohibited in closed parks or closed parking areas;
    - ii. e-bike and bicycle usage below the natural boundary or high tide mark is prohibited;
    - iii. usage of e-bikes on trails within parks is strictly prohibited; and
    - iv. damaging natural features, park facilities, or improvements through e-bike or bicycle usage is strictly prohibited;
  - c) No person under the age of 16 years is allowed to operate an e-bike in a park;
  - d) Any motor vehicle parked in violation of this bylaw may be removed and impounded and the motor vehicle owner is responsible for the cost of removal and impoundment before the vehicle will be returned; and

- e) Motor vehicles, e-bikes, and bicycles used by authorized personnel for park maintenance, park patrols, security, or with written permission from the Director are exempt from the above regulations.

5.8 **Substance Use:** a person must not do any of the following activities in a park or open space:

- a) Consume liquor, as defined in the Liquor Control and Licensing Act, except in compliance with a licence issued under the Liquor Control and Licensing Act;
- b) Consume cannabis, as defined in the Cannabis Control and Licensing Act;
- c) Smoking or vaping (including e-cigarettes);
- d) Consume illicit drugs, except in compliance with the Controlled Drugs and Substances Act (Canada) and applicable provincial enactments.

5.9 **Behaviour and Conduct:** The City is dedicated to creating safe and accessible parks and open spaces for all community members to enjoy and to achieve this goal, the City aims to minimize nuisances and obstructions that may impact the use and enjoyment of these spaces by all community members; therefore, the following provisions aim to ensure that individuals using the City's parks and community facilities do so in a safe and respectful manner:

- a) All individuals in a park or open space must abide by all federal and provincial laws, City bylaws, policies, and any posted notices or signs;
- b) Disorderly, dangerous, or offensive behavior is not allowed in parks and open space;
- c) High-speed activities that involve projectiles, such as golf, archery, war games, radio-controlled aircraft, drones, or cars, require authorization through a facility use permit;
- d) Camping in a park or open space, with or without shelter, is only permitted with a valid permit that complies with all terms and conditions of the permit.
- e) Entering or using any frozen or apparently frozen body of water in a park is prohibited unless posted authorization indicates otherwise.
- f) Constructing any permanent structure in a park or open space is only allowed if it complies with all City bylaws, permits, requirements, and regulations and has been authorized through a resolution of Council.
- g) Preventing or obstructing other individuals' free use and enjoyment of parks or open spaces is not permitted unless authorized through a valid permit.
- h) Using or operating any device in a way that interferes with other individuals' enjoyment of the park is not allowed. This includes but is not limited to the use of amplified or projected sound equipment without a valid permit and in accordance the Prevention of Public Nuisance Bylaw No.2084.

5.10 **Interaction with City Employees:** The City is committed to providing excellent service to the public and creating positive experiences for all individuals while promoting a culture of respect and professionalism, and to ensure that this commitment is met, the City has established provisions outlining expectations for the interaction between City employees and members of the public; therefore:

- a) City employees engaged in park maintenance, cleanup, or renovation may ask individuals within the park to relocate or leave in order to carry out their duties;

- b) Individuals who are asked to move by City employees must comply with the request and remove all of their property as directed;
- c) It is prohibited to obstruct or interfere with the duties of City employees in a park or open space; and
- d) Interfering with a bylaw officer in performing their duties, including issuing tickets or notices, is prohibited under this bylaw.

### **Protection of Parks and Open Spaces**

- 6.1 **Intent of this Part:** The natural and built environments in parks and open spaces are valuable resources that enhance the City's well-being by providing recreation, relaxation, cultural and education opportunities. These areas also provide habitat for wildlife and play an essential role in the local ecosystem and as such require regulations for their protection. The provisions in this part of the bylaw have been established to preserve the natural and built environments in parks and open spaces.
- 6.2 **No Cutting, Pruning or Alteration:** No person shall cut down, prune, disturb, remove or alter any natural feature in a park or open space without first obtaining prior authorization from the Director of Public Works Services, and then only strictly following such authorization.
- 6.3 **No Damage or Tampering:** No person shall remove, destroy, damage, deface, break, or tamper with any tree, shrub, plant material or any building, structure, fence, float, wharf, piling, buoy, lifesaving device, bench, sign, road, trail, or any facility, equipment, material, or thing within a park or open space without first obtaining the express prior authorization from the Director of Public Works. This includes fallen or cut trees, whether they are naturally fallen or intentionally cut, and their removal without authorization is strictly prohibited.
- 6.4 **No Fouling or Polluting:** No person shall foul or pollute or otherwise introduce any contaminant on the land or into any natural stream, creek, ditch, pond, or any human-made water feature, fountain, or pond within a park or open space.
- a) **Waste Disposal and Littering:** The City is committed to maintaining clean and litter-free parks and open spaces for the enjoyment of all users; therefore:
  - b) No individual is permitted to dispose of any kind of waste or refuse within a park or open space except in designated waste receptacles provided by the City;
  - c) Disposing of any household or commercial waste within a park or open space is strictly prohibited, including prohibited within designated waste receptacles; and
  - d) It is strictly prohibited to dispose of any yard waste within a park or open space or receptacle. Yard waste includes, but is not limited to, grass clippings, leaves, branches, tree trunks, and other organic materials originating from gardening, landscaping, or tree maintenance activities.
- 6.5 **Fire and Firearms:** The following firearms provisions aim to prevent fire risk and ensure public safety in parks and open spaces:
- a) No individual may undertake the following activities in a park or open space:
    - i. discharge a firearm, air gun, air rifle, air pistol, or spring gun;
    - ii. feed, snare, trap, catch or hold by any means or purposely disturb, frighten, molest or injure any wildlife;

- iii. discharge a bow, as defined in the *Wildlife Act*;
  - iv. fire or explode any combustible or explosive material, except for fireworks, as allowed by the *Fire Protective Services Bylaw No. 2556*; or
  - v. discard or place any burning substance in park or open space;
- b) No person may keep, store, or use in a park or open space:
- i. an open flame appliance such as a barbecue, stove, heater, or any other appliance with an open flame; or
  - ii. a flammable gas or liquid container such as a propane tank, gasoline container, or any other flammable gas or liquid;
- c) Subsection (b) does not apply to a barbecue or a propane camping stove used for cooking food, provided that it:
- i. Is used according to the manufacturer's instructions;
  - ii. Is certified for outdoor use by the Canadian Standards Association (CSA);
  - iii. Is located at least two meters away from any building or structure, including temporary shelters, erected or maintained in accordance with section 5.2, or is located within a designated area for use by the Director; and
  - iv. Is not used in any park or location where open flames are explicitly prohibited; and
- d) a bylaw officer or firefighter may impound an appliance in cases where the appliance is found to be non-compliant based on Canadian Standards Association (CSA) standards, used contrary to the manufacturer's instructions, or deemed an unacceptable fire risk by a firefighter.

### Temporary Sheltering

- 7.1 **Intent of this Part:** The City recognizes that some individuals may need to shelter temporarily in public spaces due to being unhoused, emergencies, or other reasons, and aims to balance the rights and needs of all park users while addressing the root causes of homelessness and poverty through collaborative and inclusive strategies. The intent of this section is to regulate the use of temporary sheltering within parks and open spaces and to ensure that it is done in a safe and healthy manner for all park users.
- 7.2 **Permitted Sheltering:** Where there is no accessible shelter accommodation available in the City, unhoused persons individuals who are unhoused may temporarily shelter in a park if the following conditions are met:
- a) They are in a designated park in a designated area where temporary shelters are allowed by this by-law; and
  - b) They construct a temporary shelter in compliance with this by-law;
  - c) Erecting temporary shelters is permissible only during the hours from 7:00 p.m. until 9:00 a.m. the following day;
  - d) All temporary shelters must be taken down and moved before 9:00 a.m. each day, except for those situated in a location authorized by the City Manager for daytime use.

7.3 **Shelter Requirements:** Temporary shelters must adhere to the following regulations:

- a) Temporary shelters must not be erected:
  - i. within 25 metres of a playground or school or community centre;
  - ii. within 5 meters of a private residential property;
  - iii. in or on a:
    - (A) beach, pond, slough or dock;
    - (B) trail, bridge, seawall, roadway or park entrance;
    - (C) environmentally protected natural area; culturally significant area;
    - (D) garden, community garden or horticultural display area;
    - (E) pool or water park;
    - (F) sports field, sports court, skate park, or fitness amenity;
    - (G) fieldhouse;
    - (H) bleacher, stage, gazebo, plaza, public monument, pavilion, designated picnic site, picnic shelter or washroom;
    - (I) designated off-leash dog area;
    - (J) area identified by signs prohibiting or restricting sheltering in that location; or
    - (K) designated areas of park or open space that have otherwise been issued a permit pursuant to this bylaw;
- b) Temporary shelters must not impede public use of, or access to a park or opens space or to a facility in a park or open space;
- c) Temporary shelters must not hinder or interrupt the ability of staff or contractors to perform their work, as set out in section 3.10 of this by-law;
- d) Temporary shelters must not contain any campfire, lighted candles, or propane lanterns or stoves, or other similar devices;
- e) Temporary shelters must not be used to sell goods or conduct business; and
- f) Temporary shelters must not be left unattended.

**Environmentally Sensitive Areas**

- 8.1 **Intent of this Part:** The intent of this section is to protect areas within parks and open spaces that are environmentally sensitive or culturally significant. By preserving these areas, the City aims to maintain biodiversity, ecological resilience, cultural diversity, and public appreciation of nature.
- 8.2 **No Sheltering in Environmentally Sensitive Areas:** To ensure the protection of environmentally sensitive areas within the parks and open spaces specified in Schedule A of this bylaw, all forms of sheltering and recreational activities are strictly prohibited in these parks and open spaces, unless designated zones within these areas have been specifically designed and approved for such purposes.
- 8.3 **Additional Measures for Environmentally Sensitive Areas:** The City may establish additional measures, such as signs or fencing, to Page 10 of 14 and protect environmentally sensitive areas.

## Unsafe Conditions and Closures

9.1 **Implementation of Measures:** In the event of unsafe conditions within a park or open space that pose a risk to public safety, the following measures may be implemented:

- a) If an unsafe condition is identified, the Director has the authority to take immediate corrective action to eliminate or mitigate the unsafe condition, which may include, but is not limited to, securing, or removing hazardous objects, repairing damaged infrastructure, or closing off areas posing significant risks;
- b) The Director may issue a notice to the responsible party, informing them of the unsafe condition and outlining the necessary remedial actions to be taken within a specified timeframe and the responsible party is required to promptly address the identified safety concerns and take appropriate measures to rectify the situation; and
- c) Failure to address unsafe conditions or non-compliance with the required remedial actions may result in penalties, fines, or legal consequences, as determined by part 8 of this bylaw.

9.2 **Park and Open Space Closures:** The City Manager, the Director, the Director of Engineering, the Director of Public Works Services, or Fire Chief hold the authority to order park closures as necessary to ensure public safety and facilitate essential park operations, in accordance with the following:

- a) A park or open space may be subject to closure, either in their entirety or specific areas for various reasons in the discretion of the above referenced authorized personnel, including but not limited to:
  - i. maintenance, renovation, or other work within the park or open space, ensuring the upkeep and improvement of facilities.
  - ii. safeguarding the well-being of park users and staff in situations involving ongoing construction activities or the presence of hazardous conditions; or
  - iii. any other reason as deemed appropriate by the above-referenced personnel; and
- b) Authorized personnel specified above are responsible for prominently displaying closure notices at park entrances or specific areas within the park with the notices notifying the public of the closure and its implications to the public, ensuring compliance with the closure measures for the safety and security of all park users.

## Enforcement & Penalty

10.1 **Intent of this Part:** The intent of this part is to provide the means to enforce the provisions of this bylaw, using various enforcement measures as deemed appropriate by the City, and enforcement of this bylaw shall be the responsibility of designated bylaw enforcement officers, and any other persons authorized by the City to enforce the bylaw

10.2 **Enforcement:** The Director, a bylaw enforcement officer or a peace officer may enforce this bylaw, and in doing so may be assist by another such officer or a City personnel and:

- a) The above referenced authorized personnel may order a person who contravenes this bylaw, or a park use permit to do any of the following:
  - i. cease and desist;
  - ii. leave the park or open space immediately;

- iii. remove or cause to be removed any animal, bicycle, e-bike, vehicle, vessel, structure or other thing which causes or is contributing to a contravention of this bylaw or of a park use permit; and
- iv. restore any damage caused by the contravention to natural park features or facilities;
- b) Authorized personnel may restrain, seize and detain or cause to have restrained, seized and detained a dog or other domestic animal with no apparent custodian and have the animal removed to an animal shelter or other appropriate facility, in which case the provisions for impoundment and fees apply as established by applicable bylaws; and
- c) Bylaw enforcement officers may enter onto any property in accordance with section 16 of the *Community Charter* in order to inspect and determine if this bylaw is being contravened.

10.3 **Penalties:** The following penalties apply in respect of this bylaw:

- a) Any person who:
  - i. contravenes a provision of this bylaw,
  - ii. suffers or permits any act or thing to be done in contravention of this bylaw,
  - iii. refuses, omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed under this bylaw,commits an offence, and each day that a contravention continues amounts to a separate offence;
- b) A person found guilty of an offence under this bylaw is liable:
  - i. if proceedings are brought under the *Offence Act*, to pay the maximum fine and other penalties, compensation and costs authorized by that Act and the *Local Government Act*; or
  - ii. if a ticket is issued under Division 3 of Part 8 of the *Community Charter*, to pay a maximum fine of \$1,000; and
- c) Fines and penalties imposed under this section are in addition to and not in substitution for any cost recovery, remedial action or other consequence of default or contravention provided for under this bylaw, and do not limit the right of the City to bring civil proceedings or pursue any other remedy available at law.

10.4 **Remedial Action and Cost Recovery:** The City may also undertake remedial action and cost recovery in respect of this bylaw as follows:

- a) Where a person has damaged or removed any feature or facility in a park or open space, the person must, at the direction of the Director:
  - i. restore or repair the feature or facility or replace it with one of similar value, or
  - ii. pay the cost of restoring, repairing or replacing the feature or facility, as applicable and as determined by the Director, to the City within 30 days of an invoice being delivered by the City;
- b) If a person has been required to do something under a provision of this bylaw, and the person has not completed the action within the time specified:
  - i. authorized personnel may fulfill the requirement at the expense of the person;

- ii. authorized personnel may enter onto the person’s property if necessary or convenient to fulfill the requirement; and
- iii. the City may recover the costs incurred for fulfilling the requirement from the person as a debt.

**General Provisions**

- 11.1 **Severability:** If any provision of this bylaw is found to be invalid or unenforceable, the remainder of the bylaw shall remain in full force and effect.
- 11.2 **Amendments:** The City may, from time to time, amend this bylaw as it deems necessary. Any such amendments must be passed by City Council and shall be effective upon the date specified in the amending bylaw.
- 11.3 **Repeal:** City of Courtenay Parks Control Bylaw No. 1664, 1992, is repealed.

Read a first time this 10th day of January, 2024

Read a second time this 10th day of January, 2024

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

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

\_\_\_\_\_  
Mayor Bob Wells

\_\_\_\_\_  
Corporate Officer Adriana Proton

**SCHEDULE A – Parks Where Sheltering Is Restricted**

1. 13th Street Park (Prohibited)
2. 26th Buffer Park (Prohibited)
3. Air Park (Prohibited)
4. Anderton & 1<sup>st</sup> (Prohibited)
5. Arden Road (Prohibited)
6. Bear James Park
7. Blue Jay Park
8. Buckstone Greenway
9. Capes Park
10. Cliffe & 5th Park
11. Condensory Park
12. CottonWood Community Garden
13. Courtenay Riverway
14. Crown Isle 150-yr Grove
15. Crown Isle Greenway
16. Crown Isle the Rise
17. Dogwood Park
18. Elderberry Park
19. Green Belt Park
20. Hawk Greenway
21. Hobson Park
22. Hurford Hill Nature Park
23. Idiens Greenway
24. Idiens Way and Suffolk Crescent
25. Lerwick Nature Park
26. Lewis Park
27. Marina Park
28. Martin Park
29. McPhee Meadows
30. Millard Creek Greenway
31. Millard Creek Park
32. Morrison Creek Park
33. Piercy Creek Greenway
34. Puntledge Park
35. Ridge Greenway
36. Ronson Road
37. Rosewall Buffer Park
38. Rotary Sky Park
39. Rotary Trail
40. Roy Morrison Park
41. Ryan Road and Cowichan Avenue
42. Ryan Road and Crown Isle Blvd
43. Sandwick Park
44. Second Street Park
45. South of City Park
46. Tarling Park
47. Valley View Greenway
48. Vanier Nature Park



# Staff Report

**To:** Council  
**From:** Director of Corporate Services  
**Subject:** 2025 Council Meeting Calendar

**File No.:** 0570-01  
**Date:** October 23, 2024

**PURPOSE:**

To seek Council approval of the 2025 Council Meeting Calendar.

**BACKGROUND:**

Prior to December 31<sup>st</sup> each year, Council is required to adopt the annual meeting calendar for the following year, including dates, times and places.

In 2024, Council meetings including regular, special, in camera, and public hearings took place on Wednesdays, with 37 meetings in the calendar year:

|  | 2021 | 2022 | 2023 | 2024  | 2025<br>(proposed) |
|--|------|------|------|-------|--------------------|
| <b>Regular Council Meetings</b>        | 24   | 20   | 22   | 21    | 22                 |
| <b>Special Open Council Meetings</b>   | 7    | 4    | 4    | 2     | 0                  |
| <b>In Camera Council Meetings</b>      | 25   | 11   | 15   | 12    | ***12              |
| <b>Public Hearings</b>                 | 6    | 6    | 1    | 2     | ***4               |
| <b>Committee of the Whole Meetings</b> | 6    | 0    | 2    | 0     | 0                  |
| <b>Total # of Meeting</b>              | 76   | 41   | 44   | 37    | 38                 |
| <b>Total Hours</b>                     | *88  | 80   | 101  | **100 | N/A                |

\* adjusted to remove 16 hours attributable to an anomalous single matter

\*\*estimated based on average the average meeting length

\*\*\*estimated

**DISCUSSION:**

The 2025 Council Meeting Calendar (Attachment 1) proposes that Council meetings continue to be held on Wednesdays at 4:00 pm in the Civic Room at the Comox Valley Regional District (CVRD) administration building located at 770 Harmston Avenue, Courtenay, BC unless otherwise posted. Committee and commission meetings, board meetings, in camera meetings, professional development opportunities and workshops are not included in the annual Council meeting calendar.

The calendar is amended to accommodate annual events such as the Association of Vancouver Island and Coastal Communities (AVICC) AGM & Convention (April 2025), Federation of Canadian Municipalities (FCM) Conference (May 2025), and Union of British Columbia Municipalities (UBCM) Convention (September 2025).

### ***New – Additional Budget Meetings***

The proposed 2025 Council Meeting calendar includes two new meetings, scheduled for November 26<sup>th</sup> and 27<sup>th</sup>. The purpose of these meetings is to provide Council additional time to review the proposed budget and provide direction to staff on desired amendments.

### ***Legislative Changes – Impact on Public Hearings***

Following the approval of Bill 44, local governments are now permitted to eliminate public hearings for proposed zoning bylaws under specific circumstances. A public hearing is unnecessary if there is an official community plan in place for the area to be rezoned, the proposed bylaw aligns with that plan, its primary goal is to promote a development that includes residential elements, and for mixed-use projects, the residential component must comprise at least 50% of the total gross floor area of all buildings and structures. While this legislation has significantly reduced the number of public hearings held—dropping from 6 in 2022 to only one (1) in 2023 and two (2) in 2024—it's important to note that this change has a negligible impact on the total meeting time hours as the public hearings typically only consider one or two items and are short in duration.

Although it is challenging to predict the exact number of items that will require a public hearing, historical data and the effects of new legislation indicate that the estimated number of public hearings for the 2025 calendar can be reduced to one per quarter. These dates, however, are subject to change or cancellation based on legislative requirements and the applications received. Similarly, public hearing dates may be added in accordance with the Council Procedure Bylaw No. 2730, 2013.

### ***Meeting Trends***

In 2021 Council meeting hours totalled 104, however, 16 hours of in camera meetings in the referenced year were due to a single complex matter and therefore are considered an outlier. Removing the impact of the outlier meetings, the duration of Council meetings increased by 13.6% from 2021 to 2024. There are no outlier matters that contributed to the number of meetings from 2022 to 2024.

Committee of the Whole meetings have decreased since 2022. Council meetings and Committee of the Whole meetings share the same approving authorities with one exception – Council is not permitted to consider a bylaw reading at a Committee of the Whole Meeting. Beginning in 2023, all topics previously considered at a Committee of the Whole meeting were incorporated into Regular Council meetings, enabling Council to consider all items without limitation.

Lastly, captured meeting metrics do not include other governance commitments including committee meetings, CVRD Board meetings, professional development and training, conference attendance, workshops and any time allocated to official duties.

### ***Enhanced Calendar Legend***

Statutory deadline dates for the following items will now be reflected in the 2025 Council Meeting Calendar identified in the calendar legend:

- Financial Disclosure Statements – Due January 15<sup>th</sup>, 2025
- Budget Adoption – Due May 15<sup>th</sup>, 2025

- Permissive Tax Exemptions: Due October 31<sup>st</sup>, 2025

**FINANCIAL IMPLICATIONS:**

There are no anticipated financial implications as total expected meetings are consistent with prior years.

**ADMINISTRATIVE IMPLICATIONS:**

There are no significant administrative implications as the 2025 Council Meeting Calendar proposes to be similar to the 2024 Council Meeting Calendar.

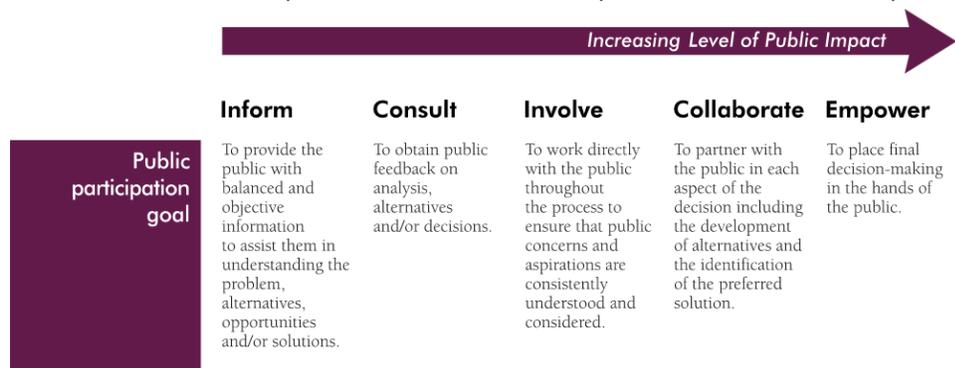
**PUBLIC ENGAGEMENT:**

Notice will be provided in accordance with the Council Procedure Bylaw No. 2730, 2013, and Section 127 of the *Community Charter*:

***Community Charter: Notice of Council Meetings (Section 127(1)(b))***

*127(1)(b) (b) give notice of the availability of the schedule in accordance with section 94 [public notice] at least once a year.*

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



© International Association for Public Participation [www.iap2.org](http://www.iap2.org)

**OPTIONS:**

1. THAT Council approve the following 2025 Council Meeting Calendar:

January 15<sup>th</sup> and 29<sup>th</sup>  
 February 12<sup>th</sup> and 26<sup>th</sup>  
 March 12<sup>th</sup>  
 April 2<sup>nd</sup> and 23<sup>rd</sup>  
 May 7<sup>th</sup> and 21<sup>st</sup>  
 June 11<sup>th</sup> and 25<sup>th</sup>  
 July 16<sup>th</sup> and 30<sup>th</sup>  
 August 27<sup>th</sup>  
 September 10<sup>th</sup>  
 October 1<sup>st</sup> and 15<sup>th</sup>  
 November 5<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup>, and 27<sup>th</sup>  
 December 10<sup>th</sup>; and,

THAT the Council meetings be held at 4:00 pm in the Civic Room at the Comox Valley Regional District administration building located at 770 Harmston Avenue, Courtenay, BC unless otherwise posted.

2. THAT Council refer the 2025 Council Meeting Calendar to staff with alternative direction.

**ATTACHMENTS:**

1. 2025 Council Meeting Calendar

Prepared by: Kate O'Connell, Director of Corporate Services (CO)

Reviewed by: Adam Langenmaier, Director of Financial Services (CFO)

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

# 2025 Courtenay Council Calendar

Meetings held at CVRD Civic Room, 770 Harmston Ave | 250-334-4441 | [www.courtenay.ca](http://www.courtenay.ca)

Meetings Accessible Electronically & Via Livestream on the City's YouTube Channel

- Council Meeting
- Public Hearing
- Statutory Holiday (Facilities Closed)
- Conference
- Spring Break

**Statutory Deadlines: Financial Disclosure January 15, Budget May 15, Permissive Tax Exemptions October 31**

Meetings start at 4:00 pm

Agendas, minutes & video at [www.courtenay.ca](http://www.courtenay.ca)

Meeting schedule subject to change

Last update: October 7, 2024

| JANUARY |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|
| Sun     | Mon | Tue | Wed | Thu | Fri | Sat |
|         |     |     | 1   | 2   | 3   | 4   |
| 5       | 6   | 7   | 8   | 9   | 10  | 11  |
| 12      | 13  | 14  | 15  | 16  | 17  | 18  |
| 19      | 20  | 21  | 22  | 23  | 24  | 25  |
| 26      | 27  | 28  | 29  | 30  | 31  |     |

| FEBRUARY |     |     |     |     |     |     |
|----------|-----|-----|-----|-----|-----|-----|
| Sun      | Mon | Tue | Wed | Thu | Fri | Sat |
|          |     |     |     |     |     | 1   |
| 2        | 3   | 4   | 5   | 6   | 7   | 8   |
| 9        | 10  | 11  | 12  | 13  | 14  | 15  |
| 16       | 17  | 18  | 19  | 20  | 21  | 22  |
| 23       | 24  | 25  | 26  | 27  | 28  |     |

| MARCH |     |     |     |     |     |     |
|-------|-----|-----|-----|-----|-----|-----|
| Sun   | Mon | Tue | Wed | Thu | Fri | Sat |
|       |     |     |     |     |     | 1   |
| 2     | 3   | 4   | 5   | 6   | 7   | 8   |
| 9     | 10  | 11  | 12  | 13  | 14  | 15  |
| 16    | 17  | 18  | 19  | 20  | 21  | 22  |
| 23    | 24  | 25  | 26  | 27  | 28  | 29  |
| 31    |     |     |     |     |     |     |

| APRIL |     |     |     |     |     |     |
|-------|-----|-----|-----|-----|-----|-----|
| Sun   | Mon | Tue | Wed | Thu | Fri | Sat |
|       |     | 1   | 2   | 3   | 4   | 5   |
| 6     | 7   | 8   | 9   | 10  | 11  | 12  |
| 13    | 14  | 15  | 16  | 17  | 18  | 19  |
| 20    | 21  | 22  | 23  | 24  | 25  | 26  |
| 27    | 28  | 29  | 30  |     |     |     |

| MAY |     |     |     |     |     |     |
|-----|-----|-----|-----|-----|-----|-----|
| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|     |     |     |     | 1   | 2   | 3   |
| 4   | 5   | 6   | 7   | 8   | 9   | 10  |
| 11  | 12  | 13  | 14  | 15  | 16  | 17  |
| 18  | 19  | 20  | 21  | 22  | 23  | 24  |
| 25  | 26  | 27  | 28  | 29  | 30  | 31  |

| JUNE |     |     |     |     |     |     |
|------|-----|-----|-----|-----|-----|-----|
| Sun  | Mon | Tue | Wed | Thu | Fri | Sat |
| 1    | 2   | 3   | 4   | 5   | 6   | 7   |
| 8    | 9   | 10  | 11  | 12  | 13  | 14  |
| 15   | 16  | 17  | 18  | 19  | 20  | 21  |
| 22   | 23  | 24  | 25  | 26  | 27  | 28  |
| 29   | 30  |     |     |     |     |     |

| JULY |     |     |     |     |     |     |
|------|-----|-----|-----|-----|-----|-----|
| Sun  | Mon | Tue | Wed | Thu | Fri | Sat |
|      |     | 1   | 2   | 3   | 4   | 5   |
| 6    | 7   | 8   | 9   | 10  | 11  | 12  |
| 13   | 14  | 15  | 16  | 17  | 18  | 19  |
| 20   | 21  | 22  | 23  | 24  | 25  | 26  |
| 27   | 28  | 29  | 30  | 31  |     |     |

| AUGUST |     |     |     |     |     |     |
|--------|-----|-----|-----|-----|-----|-----|
| Sun    | Mon | Tue | Wed | Thu | Fri | Sat |
|        |     |     |     |     | 1   | 2   |
| 3      | 4   | 5   | 6   | 7   | 8   | 9   |
| 10     | 11  | 12  | 13  | 14  | 15  | 16  |
| 17     | 18  | 19  | 20  | 21  | 22  | 23  |
| 24     | 25  | 26  | 27  | 28  | 29  | 30  |
| 31     |     |     |     |     |     |     |

| SEPTEMBER |     |     |     |     |     |     |
|-----------|-----|-----|-----|-----|-----|-----|
| Sun       | Mon | Tue | Wed | Thu | Fri | Sat |
|           | 1   | 2   | 3   | 4   | 5   | 6   |
| 7         | 8   | 9   | 10  | 11  | 12  | 13  |
| 14        | 15  | 16  | 17  | 18  | 19  | 20  |
| 21        | 22  | 23  | 24  | 25  | 26  | 27  |
| 28        | 29  | 30  |     |     |     |     |

| OCTOBER |     |     |     |     |     |     |
|---------|-----|-----|-----|-----|-----|-----|
| Sun     | Mon | Tue | Wed | Thu | Fri | Sat |
|         |     |     | 1   | 2   | 3   | 4   |
| 5       | 6   | 7   | 8   | 9   | 10  | 11  |
| 12      | 13  | 14  | 15  | 16  | 17  | 18  |
| 19      | 20  | 21  | 22  | 23  | 24  | 25  |
| 26      | 27  | 28  | 29  | 30  | 31  |     |

| NOVEMBER |     |     |     |     |     |     |
|----------|-----|-----|-----|-----|-----|-----|
| Sun      | Mon | Tue | Wed | Thu | Fri | Sat |
|          |     |     |     |     |     | 1   |
| 2        | 3   | 4   | 5   | 6   | 7   | 8   |
| 9        | 10  | 11  | 12  | 13  | 14  | 15  |
| 16       | 17  | 18  | 19  | 20  | 21  | 22  |
| 23       | 24  | 25  | 26  | 27  | 28  | 29  |
| 30       |     |     |     |     |     |     |

| DECEMBER |     |     |     |     |     |     |
|----------|-----|-----|-----|-----|-----|-----|
| Sun      | Mon | Tue | Wed | Thu | Fri | Sat |
|          | 1   | 2   | 3   | 4   | 5   | 6   |
| 7        | 8   | 9   | 10  | 11  | 12  | 13  |
| 14       | 15  | 16  | 17  | 18  | 19  | 20  |
| 21       | 22  | 23  | 24  | 25  | 26  | 27  |
| 28       | 29  | 30  | 31  |     |     |     |



The Corporation of the City of Courtenay

# Staff Report

To: Council

File No.: 3090-20-2404/DVP00054

From: Director of Development Services

Date: October 23, 2024

Subject: Development Variance Permit No. 2404 – #1 - 204 Island Highway North

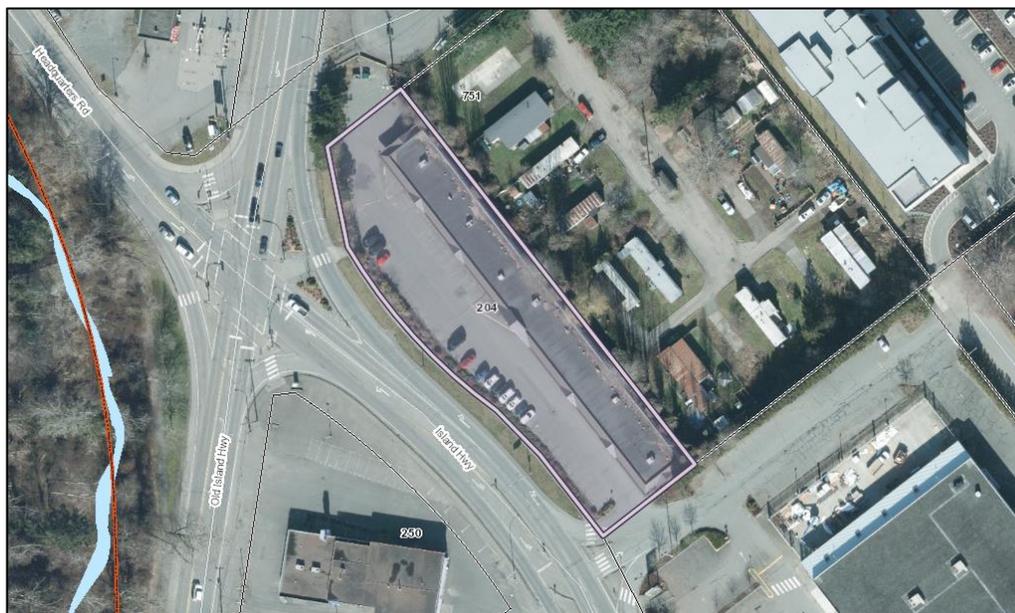
## PURPOSE:

For Council to consider approval of Development Variance Permit No. 2404 to vary Section 5.3.1 (a) of Sign Bylaw No.2760, 2013 from, “The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (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 23.5 % of the building face for a business premise to a maximum of 11.3 m<sup>2</sup> (121.6 sq. ft.)” on a commercial building located at #1- 204 Island Highway North.

## BACKGROUND:

The City of Courtenay has received a Development Variance Permit (DVP) application from the business owner’s representative, Jonathan Calderwood with Grant Signs, to vary the maximum fascia sign area to retain an existing sign and install new commercial signage. The subject property is legally described as Strata Lot 1, Section 16, Comox District, Strata Plan VIS2269. The property is designated Commercial, pursuant to the in the “City of Courtenay Official Community Plan Bylaw No. 3070, 2022” and zoned C-2 (Commercial Two Zone) pursuant to the “City of Courtenay Zoning Bylaw No. 2500, 2007” and is located in a Mixed-Use Area. The commercial building is located at 204 Island Highway North and the property is approximately 4,300 m<sup>2</sup> in area identified in figure 1 below. The variance is regarding unit#1 which is at the north end of the building.

Figure 1: Site Location



**DISCUSSION:**

The applicant is seeking to retain and bring into conformance one illuminated sign and to add one rectangular non-illuminated sign on the northwest façade of the existing commercial building. The combined sign area as per the submitted drawings is 11.3 m<sup>2</sup> and 23.5 % of the area of the building face, which equates to a 2.3 m<sup>2</sup> increase.

Under “City of Courtenay Sign Bylaw No. 2760, 2013”, Section 5.3.1 *Fascia Signs* (a): “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 business premise to a maximum of 9.0 m<sup>2</sup> (96.9 sq. ft.).”

Table 1: Summary of Variance Requested

|  |                                  |                                     |
|--|----------------------------------|-------------------------------------|
| Bylaw No. 2760<br>Section 5.3.1 (a) - Fascia Signs: “The combined sign area of all fascia signs plus all canopy signs, awning signs, and projecting signs shall not exceed 23.5 % of the building face for a business premise to a maximum of 11.3 m <sup>2</sup> (121.6 sq. ft.)” |                                  |                                     |
|  | <b>Area of the Building Face</b> | <b>Maximum Coverage</b>             |
| Current  | 20%                              | 9.0m <sup>2</sup> (96.9 sq. ft.)    |
| Proposed   | 23.5 %                           | 11.3 m <sup>2</sup> (121.6 sq. ft.) |
| Variance   | 3.5 %                            | 2.3 m <sup>2</sup> (24.7 sq. ft.)   |

The applicant has provided an illustration of the proposed signage shown as Figure 2. The proposed rectangular fascia sign is harmonized to the architectural design of the building and the ‘accent’ fascia sign creates a complementary visual addition to the building’s façade without impacting the visual appeal of the adjacent area. No negative impacts are anticipated, and staff support the proposed variances.

Figure 2: Illustration of Existing Street View with Proposed Signage



**OCP POLICY ANALYSIS:**

This application has no direct implications or conflicts related to the policies provided in the City's OCP.

**RGS POLICY ANALYSIS:**

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

**FINANCIAL IMPLICATIONS:**

Proceeding with the approval of this DVP application has no financial implications to the City's Financial Plan 2024 – 2029.

**ADMINISTRATIVE IMPLICATIONS:**

Processing DVPs applications is a statutory component of the corporate workplan 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.

**STRATEGIC PRIORITIES REFERENCE:**

Providing professional management and recommendations on development applications, inclusive of DVPs applications, aligns with the City's strategic priority:

- Good Governance - Review and streamline development process and set targets for application processing times

**PUBLIC ENGAGEMENT:**

Under the "City of Courtenay Development Procedures Bylaw No. 3106, 2023", a Community Information Meeting is not required for this DVP application.

In accordance with Section 499, of the *Local Government Act*, a public notification was mailed to 19 property owners and occupants within 30-metres of the subject property on October 10, 2024.

As the date of this report, no public comments were received. Any comments received by 1:00 p.m. on October 23, 2024, will be presented to Council at the time of the scheduled council meeting.

**OPTIONS:**

1. THAT Council, vary Section 5.3.1 (a) of Sign Bylaw No.2760, 2013 from, "The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (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 23.5 % of the building face for a business premise to a maximum of 11.3 m<sup>2</sup> (121.6 sq. ft.); AND,

THAT Council approve Development Variance Permit No. 2404 for the subject property located at civic address #1 – 204 Island Highway North; AND,

THAT Council direct the Director of Development Services to issue Development Variance Permit No. 2404 for the subject property located at #1 – 204 Island Highway North.

2. THAT Council, defer and request additional information from staff for “Development Permit No. 2404” for the subject property located at civic address #1 – 204 Island Highway North.
3. THAT Council, deny the application for “Development Variance Permit No. 2404” for the subject property located at civic address #1 – 204 Island Highway North.

**ATTACHMENTS:**

1. Draft Development Variance Permit No. 2404
2. Public Notification Mailout

Prepared by: Corey Cooper, Planning Technician

Reviewed by: Jamai Schile, RPP, MCIP, Manager of Development 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

# Development Variance Permit

Permit No. 3090-20-2404 / DVP00054

## To issue a Development Permit

To: Name: MORDEN HOLDINGS LTD., INC.NO. BC1438117  
Address: 1206 WALTER GAGE STREET  
COMOX, BC, V9M 3X1

## Property to which permit refers:

Legal: STRATA LOT 1, SECTION 16, COMOX DISTRICT, STRATA PLAN VIS2269, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM 1

Civic: #1 – 204 ISLAND HIGHWAY NORTH  
COURTENAY, BC, V9N 3S1

## The “City of Courtenay Sign Bylaw No. 2760, 2013 is varied as follows:

Section 5.3.1 (a) – Fascia Signs – from “The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (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 23.5 % of the building face for a business premise to a maximum of 11.3m<sup>2</sup> (121.6 sq. ft.)”

## Conditions of Permit:

The dimensions of the proposed fascia signs shall be in accordance with the dimensions and location on the façade provided in Schedule 1 forming part of this permit.

## 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.

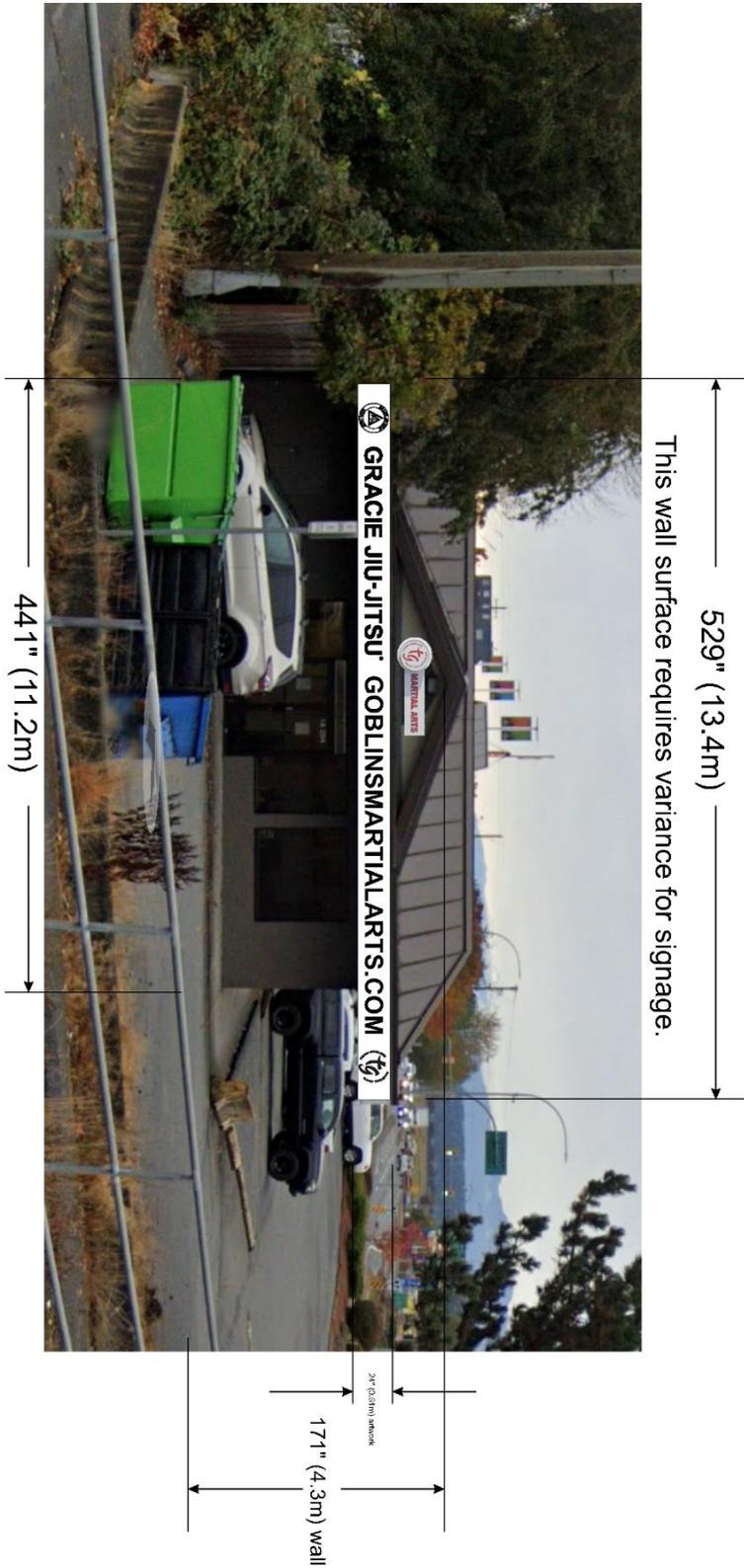
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Date

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Director of Development Services

Schedule 1



Sign band size = 8.2m<sup>2</sup> Building face area = 48.1m<sup>2</sup> Sign percentage of Building face area = 17.0%

Sign size (overall) = 11.3m<sup>2</sup> Building face area = 48.1m<sup>2</sup> Sign percentage of Building face area = 23.5%

# Notice of Development Variance Permit No. 2404

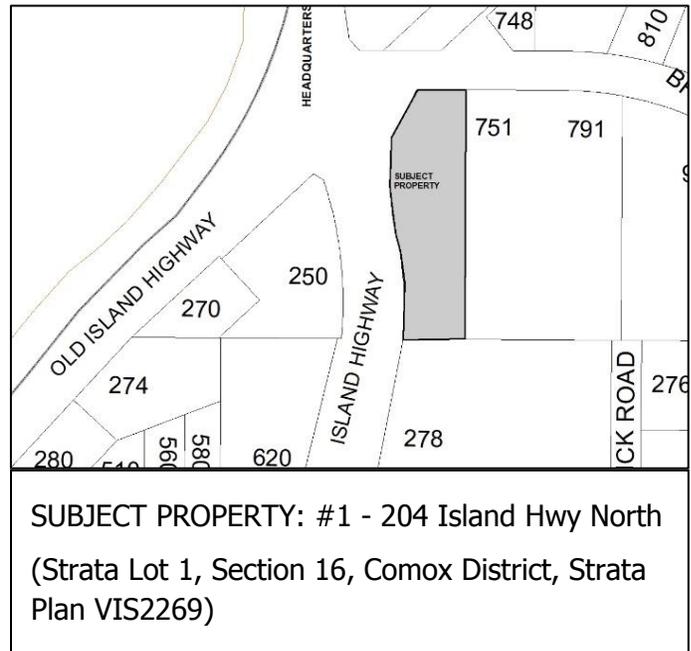
## Development Variance Permit application for #1 - 204 Island Highway North

**File No.: 3090-20-2404/DVP00054**

Council will consider Development Variance Permit No. 2404, at the Wednesday, October 23<sup>rd</sup>, 2024 regular Council meeting at 4:00 p.m., to increase the combined permitted sign area to allow for two new fascia signs on an existing building. The subject property is zoned Commercial Two (C-2).

The proposed Development Variance Permit would vary the "City of Courtenay Sign Bylaw No. 2760, 2013" as follows:

Section 5.3.1 (a) Fascia Signs: from "The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (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 23.5 % of the building face for a business premise to a maximum of 11.3 m<sup>2</sup> (121.6 sq. ft.)".



### Get more information

The proposed permit is available for viewing at Courtenay City Hall, 830 Cliffe Avenue, until October 23, 2024 8:30 a.m. – 4:30 p.m. Monday to Friday, Except holidays, or online at: [www.courtenay.ca/devapps](http://www.courtenay.ca/devapps)

#### Watch Meeting In-person

**Wednesday October 23, 2024 starting at 4:00 p.m.**

At the CVRD's CIVIC Room

770 Harmston Avenue, Courtenay, BC, V9N 2X6



#### Watch Meeting Online

**Wednesday October 23, 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 October 23, 2024**

Email: [planning@courtenay.ca](mailto: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

Page 109 of 410 | **Phone** 250-703-4839 | **Email** [planning@courtenay.ca](mailto:planning@courtenay.ca)



The Corporation of the City of Courtenay

# Staff Report

**To:** Council

**File No.:** 3090-20-2406/DVP00056

**From:** Director of Development Services

**Date:** October 23, 2024

**Subject:** Development Variance Permit Application No. 2406 – 1975 Cliffe Avenue

## **PURPOSE:**

For Council to consider approval of Development Variance Permit No. 2406 to allow for the development of a three-storey, approximately 1,925m<sup>2</sup>, mixed-use commercial building at 1975 Cliffe Avenue (LOT A SECTION 68 COMOX DISTRICT PLAN EPP140351) which varies Zoning Bylaw No.2500, 2007 Division 8, Part 9, Multiple Use Two Zone (MU-2) for height, setbacks and landscape buffers.

## **BACKGROUND:**

The property owner of 1975 Cliffe Avenue is seeking variances to Zoning Bylaw No. 2500, 2007, Multiple Use Two Zone (MU-2), to construct a new three-storey, approximately 1,925 m<sup>2</sup> mixed-use building that will accommodate a day care for up to 183 children and a small amount (148m<sup>2</sup>) of complementary office space. The MU-2 zone permits a variety of residential, commercial and combined commercial residential uses. The proposed uses of 'day care' and 'office' are considered permitted commercial uses within the MU-2 zone. To facilitate the proposed development, the subject property consolidated two lots; 1959 and 1975 Cliffe Avenue and demolished an existing single residential dwelling.

To accommodate this proposed development the applicant is requesting to vary the Zoning Bylaw No.2500, 2007, Division 8, Part 9, Multiple Use Two Zone (MU-2) sections 8.14.5(2) rear yard setback, Section 8.14.5(3) side yard setback, 8.14.6 building height and 8.14.10(1) front yard landscape and 8.14.10(2) side yard landscape, to support the proposed design and site layout.

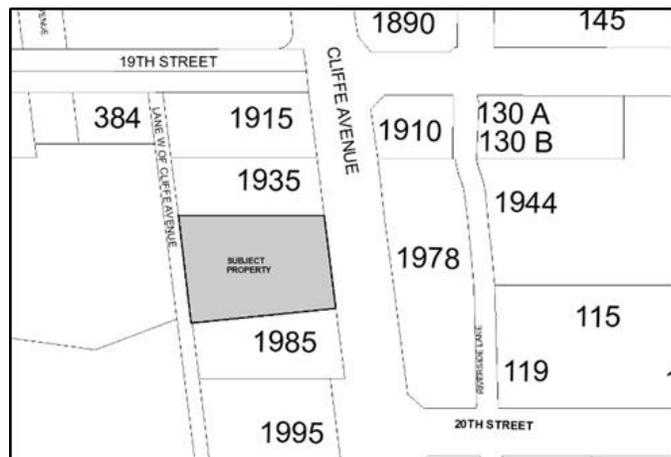
The requested variances are as follows:

- Section 8.14.5(2) rear yard setback from 7.5m to 1.0m,
- Section 8.14.5(3) side yard setback from 6.0m where the back of a building is adjacent to or faces a side lot line to 4.5m on the southeast side yard,
- Section 8.14.6(2) maximum building height from 10m to 16.0m,
- Section 8.14.10(1) landscaping area from 7.5m to 1.5m inside the Cliffe Avenue property line and,
- Section 8.14.10(2) landscaped buffer from 2.0m to 1.5m, with no height requirement, on the northwest property line.

Figure 1: Site Location



Figure 2: Subject Property



The subject property (see Figures 1 and 2 above) is designated *Urban Corridor* in the Official Community Plan (OCP) Bylaw No. 3070, 2022 and is located in the ‘Urban Corridor’ along Cliffe Avenue (between 11<sup>th</sup> Street and Anfield Road). This area is intended primarily to support of mix of land uses, including commercial and multi-residential housing to promote the establishment of complete communities. The day care and office space align with the designs by providing services for residents and employer/employees of the downtown and surrounding area for creating complete and focused areas of growth within Courtenay.

Adjacent lots to the north and south of the subject property are also designated as *Urban Corridor* and currently consist of small mixed use, commercial and residential buildings. The property fronts Cliffe Avenue to the east and is bound by a City laneway to the west, with multi-unit residential buildings across the lane.

The current grade of the subject property (see Figure 3) gradually increases an estimated two metres from the front to rear property line. The property also has a similar elevation change dropping south to north, making the northeast corner of the lot the low point of the property. The proposal grades the site for building and drainage purposes however there will remain a rise from Cliffe avenue to the centre of the property of about 1.5 metres.

In conformance with Courtenay’s Tree Protection and Management Bylaw No. 2850, 2006, at minimum 12 mature trees continue to exist on the site, mostly along the property’s southerly side. All of the site’s trees are subject to removal through a Tree Cutting Permit if Council approves the requested variances.

The proposed day care is classified as an ‘institutional’ use. In accordance with Courtenay’s Development Permit Guidelines, institutional uses are exempt from DPA-1: Commercial Form and Character Development permits and no Development Permit is required. If Council approves the requested variances, the owner will be able to proceed with a Building Permit Application.

Figure 3: Existing site from Cliffe Avenue (prior to September 2024 demolition)



Figure 4: Rendering of proposed development from Cliffe Avenue



**DISCUSSION:**

The variances being considered are to support the proposal for a 3-storey commercial building intended to be occupied primarily by a day care up to 183 children and associated office (148m<sup>2</sup>). The proposed design includes parking area at grade, outdoor play areas for the day care and roof-top play area.

The MU-2 zone accounts for density through the combination of lot coverage and height; maximum coverage allowed is 40% of the total lot area for all buildings and accessory buildings and the maximum height of building is 10 metres.

The proposed development lot coverage is 29% of the total lot area and the applicant is requesting a building height variance to allow for up to 16 metres. The proposed building design (see Figure 4) shows the majority of the building will be under 16 metres in height, and when averaged, the volumetric measure is not greater

than what is permitted within the MU-2 zone. The variances do not affect the property’s density or use and no rezoning is required to facilitate the proposed development.

Rear and Side Yard Setbacks

The minimum required setbacks for the MU-2 zone are 7.5 m for the rear yard and 6.0 m for the side yard. The proposed setback for rear yard is 1.0 m, a requested variance of 6.5 m. The proposed setback for side yard is 4.5 m, a requested variance of 1.5 m.

The siting variances (rear and side yard building setbacks) would allow for an elongated building footprint and positions the front of the building facing the northwest interior lot line as opposed to Cliffe Avenue. This siting provides more privacy for the outdoor areas than would likely exist if the front of the building faced Cliffe Avenue and the rear of the building faced the lane. The proposed smaller building face, oriented towards the street, reduces the amount of massing along the Cliffe Avenue corridor. The proposed siting provides sufficient space for parking and supports good vehicle site circulation, with access to the site off Cliffe Avenue and the rear lane.

Height Allowance

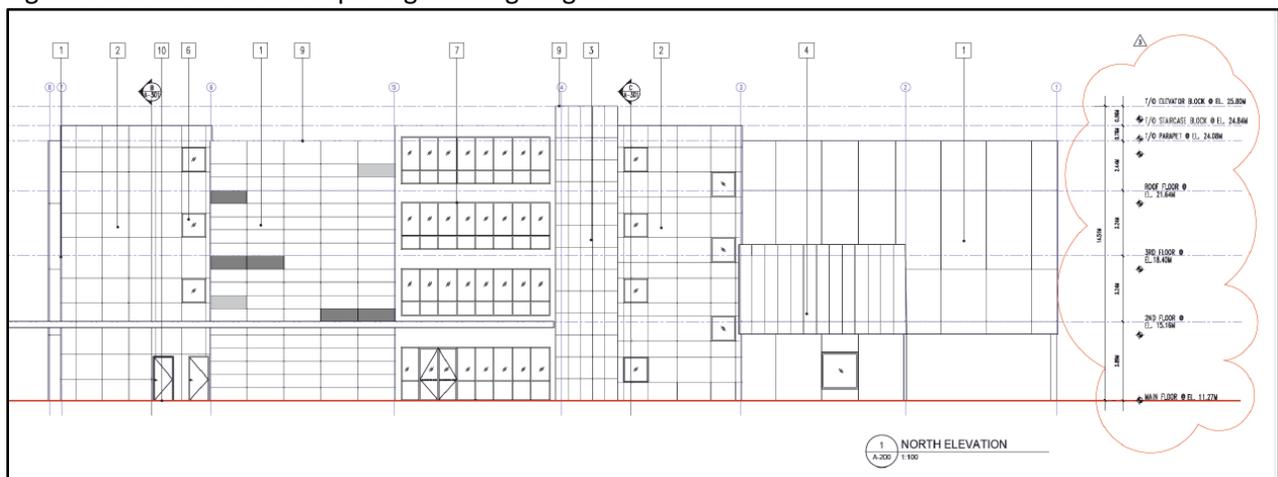
The maximum permitted height in the MU-2 Zone is 10.0 m. This proposal is requesting a 6.0 m variance to accommodate a 16.0 m building.

The floor of the building to the top of the highest part of the building (the elevator block) only rises about 15.0 m. The rest of the building’s roofline varies between 15.0 m to 12.8 m with articulation for the staircase blocks and parapets.

The need for an allowable height of 16 metres is the result of the site’s grading plan and how the Zoning Bylaw measures height. This technicality does not diminish the fact that from Cliffe Avenue especially, where the elevation is at its lowest, the building may be more imposing in its massing. However, the building provides good articulation, is setback nearly 10 metres from the front property line and the gentle rise in grade from the street to the building are likely to reduce the building’s perceived mass.

Table 1 (below) summarizes the requested variances.

Figure 5: North elevation depicting building heights



### Landscape Buffer

The minimum required landscape buffer areas for the MU-2 zone are 7.5 m inside the Cliffe Avenue property line and 2 m in width by 2 m in height along the inside of the property line where it adjoins a parking lot. The proposed setback for the Cliffe Avenue landscape buffer is 1.5 m, a requested variance of 6.0 m. The proposed landscape buffer for the northwest lot line where the parking lot adjoins the neighbouring lot is 1.5 m in width and 0.0 m in height, a requested variance of 0.5 m and 2.0 m.

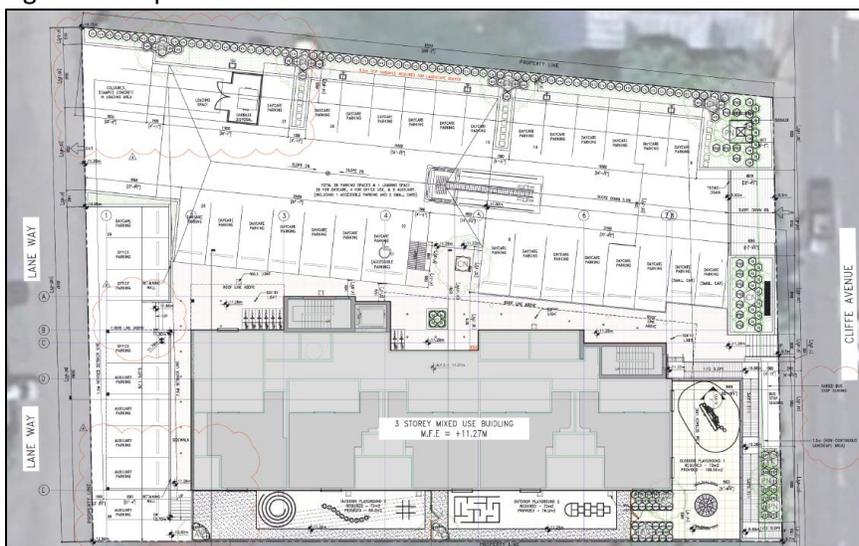
The landscape buffer along the north west property line is intended to separate parking from adjacent properties, particularly residential uses. Staff can support this request to reduce the landscape buffer from 2.0 m to 1.5 m in width and from 2.0 m to 0.0 m in height. The property adjacent to the parking lot is currently a mixed commercial, residential use. The proposal still provides a 1.5m buffer and portions of the buffer will continued to be screen by tress.

A landscape buffer variance along the Cliffe Avenue property is line from 7.5m to 1.5m is also requested. The older MU-2 zone requirements do not align with the described for Urban Corridors within the newer OCP. Constructing mid-rise to high-rise buildings along the Cliffe Avenue Corridor, including the parking required to support the development, can prove challenging if such a deep, continuous landscape buffer is required. Zones such as Commercial One (C-1), the dominant zone in Courtenay's downtown core, require much less or in some cases no landscape buffer. These smaller landscape buffer requirements, particularly along a property line adjoining a street are more accommodating to the density and urban feel articulated in the OCP for areas such as the Cliffe Avenue corridor.

As shown in Figure 6, the requested variances allow a building height and siting so that:

- there is ample parking and good vehicle circulation on-site,
- the building can be built to a height that is supported by the OCP in this location without requiring a rezoning,
- there is less massing along the Cliffe Avenue corridor,
- there is greater privacy for outdoor play space associated with the building and proposed day care.

Figure 6: Proposed Site Plan



Staff support the variances being requested as reasonable, and that the variances support a design concept that the City’s guiding land-use policies encourage. The impacts of the variances are minimal to the surrounding properties based on mitigating factors such as building siting and landscaping and the current and future use of the properties on the block and Cliffe Avenue corridor more broadly. The maximum heights for zones in Courtenay’s Zoning Bylaw that permit commercial uses are currently too small to allow the mid- and high-rise forms that are supported in areas designed for density and growth (Town Centres and Urban Corridors) and therefore height variances are required.

Table 1: Summary of MU-2 zone regulations and the proposed variances

| Regulation           | Required   | Proposed   | Variance |
|----------------------|--|--|----------|
| Building Height      | 10.0 m   | 16.0 m   | 6.0 m    |
| Rear yard Setback    | 7.5 m  | 1 m (upper story projection)                               | 6.5 m    |
| Side Yard Setback(s) | Southeast side: 6.0 m<br>Northwest side: 4.5 m             | Southeast side: 4.5 m<br>Northwest side: > 4.5 m           | 1.5 m    |
| Landscape Buffer     | Front Yard (Cliffe Ave):<br>7.5 m                          | Front Yard (Cliffe Ave): 1.5 m                             | 6.0 m    |
|                      | Adjacent properties (Northwest): 2.0m wide and 2.0m height | Adjacent properties (Northwest): 1.5m wide and 2.0m height | 0.5 m    |

Off-Street Parking and Loading Spaces

In accordance with Division 7, Zoning Bylaw, 33 vehicles stalls are required for the proposed size and uses (day care and office space). No bike parking is required under the bylaw. The proposal meets and exceeds this requirement by providing 37 vehicle parking stalls including one accessible stall and one loading space. The proposal also provides eight covered bicycle spaces; six spaces for long-term use in a secured and two short-term bicycle spaces are proposed for the front entrance.

To support the development proposal, a Traffic Impact Assessment (TIA) was provided to the City. The report details the increase in traffic that will be generated by the development but summarizes that the existing road network can handle the increase satisfactorily, without requiring improvements. The TIA recommends that access onto Cliffe Avenue be restricted to right-in/right-out only traffic. This recommendation forms a condition of the draft Development Variance Permit (see **Attachment 1**).

Due to the site’s location adjacent to a provincially Controlled Access Highway, the Ministry of Transportation and Infrastructure (MOTI) was engaged early in the processing of this application. MOTI did not require involvement in the TIA, nor did they require additional opportunity to comment. However, the development directly accesses Cliffe Avenue (Highway 19A), a highway use permit is required for the changes to the driveway. Proof of receipt of this provincial permit is a condition of the draft Development Variance Permit.

Other Landscaping Considerations

To ensure the minimum landscaping, screening and retention of trees and vegetation is met, a Landscape Security is required. Based on the cost estimate has been received from Donald Duncan Landscape Architect Design, dated September 5, 2024, a landscape bond for \$176,693.13 (\$141,354.50 x 125%) and is to be paid prior to the issuance of a Building Permit. This will form a condition of Development Variance Permit No. 2406.

The applicant has voluntarily offered to provide a seating area on the subject property as an amenity. During the building permit application process, details for the seating design will be finalized.

#### Tree Management and Protection Bylaw No. 2850

A Tree Cutting Permit (TCP) has been applied for and if Council approves the Development Variance Permit, the issuance of the TCP will be required to remove the 12 mature trees on-site, none of which are protected species. The proposal's landscape plan currently shows 10 trees to be planted, whereas the Tree Density Target (TDT) for this site is 12 trees. This means the applicant will also be required to pay \$600 (2 x \$300 per tree) cash in lieu for two replacement trees into the Tree Planting and Replacement Reserve Fund.

The arborist report provided by the applicant to support their Development Variance Permit and Tree Cutting Permit states five Douglas Firs within the neighbour's yard that are recommended for removal as a result of poor health due to overcrowding that can be improved through thinning. The applicant has been in communication with the neighbour about the potential for the removal of these trees to both of the property owners' potential benefit and the neighbour has agreed in principal to this future tree cutting while acknowledging they must adhere to the City's tree removal policy.

The site will benefit from four Vine Maples that do not count toward the Tree Density Target. Vine Maples are often multi-stem without a dominant trunk and don't always grow more than five metres. The Vine Maples are not counted as a tree as defined in the Tree Management bylaw but they can still offer similar tree values. It is the opinion of the project's landscape architect that the species is a good fit along the southerly property line where it won't create excessive shadowing in the area in consideration of the stand of Douglas Firs directly on the other side of the neighbour's property.

The landscape plan was also updated to respond to the comments from the City's in-house arborist. This led to the inclusion of six Garry Oaks, a recommended species as identified in Courtenay's Urban Forest Strategy.

#### Municipal Infrastructure

The property is connected to City sewer, water and storm water services. Through the Building Permit application, the applicant is required to identify and address any off-site infrastructure improvements necessary to permit the proposed development.

The City has also received a Lane Condition Assessment for the rear lane to review the need for potential frontage improvements for the public right-of-way. If required, these improvements will be collected through the Building Permit application process.

#### Sign Permit

The proposed development includes signage. The applicant has been notified that a separate Sign Permit will need to be applied for an issued in compliance with Sign Bylaw No. 2760, 2013, before any signs can be erected.

#### Conditions of the Development Variance Permit:

- Registration of a BC Hydro Statutory Right-of-Way prior to issuance of Building Permit that was identified as a requirement through the referral process
- Securing of a Ministry of Transportation and Infrastructure (MOTI) Access Permit prior to issuance of Building Permit

- Payment of landscape bond in the amount of \$176,693.13 (\$141,354.50 x 125%) prior to issuance of Building Permit
- Access onto Cliffe Avenue be restricted to right-in/right-out only. Appropriate signage and pavement markings must be provided on-site to make this clear to vehicle traffic and incorporated into the building permit drawings, prior to issuance of Building Permit

#### **POLICY ANALYSIS:**

##### Official Community Plan Review

The subject property is designated *Urban Corridor* within the Official Community Plan. If the variances are approved, the proposed redevelopment would support the realization of the following OCP polices:

- Land Use Policy #1: “Allocate all growth in a manner generally consistent with Map B-1: Land Use Designation Map, to meet Courtenay's 2050 net-zero greenhouse gas emissions target and support a compact urban form...”
- Land Use Policy #6: “Co-locate residential, commercial, institutional, and suitable employment-generating land uses in the Downtown, Town Centres & Urban Corridor, and Neighbourhood Centres.”
- Social Infrastructure Policy #9: “Work regionally to increase child care spaces as identified in the Comox Valley Child Care Action Plan (2019).”
- Local Economy Policy #10: “Support land uses that provide employment opportunities within or close proximity to the Town and Neighbourhood Centres and Corridors such as intensification of mixed-use office, retail, live-work studios and other commercial uses.”

#### **FINANCIAL IMPLICATIONS:**

Proceeding with the approval of this Development Variance Permit application has no financial implications to the City's Financial Plan 2024 – 2029.

#### **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.

#### **STRATEGIC PRIORITIES REFERENCE:**

This initiative addresses the following strategic priorities:

- Good Governance - Review and streamline development process and set targets for application processing times

#### **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 164 property owners and occupants within a 30-metre area on October 11, 2024 (see **Attachment 3**). Zero (0) public comments have been received at time of writing this report. Comments received after this report will be presented to Council at the Regular Council meeting.

**OPTIONS:**

1. THAT Council vary the requirements of Zoning Bylaw No. 2500, 2007 as follows:
  - a) Section 8.14.5(2) rear yard setback from “7.5 m” to “1.0 m”,
  - b) Section 8.14.5(3) side yard setback where the back of a building is adjacent to or faces a side lot line from “6.0 m” to “4.5 m” on the southeast side yard,
  - c) Section 8.14.6 maximum building height from “10.0 m” to “16.0 m”,
  - d) Section 8.14.10(1) landscaping area from “7.5 m” to “1.5 m” inside the Cliffe Avenue property line and,
  - e) Section 8.14.10(2) landscaped buffer area along the northwest property line from “2.0 m” to “1.5 m in width” and from “2.0 m in height” to “0.0 m in height” along the northwest property line.THAT Council approve “Development Variance Permit No. 2406 (1975 Cliffe Avenue)”; and  
THAT Council direct the Director of Development Services to issue “Development Variance Permit No. 2406 (1975 Cliffe Avenue)”.
2. THAT Council defer and request additional information from Staff for “Development Variance Permit No. 2406 (1975 Cliffe Avenue)”.
3. THAT Council deny the the application for “Development Variance Permit No. 2406 (1975 Cliffe Avenue)” and provide a reason for denial.

**ATTACHMENTS:**

1. Draft Development Variance Permit No. 2406
2. Architectural Drawings
3. Public Mailout Notice

Prepared by: Jacob Cramer, Planner 1

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

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



The Corporation of the City of Courtenay

# Development Variance Permit

Permit No. 3090-20-2406/DVP00056

## To issue a Development Variance Permit

To: Name: JUGPAL BILG  
Address: 8268 ELLIOTT ST, VANCOUVER, BC V5S 2P2

## Property to which permit refers:

Legal: LOT A SECTION 68 COMOX DISTRICT PLAN EPP140351  
Civic: 1975 CLIFFE AVENUE

## The City of Courtenay Zoning Bylaw No. 2500, 2007 is varied as follows:

- Section 8.14.5(2) - rear yard setback from “7.5 m” to “1.0 m”,
- Section 8.14.5(3) - side yard setback where the back of a building is adjacent to or faces a side lot line from “6.0 m” to “4.5 m” on the southeast side yard,
- Section 8.14.6 - maximum building height from “10.0 m” to “16.0 m”,
- Section 8.14.10(1) - landscaping area from “7.5 m” to “1.5 m” inside the Cliffe Avenue property line and,
- Section 8.14.10(2) - landscaped buffer area along the northwest property line from “2.0 m” to “1.5 m in width” and from “2.0 m in height” to “0.0 m in height” along the northwest property line.

## Conditions of Permit:

Development Variance Permit No. 2406 is also subject to the following conditions:

1. Development must be in conformance with the site plan, elevations and associated project data, dated September 27, 2024, by JM Architecture as attached in **Schedule No.1.**
2. Development must be in conformance with the landscape plans by Donald Duncan Landscape Architect dated September 5, 2022 as attached in **Schedule No. 2.**
3. Prior to issuance of Building Permit, payment of a landscape security in the amount of \$176,693.13 (\$141,354.50 x 125%). The amount is calculated based on the September 14, 2024, cost estimate by Donald Duncan Landscape Architect, as attached in **Schedule No. 3.**
4. Prior to issuance of Building Permit, registration of a Statutory Right of Way for utilities in the northeast corner of the property as required by BC Hydro.
5. Prior to issuance of Building Permit, receipt of a highway use permit for changes to access off a provincial highway as required by the Ministry of Transportation and Infrastructure.

6. Prior to the issuance of Building Permit (Final Inspection), access onto Cliffe Avenue be restricted to right-in/right-out only. Appropriate signage and pavement markings must be provided on-site to make this clear to vehicle traffic.

**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



Schedule 1

| Project Data:                         | Merritt City/BC Building Code Regulations   | Proposed / Provided   |
|---------------------------------------|---|---|
| <b>Name</b>                           | BILG CHILDCARE SOCIETY  |   |
| <b>Civic Address</b>                  | 1959 & 1975 Cliffe Avenue,<br>V9N 2L2, Courtenay, B.C.  |   |
| <b>Legal Description</b>              | Lot 1, Plan 6821 and Lot B, Plan 22105  |   |
| <b>Lot Area</b>                       | 2,544.27 Sq.m   |   |
| <b>Building Areas</b>                 | <b>MIXED USE</b>  | <b>in sqm</b>   |
| Floor Area                            | Main Floor  | 593.59  |
|                                       | 2nd Floor   | 730.64  |
|                                       | 3rd Floor   | 626.11  |
|                                       | Roof  | 75.00   |
| Gross floor area                      | <b>Total Floor Area</b>   | 2025.34   |
| Density                               |   | 6960.76<br>(refer to A-03 sheet for density calculations)   |
| <b>ZONING DATA</b>                    | <b>Permitted</b>  | <b>Proposed / Provided</b>  |
| (8.14.1) Permitted Uses               | Required   Permitted<br>Daycare, Office   | Proposed<br>Daycare, Office   |
| (8.14.2) Minimum Lot size:            | 850m <sup>2</sup>   | 2,544.27 Sq.m   |
| (8.14.3) Minimum Lot Frontage :       | 20.0m   | 21.12m  |
| (8.14.4) Lot Coverage:                | 40.0%   | 730.64/2544.27 = 29%  |
| (8.14.5) Setbacks:                    | Front Yard - 7.5m<br>Rear Yard - 7.5m<br>North Side Yard - 4.5m<br>South Side Yard - 6.0m         | 9.40m<br>1.0m Proposed (Variance Required)<br>21.1m<br>4.5m (Variance Required)                                   |
| (8.14.6) Height of Building:          | 10m   | 15.86m Proposed (16m Variance Required)<br>Rooftop play area for daycare use                                      |
| (8.14.7) Useable Open Space:          | Not Applicable  |   |
| (8.14.8) Accessory Buildings:         | Not Applicable  |   |
| (8.14.9) Off-Street Parking & Loading |   | Refer to Chart  |
| (8.14.10) Landscaping & Screening:    | 7.5 m along Cliffe Ave<br>2.0m at lot line/parking areas<br>loading and waste screen to 2.0m high | 1.5m Proposed (Non-Continuous Variance Required)<br>1.5m Proposed (Variance Required)<br>Refer to Site Plan A-100 |

| BCBC                      | BUILDING CODE ANALYSIS - BCBC 2024                          |  |   |
|---------------------------|---|--|---|
|                           | Building Statistics   | Required / Permitted   | Proposed / Provided                       |
| 1.4.1.2                   | Building Area   |  | 730.64                                    |
|                           | Gross floor Area  |  | 2025.34                                   |
|                           | Average finished grade                                      |  | 10.437m(refer site plan for calculations) |
|                           | Building Ht. (storeys)                                      | 10m max  | 15.86m                                    |
|                           | Total parking Area (SM)                                     |  | 1139.55 Sqm                               |
|                           | Facing Number of Streets                                    |  | 3 streets                                 |
| 3.2.2.24 & 3.2.2.61       | <b>Building Size and Construction Relative to Occupancy</b> | <b>Required / Permitted</b>  | <b>Proposed / Provided</b>                |
|                           | Major Occupancies:  | RESIDENTIAL/COMMERCIAL/<br>COMBINED COMMERCIAL<br>RESIDENTIAL USES | Group A2 & Group D                        |
|                           | Fire Protection System Required (Y/N):                      | Yes  | Yes                                       |
|                           | Building height   | Max 10m  | 15.86m                                    |
|                           | Building Area (SM)  |  | 730.64                                    |
|                           | Construction Type:  | Combustible/ Noncombustible  | Non Combustible                           |
|                           | Floor Rating:   | 1 HR   | 1 HR                                      |
|                           | Mezzanine Rating:   | 1 HR   | 1 HR                                      |
|                           | Loadbearing Rating:   | not less than supported assembly                                   | As Required                               |
|                           | Roof Rating:  | 1 HR   | 1 HR                                      |
| 3.2.4                     | <b>Fire Alarm and Detection Systems</b>                     | <b>Required / Permitted</b>  | <b>Whole building</b>                     |
| 3.2.4.1.1                 | Fire alarm system   | Yes  | Yes                                       |
| 3.2.4.3.1 (d)             | Single Stage or two stage system                            | Yes  | Single System Proposed                    |
| 3.2.4.6.1 (b)             | Silencing of Alarm Signal                                   | 20 min   | 20 min                                    |
| 3.2.4.7                   | Signal to Fire Department                                   | Yes  | Yes                                       |
| 3.2.4.8                   | Annunciator Panel   | Yes  | Yes                                       |
| 3.2.4.9.1                 | Electrical supervision                                      | Yes  | Yes                                       |
| 3.2.4.10                  | Fire Detectors  | N/A  | N/A                                       |
| 3.2.4.11 & 3.2.4.14       | Smoke Detectors   | Yes  | Yes                                       |
| 3.2.4.12                  | Air-handling system   | Yes  | Yes                                       |
| 3.2.4.15                  | System monitoring   | Yes  | Yes                                       |
| 3.2.4.16.1                | Manual stations   | Yes  | Yes                                       |
| 3.2.4.17                  | Alert and Alarm signals                                     | No   | n/a                                       |
| 3.2.4.19.1(b)             | Visible signal devices & visible warning systems            | Yes  | Yes                                       |
| 3.2.4.20                  | Smoke alarms  | Yes  | Yes                                       |
| 3.2.5                     | <b>Provisions for Firefighting</b>                          | <b>Required / Permitted</b>  | <b>Whole building</b>                     |
| 3.2.5.1                   | Access to above-grade storey                                | No   | No  |
| 3.2.5.2                   | Access to basement  | No   | No  |
| 3.2.5.3                   | Roof access   | Yes  | Yes                                       |
| 3.2.5.4, 3.2.5.5, 3.2.5.6 | Access route  | Yes  | Yes                                       |
| 3.2.5.7                   | Water supply  | Yes  | Yes                                       |
| 3.2.5.8                   | Standpipe system  | Yes  | Yes                                       |
| 3.2.5.10                  | Hose connection   | Yes  | Yes                                       |
| 3.2.5.12.1                | Automatic sprinkler system                                  | Yes  | Yes                                       |
| 3.2.5.13                  | Combustible sprinkler piping                                | Yes  | Yes                                       |
| 3.2.5.15                  | Fire department connection (F.D.C)                          | Distance from F.D.C<br>to hydrant is 45m                           | Yes                                       |
| 3.2.5.16                  | Portable Fire extinguishers                                 | Yes  | Yes                                       |
| 3.1.10                    | <b>Fire wall</b>  | <b>Required / Permitted</b>  | <b>Whole building</b>                     |
| 3.1.10.2                  | Fire wall rating (3.1.10.2)                                 | N/A  | N/A                                       |
| 3.1.10.3.1                | Continuity of Firewall                                      | N/A  | N/A                                       |

| CHILDCARE REGULATIONS |                               |                     |                               |                                |                             |                                   |  |  |  |
|-----------------------|-------------------------------|---------------------|-------------------------------|--------------------------------|-----------------------------|-----------------------------------|--|--|--|
|                       | CARE PROGRAM                  | GROUP SIZE PROPOSED | INDOOR SPACE REQUIREMENTS     |                                | OUTDOOR SPACE REQUIREMENTS  |                                   | STAFF REQUIREMENTS   |  |  |
|                       |                               |                     | REQUIRED                      | PROVIDED                       | REQUIRED                    | PROVIDED (SHARED)                 | REQUIRED   | PROVIDED                                       |  |
| CLASSROOM 101         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.71 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  | PLAYGROUND 1 = 100.00 SQM         | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 102         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.71 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  | PLAYGROUND 2 = 76.2 SQM           | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 103         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.71 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  | PLAYGROUND 3 = 77.3 SQM           | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 104         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.71 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  |                                   | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 105         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.45 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  |                                   | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 201         | 30 MONTHS TO 5 YEARS          | 25 CHILDREN         | 25 CHILDREN @3.7 SQM =92.5SQM | 94.83 SQM.                     | 25 CHILDREN @6 SQM =150 SQM |                                   | 1 EDUCATOR + 2 ASSISTANT                                   | 3 TEACHERS                                     |  |
| CLASSROOM 202         | 30 MONTHS TO 5 YEARS          | 25 CHILDREN         | 25 CHILDREN @3.7 SQM =92.5SQM | 94.83 SQM.                     | 25 CHILDREN @6 SQM =150 SQM |                                   | 1 EDUCATOR + 2 ASSISTANT                                   | 3 TEACHERS                                     |  |
| CLASSROOM 203         | GROUP CHILD CARE (SCHOOL AGE) | 24 CHILDREN         | 24 CHILDREN @3.7 SQM =88.8SQM | 130.73 SQM.                    | 24 CHILDREN @6 SQM =144 SQM | ROOF TOP PLAYGROUND 4 = 175 SQM   | 2 RESPONSIBLE ADULTS                                       | 2 TEACHERS                                     |  |
| CLASSROOM 204         | GROUP CHILD CARE (SCHOOL AGE) | 24 CHILDREN         | 24 CHILDREN @3.7 SQM =88.8SQM | 125.15 SQM.                    | 24 CHILDREN @6 SQM =144 SQM | ROOF TOP PLAYGROUND 5 = 167.4 SQM | 2 RESPONSIBLE ADULTS                                       | 2 TEACHERS                                     |  |
| CLASSROOM 302         | 30 MONTHS TO 5 YEARS          | 25 CHILDREN         | 25 CHILDREN @3.7 SQM =92.5SQM | 95.46 SQM.                     | 25 CHILDREN @6 SQM =150 SQM |                                   | 1 EDUCATOR + 2 ASSISTANT                                   | 3 TEACHERS                                     |  |
| TOTAL                 |                               | 183 CHILDREN        |                               |                                |                             |                                   |  | 28 TEACHERS + 1 DIRECTOR/MANAGER = 29 TEACHERS |  |

| PARKING REQUIREMENTS (as per city of courtenay zoning bylaw) |   |   |
|--|---|---|
|  | REQUIRED  | PROVIDED ( TOTAL 37 SPACES & 1 LOADING SPACE) |
| DAYCARE  | 1 SPACE PER EMPLOYEE = 29 SPACES                                  | 29 SPACES                                     |
| OFFICE   | 1 SPACE PER 37.5 SQ.M = 148,71SQ.M (Office space area) = 4 SPACES | 4 SPACES                                      |
| LOADING SPACE  | 1 LOADING SPACE (FOR EVERY 1850 SQ.M FLOOR AREA REQUIRED)         | 1 LOADING SPACE                               |
|  | 33 SPACES   | TOTAL 37 SPACES & 1 LOADING SPACE (4 EXTRA)   |

| WASHROOM CALCULATION                            |               |   |          |    |
|---|---------------|---|----------|----|
| FOR CHILDREN BASED ON ISLAND HEALTH REGULATIONS |               |   |          |    |
|   | OCCUPANT LOAD | REQUIRED  | PROVIDED |    |
| NUMBER OF CHILDREN                              | 183           | FOR EVERY 10 CHILDREN 1 WC AND 1 WB =REQUIRED IS 19 WC AND 19WB | 23       | 23 |
| FOR TEACHERS BASED ON BCBC 2024                 |               |   |          |    |
| NUMBER OF TEACHERS                              | 29            | BASED ON 3.7.2.2.(4) WC =2 AND WB =2                            | 3        | 3  |
| FOR OFFICE BASED ON BCBC 2024                   |               |   |          |    |
| OFFICE (148.71/9.30)                            | 16            | BASED ON 3.7.2.2.(4) WC =1 AND WB =1                            | 2        | 2  |
|   |               | TOTAL REQUIRED WC=22 AND WB =22                                 | 28       | 28 |

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**JM Architecture Inc.**  
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Principal: Joe W. Minter  
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107 - 15055 544 Avenue  
Surrey, B.C. V3S 5X7  
604 - 583 2003 - T  
jarchitecture.ca - W

START DATE: 2024-01  
PROJECT No.: JMM  
DR.: JMM CH.  
SCALE: AS SHOWN

Architects Seal & Signature

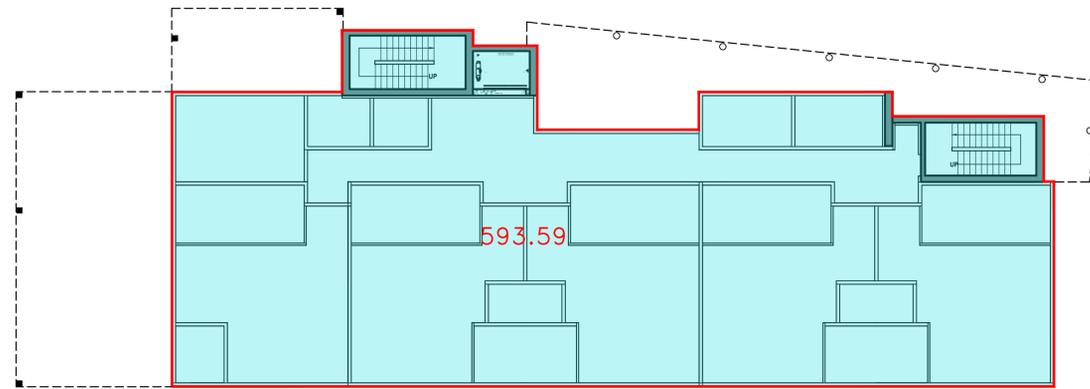
Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

**PROJECT DATA & BLDG CODE ANALYSIS**

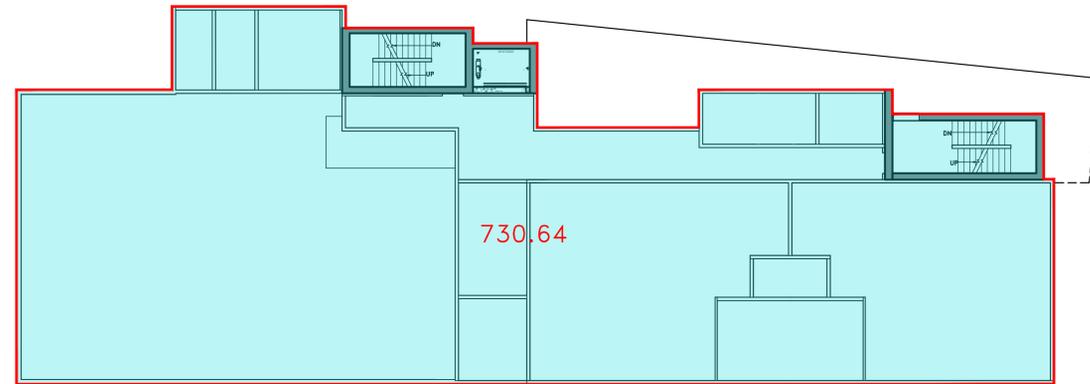
REV: 5.0 2024-01 A-01

Schedule 1



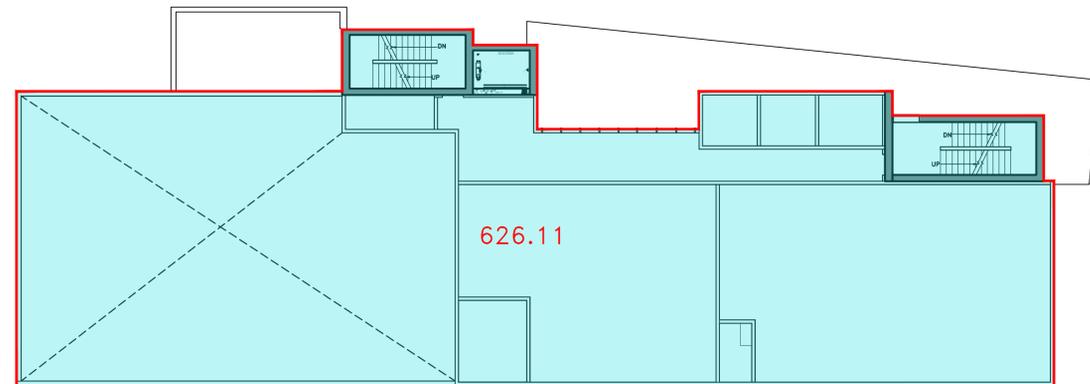
FLOOR AREA : 593.59 m<sup>2</sup>  
 MAIN FLOOR- 2ND FLOOR HEIGHT : 3.89m  
 VOLUME : 2309.06 m<sup>3</sup>

MAIN FLOOR PLAN  
 SCALE : N.T.S



FLOOR AREA : 730.64 m<sup>2</sup>  
 2ND FLOOR - 3RD FLOOR HEIGHT: 3.24m  
 VOLUME : 2367.27 m<sup>3</sup>

SECOND FLOOR PLAN  
 SCALE : N.T.S



FLOOR AREA : 626.11 m<sup>2</sup>  
 3RD FLOOR - ROOF HEIGHT: 3.24m  
 VOLUME : 2028.59 m<sup>3</sup>

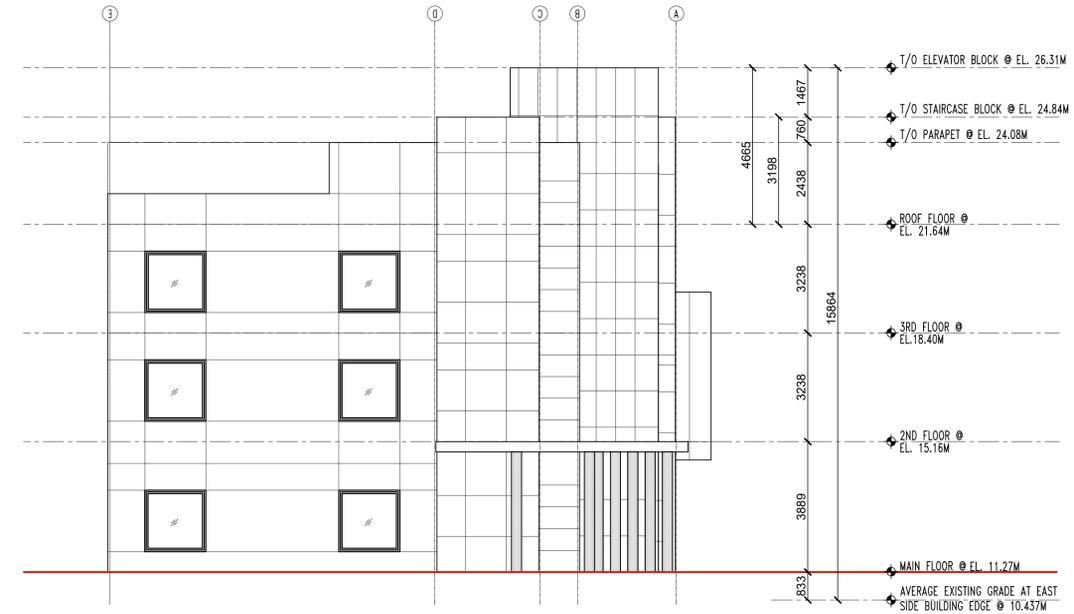
THIRD FLOOR PLAN  
 SCALE : N.T.S

SITE AREA : 2544.27 m<sup>2</sup>  
 ALLOWABLE LOT COVERAGE: 0.40  
 ALLOWABLE BUILDING HEIGHT : 10m

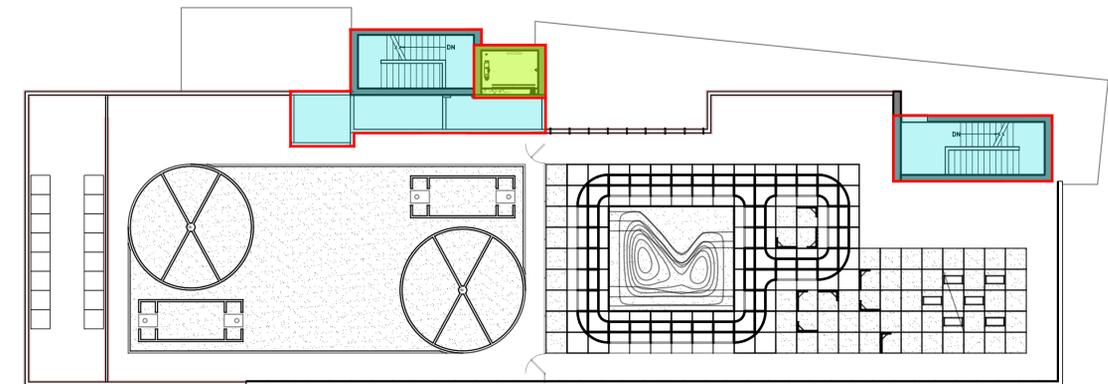
ALLOWABLE DENSITY = 2544.27 X 0.40 X 10  
 = 10,177.08 m<sup>3</sup>

PROPOSED DENSITY = 2309.06 + 2367.27  
 + 2028.59 + 212.48 + 43.34  
 = 6960.74 m<sup>3</sup>

| AREAS BREAKDOWN CHART |                |                   |                |
|-----------------------|----------------|-------------------|----------------|
|                       | AREA IN SQM    | FLOOR HEIGHT IN M | VOLUME         |
|                       | SQ.M           |                   |                |
| Main Floor            | 593.59         | 3.89              | 2309.07        |
| 2nd Floor             | 730.64         | 3.24              | 2367.27        |
| 3rd Floor             | 626.11         | 3.24              | 2028.60        |
| Stairs                | 66.40          | 3.20              | 212.48         |
| Elevator              | 8.60           | 5.04              | 43.34          |
| <b>Total</b>          | <b>2025.34</b> |                   | <b>6960.76</b> |



ELEVATION  
 SCALE : 1:100



FLOOR AREA : STAIRCASE AND WASHROOM : 66.4 m<sup>2</sup>  
 STAIRCASE AND WASHROOM : 66.4 m<sup>2</sup>  
 ROOF - STAIRCASE ROOF HEIGHT: 3.2m  
 VOLUME : 212.48 m<sup>3</sup>  
 ELEVATOR : 8.6 m<sup>2</sup>  
 ROOF - ELEVATOR ROOF: 5.04m  
 VOLUME : 43.34 m<sup>3</sup>

ROOF FLOOR PLAN  
 SCALE : N.T.S

| REV | DATE       | DESCRIPTION                  | BY |
|-----|------------|------------------------------|----|
| 1.0 | 2024/09/26 | ISSUED TO PLANNER FOR REVIEW | SD |

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 jmarchitecture.ca - W

Architects Seal & Signature

Project Name  
**1975 CLIFFE AVE.**  
 COURTENAY, B.C.

CLIENT: JUG BILG.

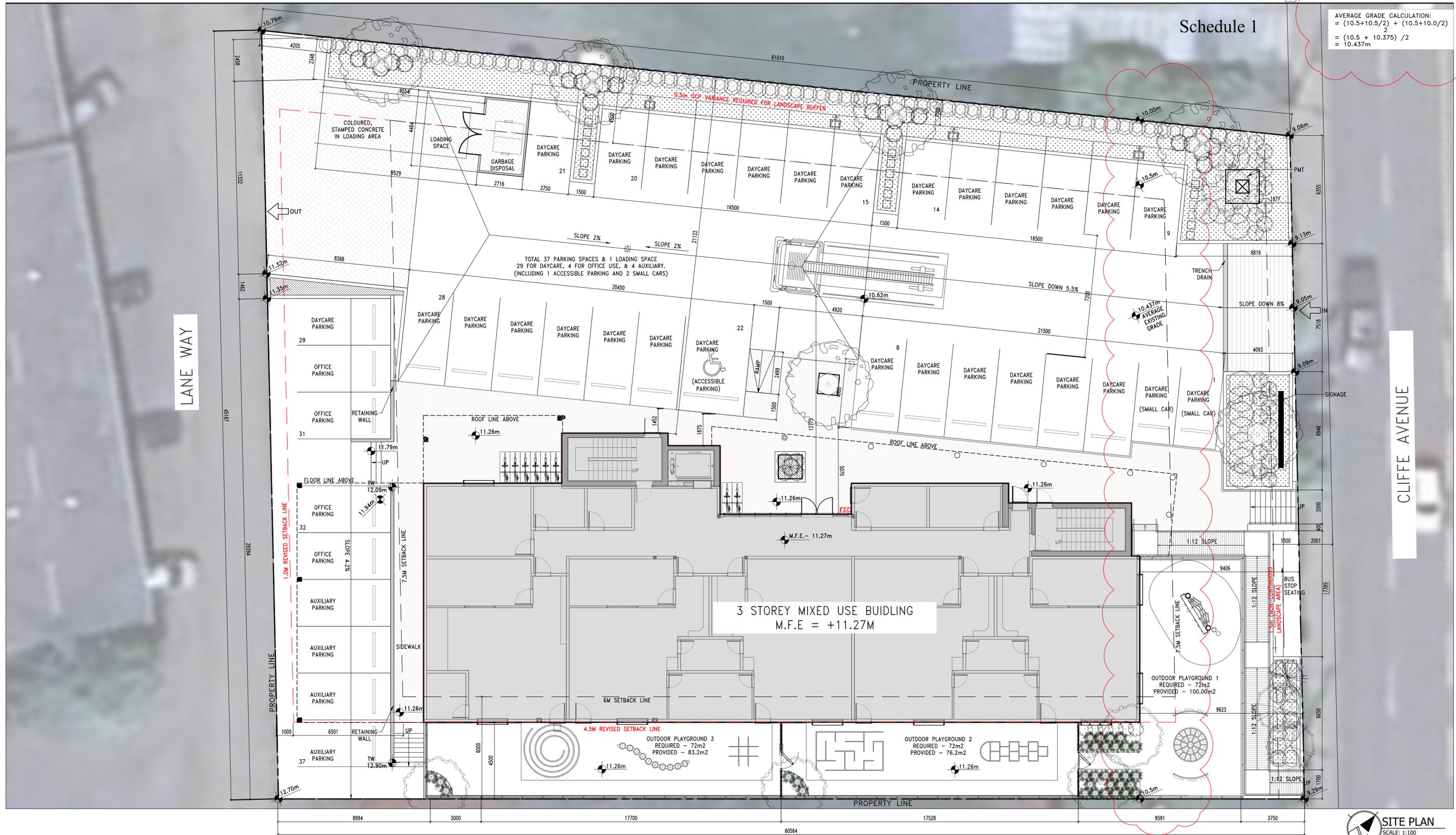
Project No.  
**VOLUMETRIC CAL.**

START DATE: 2024-01  
 PROJECT No.: JMM  
 DR. SD CH.  
 SCALE: AS SHOWN

REV: 1.0  
 Project No.: 2024-01  
 A-03

Schedule 1

AVERAGE GRADE CALCULATION:  
 $= (10.5 + 10.5/2) + (10.5 + 10.0/2)$   
 $= (10.5 + 10.375) / 2$   
 $= 10.437m$



LANE WAY

CLIFFE AVENUE

3 STOREY MIXED USE BUILDING  
 M.F.E. = +11.27M

SITE PLAN  
 SCALE: 1:100  
 LOT AREA: 2544.275QM

| REV | DATE       | DESCRIPTION                            | BY |
|-----|------------|--|----|
| 7.0 | 2024/09/27 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 6.0 | 2024/09/23 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 5.0 | 2024/09/20 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 4.0 | 2024/09/09 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 3.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 2.0 | 2024/05/03 | ISSUED TO CITY OF COURTENAY FOR DVP    | SD |
| 1.0 | 2024/01/29 | ISSUED TO PLANNER FOR REVIEW           | SD |

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**DO NOT SCALE DRAWING**

Architects Seal & Signature

Project Name  
**1975 CLIFFE AVE.**  
 COURTENAY, B.C.

CLIENT: JUG BILG.

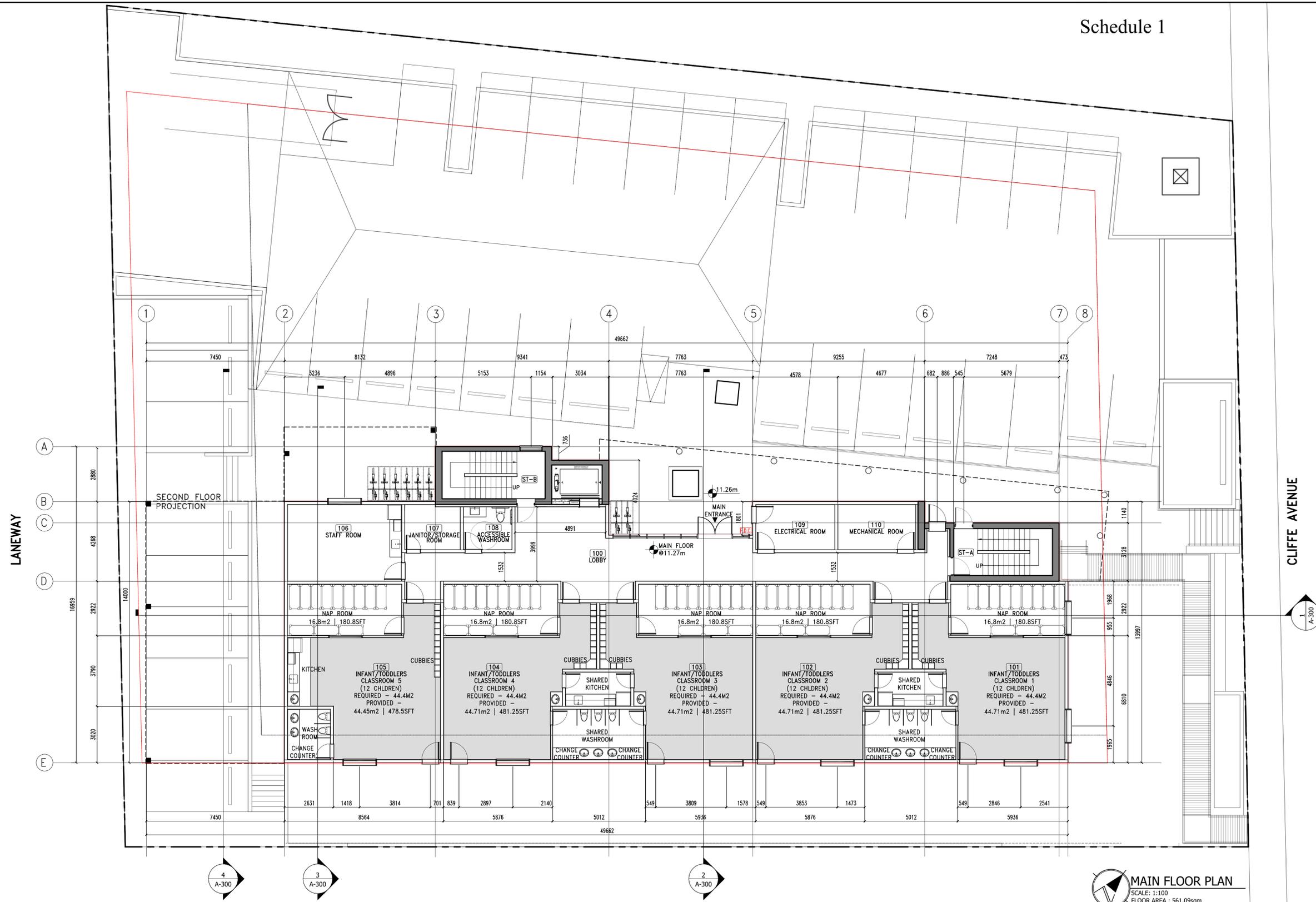
START DATE: 2024-01-27  
 PROJECT No.: JMM  
 DR.: JMM CH.  
 SCALE: AS SHOWN

2024-09-27

2024-01

SITE PLAN

REV: 7.0 Project No: 2024-01 A-100



**MAIN FLOOR PLAN**  
SCALE: 1:100  
FLOOR AREA: 561.09sqm

| REV | DATE       | DESCRIPTION                            | BY |
|-----|------------|--|----|
| 3.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 2.0 | 2024/05/03 | ISSUED TO CITY OF COURTENAY FOR DVP    | SD |
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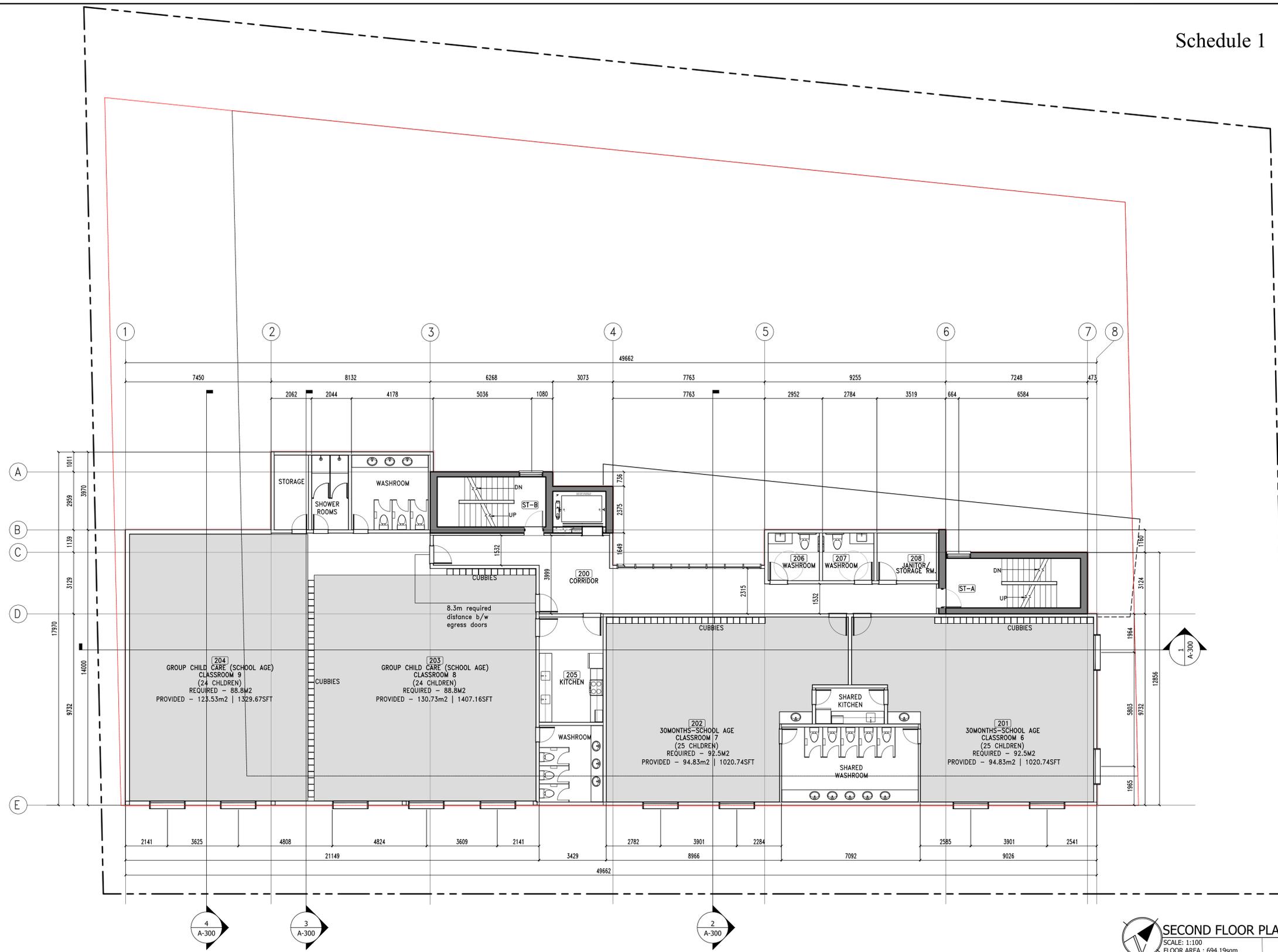
2024-09-27

START DATE: 2024-01  
PROJECT No.: JMM  
DR. SD CH.  
SCALE: AS SHOWN

Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

Project No.  
**3.0** 2024-01  
**A-101**



**SECOND FLOOR PLAN**  
SCALE: 1:100  
FLOOR AREA : 694.19sqm

| REV | DATE       | DESCRIPTION                            | BY |
|-----|------------|--|----|
| 3.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 2.0 | 2024/05/03 | ISSUED TO CITY OF COURTENAY FOR DVP    | SD |
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2024-09-27

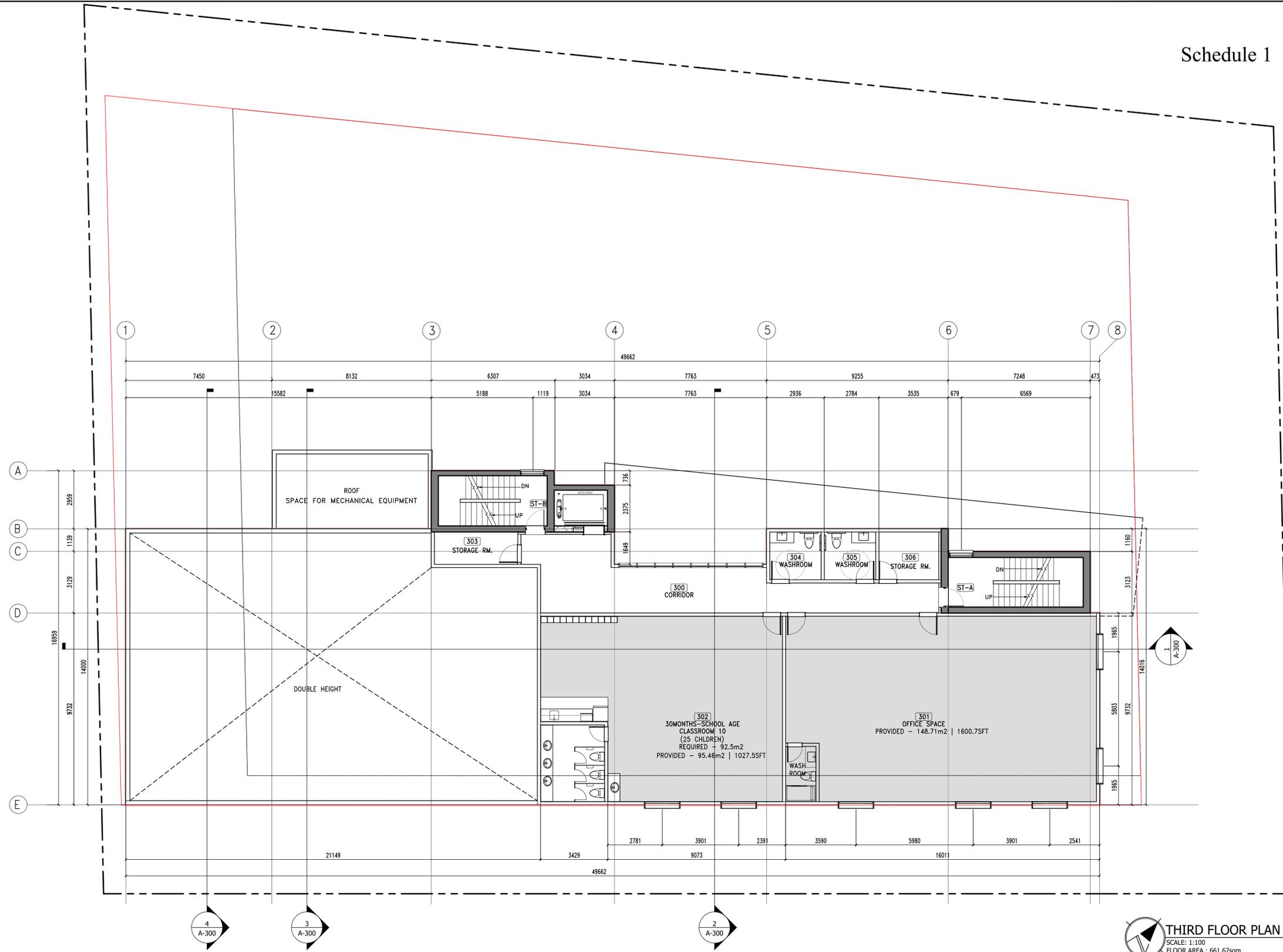
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|-------------|----------|
| START DATE  | 2024-01  |
| PROJECT No. | JMM      |
| DR.         | SD CH.   |
| SCALE       | AS SHOWN |

Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

**SECOND FLOOR PLAN**

Project No. **A-102**



**THIRD FLOOR PLAN**  
SCALE: 1:100  
FLOOR AREA : 661.67sqm

| REV | DATE       | DESCRIPTION                            | BY |
|-----|------------|--|----|
| 3.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 2.0 | 2024/05/03 | ISSUED TO CITY OF COURTENAY FOR DVP    | SD |
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2024-09-27

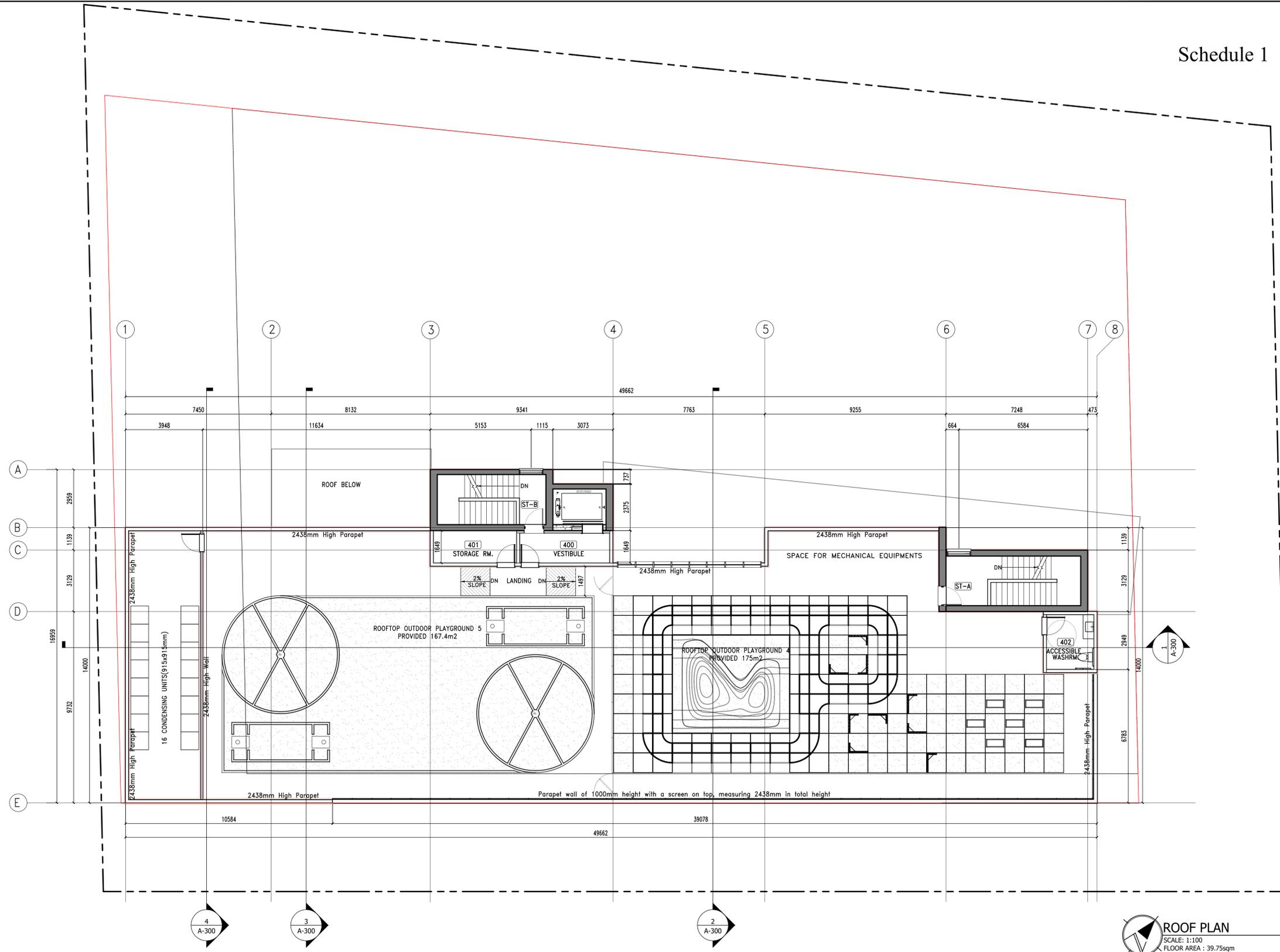
START DATE: 2024-01  
PROJECT No.: JMM  
DR. SD CH.  
SCALE: AS SHOWN

Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

**THIRD FLOOR PLAN**

Project No. A-103  
REV: 3.0 2024-01



**ROOF PLAN**  
SCALE: 1:100  
FLOOR AREA : 39.75sqm

| REV | DATE       | DESCRIPTION                            | BY |
|-----|------------|--|----|
| 3.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 2.0 | 2024/05/03 | ISSUED TO CITY OF COURTENAY FOR DVP    | SD |
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jma@architecture.ca - W

Architects Seal & Signature

START DATE: 2024-01  
PROJECT No.: JMM  
DR. SD CH.  
SCALE: AS SHOWN

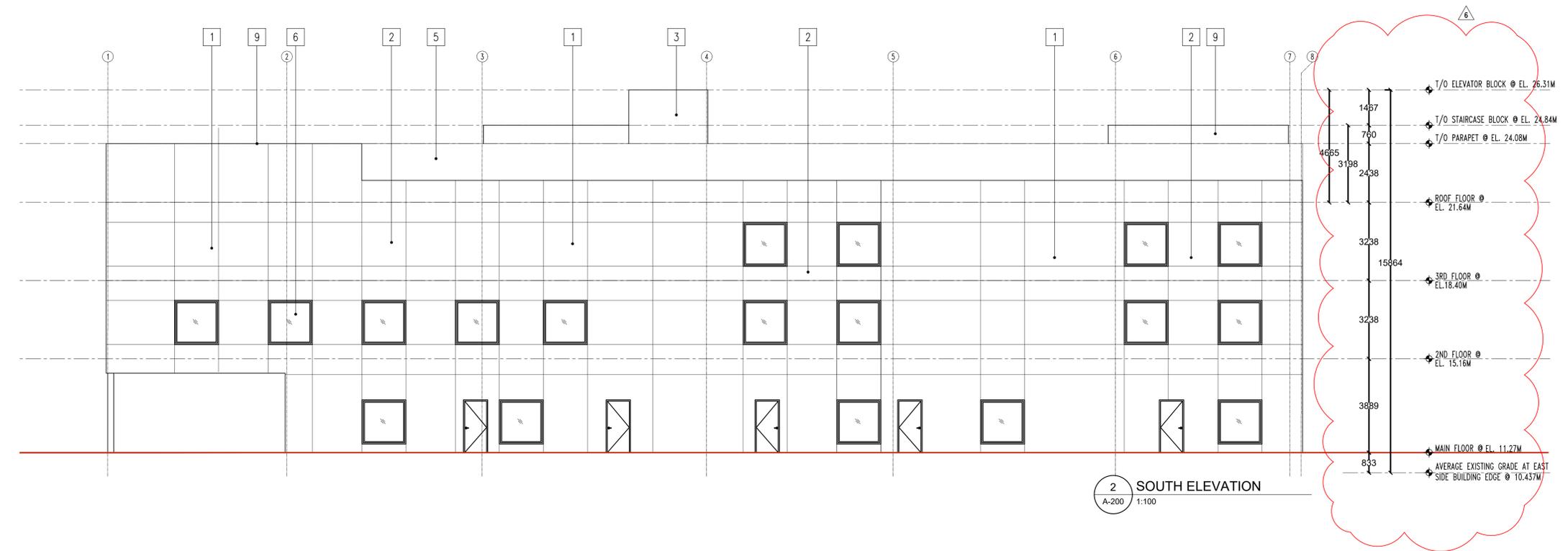
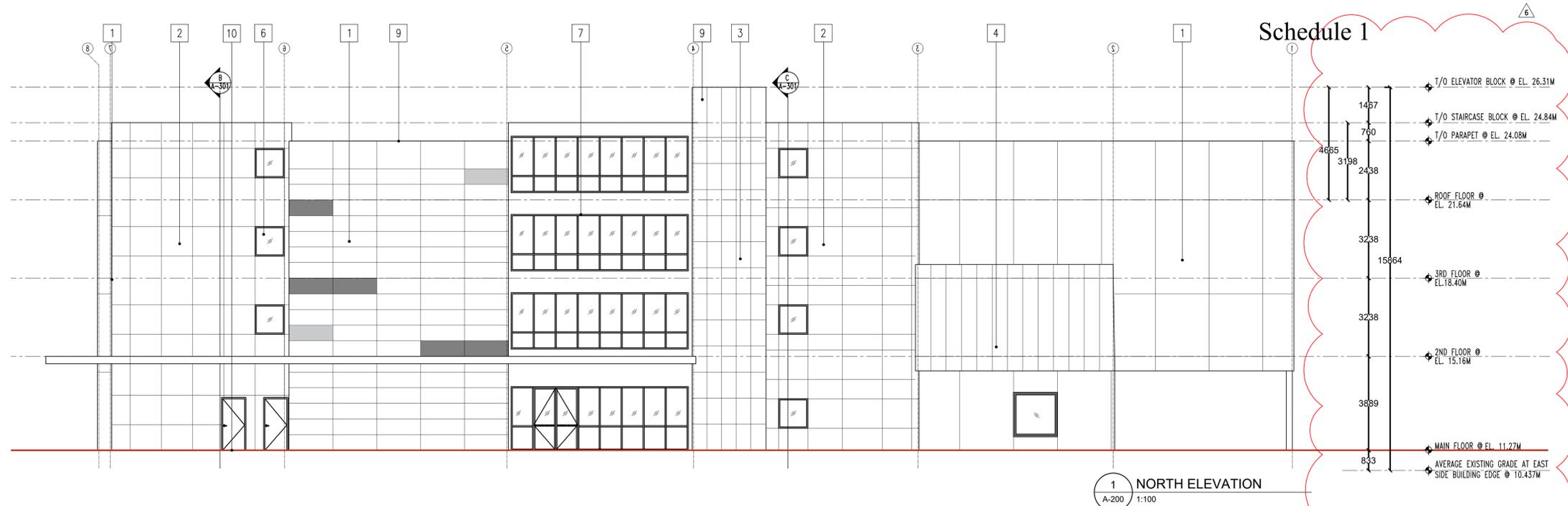
Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

Project No.  
**A-104**

### EXTERIOR FINISH SCHEDULE

| BUILDING MATERIALS           | FINISH                    | COLOUR                                | MANUF./ SUPPLIER |
|------------------------------|---------------------------|---------------------------------------|------------------|
| 1 EIFS #1 - RS               | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 370     |                  |
| 2 EIFS #2 - RS               | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 385     |                  |
| 3 EIFS #3 - RS               | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 1150    |                  |
| 4 EIFS #4 - RS               | INTEGRAL                  | TO MATCH BENJAMIN MOORE 2131 - 10     |                  |
| 5 DECORATIVE SCREEN          | INTEGRAL                  |                                       | TBD              |
| 6 VINYL DOORS/ WINDOWS       | INTEGRAL                  | TO MATCH SHERWIN WILLIAMS SW9624      |                  |
| 7 STOREFRONT DOORS/ WINDOWS  | INTEGRAL                  | TO MATCH SHERWIN WILLIAMS SW9624      |                  |
| 8 SOFFITS                    | INTEGRAL                  | CEDAR - WOOD LIKE                     | TBD              |
| 9 METAL FLASHING             | INTEGRAL                  | TO MATCH COLOUR OF ADJOINING SURFACES |                  |
| 10 EXPOSED CONCRETE SURFACES | HORIZONTAL SCOREL REVEALS | BENJAMIN MOORE LIGHT GREY: 2124-40    | BY CONTRACTOR    |



| REV | DATE       | DESCRIPTION                            | BY |
|-----|------------|--|----|
| 6.0 | 2024/09/27 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 5.0 | 2024/09/23 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 4.0 | 2024/09/19 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 3.0 | 2024/09/09 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 2.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 1.0 | 2024/01/29 | ISSUED TO PLANNER FOR REVIEW           | SD |

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Surrey, B.C. V3S 5X7  
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jarchitecture.ca - W

Architects Seal & Signature

Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

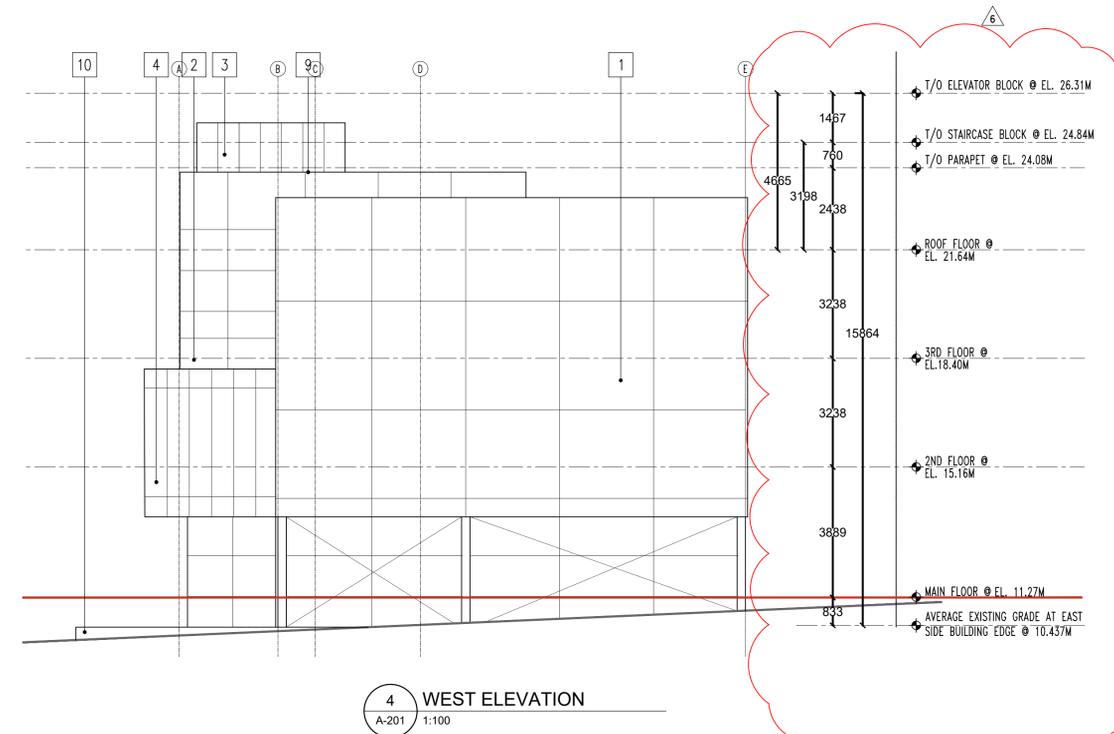
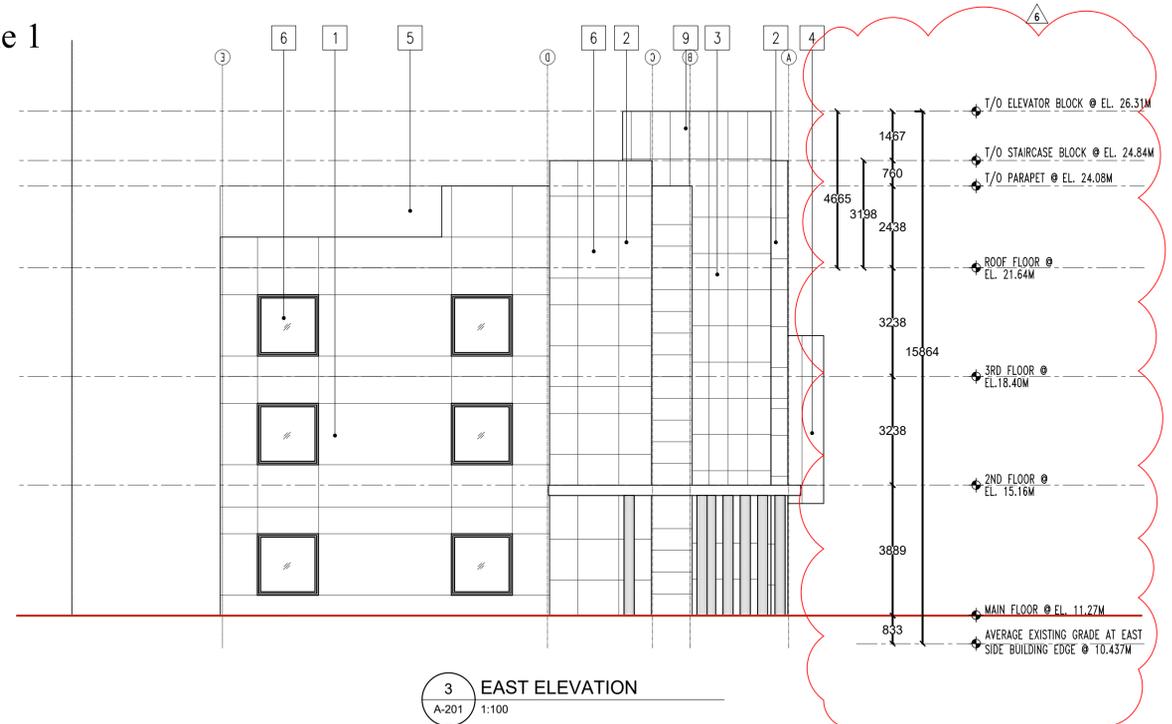
Project Name  
**BUILDING ELEVATIONS**

START DATE: 2024-01  
PROJECT No.: JMM  
DR.: JMM, CH.  
SCALE: AS SHOWN

REV: 6.0  
Project No.: 2024-01  
A-200

| EXTERIOR FINISH SCHEDULE |                           |                           |                                       |               |
|--------------------------|---------------------------|---------------------------|---------------------------------------|---------------|
| BUILDING MATERIALS       | FINISH                    | COLOUR                    | MANUF./ SUPPLIER                      |               |
| 1                        | EIFS #1 - RS              | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 370     |               |
| 2                        | EIFS #2 - RS              | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 385     |               |
| 3                        | EIFS #3 - RS              | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 1150    |               |
| 4                        | EIFS #4 - RS              | INTEGRAL                  | TO MATCH BENJAMIN MOORE 2131 - 10     |               |
| 5                        | DECORATIVE SCREEN         | INTEGRAL                  |                                       | TBD           |
| 6                        | VINYL DOORS/ WINDOWS      | INTEGRAL                  | TO MATCH SHERWIN WILLIAMS SW9624      |               |
| 7                        | STOREFRONT DOORS/ WINDOWS | INTEGRAL                  | TO MATCH SHERWIN WILLIAMS SW9624      |               |
| 8                        | SOFFITS                   | INTEGRAL                  | CEDAR - WOOD LIKE                     | TBD           |
| 9                        | METAL FLASHING            | INTEGRAL                  | TO MATCH COLOUR OF ADJOINING SURFACES |               |
| 10                       | EXPOSED CONCRETE SURFACES | HORIZONTAL SCOREL REVEALS | BENJAMIN MOORE LIGHT GREY: 2124-40    | BY CONTRACTOR |

Schedule 1



| REV | DATE       | DESCRIPTION                            | BY | COPYRIGHT & USE OF DOCUMENTS   |  | Architects Seal & Signature   |  | Project Name               |  |
|-----|------------|--|----|--|--|---|--|----------------------------|--|
| 6.0 | 2024/09/27 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD | <p>This plan and design are considered a 'Consultant's instrument of service' and shall be considered the exclusive property of the Consultant, JM Architecture Inc. and may not be used or reproduced without the consent of Mr. Joe M. Winters, architect abc, aoo, nraic. This instrument of service shall only be used once and solely for this project; no further use shall be deemed a right by anyone without the written consent of the Consultant. No project renovations, additions or alterations shall stem from the use of this document, in any possible form of reproduction, without the written consent of the Consultant. This document may not be sold or transferred without written agreement from the Consultant. Only the client may retain copies of this document, and only for the purpose of information and reference as it was initially intended.</p> <p>Any change or manipulation of this document is expressly forbidden; this document must remain completely intact at all times. The Consultant will not be responsible for changes to this document by others.</p> |  | <p>1975 CLIFFE AVE.<br/>COURTENAY, B.C.</p>                         |  | <p>CLIENT: JUG BILG.</p>   |  |
| 5.0 | 2024/09/23 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |  |  |   |  |                            |  |
| 4.0 | 2024/09/19 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |  |  |   |  |                            |  |
| 3.0 | 2024/09/09 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |  |  |   |  |                            |  |
| 2.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |  |  |   |  |                            |  |
| 1.0 | 2024/01/29 | ISSUED TO PLANNER FOR REVIEW           | SD | <p>Principal: Joe M. Winters<br/>ARCHITECT ABC   AA   MRAIC<br/>107 - 15055 54A Avenue<br/>Surrey, B.C. V3S 5X7<br/>604 - 583 2003 - T<br/>jarchitecture.ca - W</p>  |  | <p>2024-09-27</p>   |  | <p>START DATE: 2024-01</p> |  |
|     |            |  |    | <p>DO NOT SCALE DRAWING</p>  |  | <p>JM Architecture Inc.<br/>DESIGNING THE WORLD AS IT SHOULD BE</p> |  | <p>PROJECT No. JMM</p>     |  |
|     |            |  |    |  |  | <p>DR. JMM CH.</p>  |  | <p>PROJECT No. A-201</p>   |  |
|     |            |  |    |  |  | <p>SCALE AS SHOWN</p>   |  | <p>REV. 7.0 2024-01</p>    |  |

Schedule 1



1 PERSPECTIVE VIEW 1  
- N.T.S



1 PERSPECTIVE VIEW 2  
- N.T.S

| REV | DATE       | DESCRIPTION                         | BY |
|-----|------------|-------------------------------------|----|
| 1.0 | 2024/05/03 | ISSUED TO CITY OF COURTENAY FOR DVP | SD |

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 jarchitecture.ca - W

Architects Seal & Signature  
  
 2024-09-27  
 START DATE: 2024-01  
 PROJECT No.: JMM  
 DR.: JMM/CH

Project Name  
**BILG CHILDCARE SOCIETY**  
 1959 & 1975 CLIFFE AVENUE  
 COURTENAY, B.C.  
 CLIENT: JUG BILG.  
 PERSPECTIVE VIEWS  
 Project No. A-900  
 1.0 2024-01

DO NOT SCALE DRAWING SCALE AS SHOWN

Schedule 1



3 PERSPECTIVE VIEW 3  
- N.T.S



4 PERSPECTIVE VIEW 4  
- N.T.S

| REV | DATE       | DESCRIPTION                         | BY |
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Architects Seal & Signature  
  
 2024-09-27  
 Project Name  
**BILG CHILDCARE SOCIETY**  
 1959 & 1975 CLIFFE AVENUE  
 COURTENAY, B.C.  
 CLIENT: JUG BILG.  
 START DATE: 2024-01  
 PROJECT No.: JMM  
 DR.: JMM|CH.  
 Scale: AS SHOWN  
 Project No.: A-900

PLOT DATE: September 5, 2024 TIME: 4:26 PM FULL PATH AND FILENAME: D:\PROJECTS\24-0202 BLDG BLDG COURT\200-DELIVERABLES\2-10-LAND\01-DP\TITLE.L1-00.DWG PLOTSTYLE TABLE: Monochrome.ctb

## Schedule 2

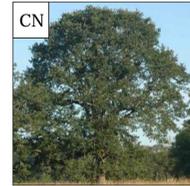
### DRAWING LIST

|       |                          |       |                        |
|-------|--------------------------|-------|------------------------|
| L1-00 | NOTES & KEYS             | L5-02 | HARD LANDSCAPE DETAILS |
| L2-01 | HARD LANDSCAPE PLAN      | L5-03 | HARD LANDSCAPE DETAILS |
| L2-02 | HARD LANDSCAPE ROOF PLAN | L5-04 | HARD LANDSCAPE DETAILS |
| L4-01 | PLANTING PLAN            | L5-05 | HARD LANDSCAPE DETAILS |
| L5-01 | SOFT LANDSCAPE DETAILS   |       |                        |

### DECIDUOUS TREES



AC



CN

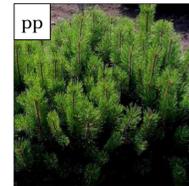


PC



CD

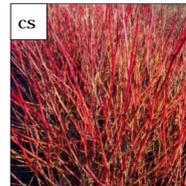
### CONIFEROUS SHRUBS



Pinus mugo 'Pumillo'



Pinus mugo mughus

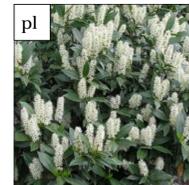


Cornus stolonifera



Cotinus c. 'Royal Purple'

### BROADLEAF EVERGREEN SHRUBS



Prunus l. 'Otto Luyken'



Lavandula angustifolia

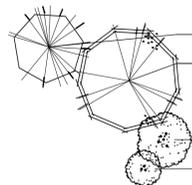
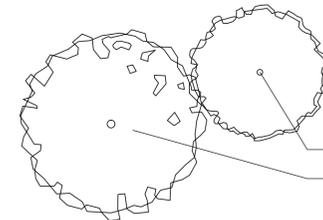


Vaccinium ovatum



Polystichum munitum

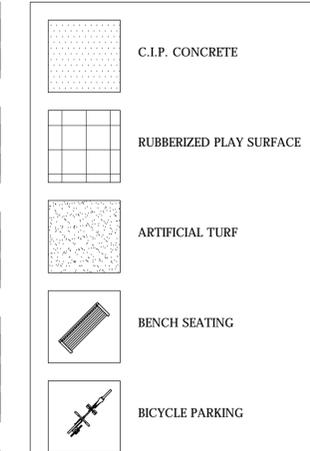
### CONIFEROUS TREES



### PLANT LIST

| DECIDUOUS TREES            |     |                                |                          |          |                        |                              |           |
|----------------------------|-----|--------------------------------|--------------------------|----------|------------------------|------------------------------|-----------|
| CODE                       | QTY | SCIENTIFIC NAME                | COMMON NAME              | SIZE     | COMMENTS               | MATURE SIZE                  | SPACING   |
| AC                         | 4   | Acer circinatum                | Vine Maple               | 3m clump | B&B min 50cm root ball | 12m height<br>5m spread      | as shown  |
| QG                         | 6   | Quercus garryana               | Garry Oak                | 6cm cal  | 150cm STD. B&B 50cm RB | 20m height<br>20m spread     | as shown  |
| CONIFEROUS TREES           |     |                                |                          |          |                        |                              |           |
| CODE                       | QTY | SCIENTIFIC NAME                | COMMON NAME              | SIZE     | COMMENTS               | MATURE SIZE                  | SPACING   |
| PC                         | 1   | Pinus contorta contorta        | Shore Pine               | 3m ht.   | 150cm STD. B&B 50cm RB | 12m height<br>5m spread      | as shown  |
| CD                         | 3   | Calocedrus decurrens           | California Incense Cedar | 4m ht.   | 150cm STD. B&B 50cm RB | 30m height<br>10m spread     | as shown  |
| CONIFEROUS SHRUBS          |     |                                |                          |          |                        |                              |           |
| CODE                       | QTY | SCIENTIFIC NAME                | COMMON NAME              | SIZE     | COMMENTS               | MATURE SIZE                  | SPACING   |
| mp                         | 14  | Pinus mugo Mughus              | Mugo Pine                | #5 pot   | min. 30cm wd / 20cm ht | 300cm height<br>500cm spread | 90cm o.c. |
| pp                         | 13  | Pinus mugo Pumilio             | Dwarf Mugo Pine          | #2 pot   | min. 20cm wd / 15cm ht | 125cm height<br>250cm spread | 75cm o.c. |
| BROADLEAF EVERGREEN SHRUBS |     |                                |                          |          |                        |                              |           |
| CODE                       | QTY | SCIENTIFIC NAME                | COMMON NAME              | SIZE     | COMMENTS               | MATURE SIZE                  | SPACING   |
| la                         | 54  | Lavandula angustifolia         | English Lavender         | #2 pot   | min. 30cm ht           | 60cm height<br>75cm spread   | 75cm o.c. |
| pl                         | 6   | Prunus l. 'Otto Luyken'        | Otto Luyken Laurel       | #2 pot   | min. 45cm ht           | 150cm height<br>300cm spread | 60cm o.c. |
| vo                         | 22  | Vaccinium ovatum 'Thunderbird' | Evergreen Huckleberry    | #2 pot   | min. 45cm ht           | 180cm height<br>190cm spread | 75cm o.c. |
| DECIDUOUS SHRUBS           |     |                                |                          |          |                        |                              |           |
| CODE                       | QTY | SCIENTIFIC NAME                | COMMON NAME              | SIZE     | COMMENTS               | MATURE SIZE                  | SPACING   |
| cc                         | 6   | Cotinus cogg. 'Royal Purple'   | Smoke Tree               | #5 pot   | min. 60cm ht           | 200cm height<br>150cm spread | 90cm o.c. |
| cs                         | 69  | Cornus stolonifera             | Redtwig Dogwood          | #2 pot   | min. 50cm ht           | 300cm height<br>200cm spread | 75cm o.c. |
| FERNS                      |     |                                |                          |          |                        |                              |           |
| CODE                       | QTY | SCIENTIFIC NAME                | COMMON NAME              | SIZE     | COMMENTS               | MATURE SIZE                  | SPACING   |
| pm                         | 32  | Polystichum munitum            | Swordfern                | #1 pot   | min. 25cm height       | 100cm height<br>100cm spread |           |
| GROUND COVERS              |     |                                |                          |          |                        |                              |           |
| CODE                       | QTY | SCIENTIFIC NAME                | COMMON NAME              | SIZE     | COMMENTS               | MATURE SIZE                  | SPACING   |
| rc                         | 875 | Rubus calycinoides             | Creeping Raspberry       | 10cm pot | min. 20cm spread       | 10cm height<br>60cm spread   | 30cm o.c. |
| la                         |     | Lawn                           | Shade Tolerant Blend     |          |                        |                              |           |

### HARD LANDSCAPE KEY



| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
| 2024-05-03 | D.P.       | A   |
| 2024-09-05 | D.P.       | B   |

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Consultants  
 Architectural: JM Architecture  
 Arborist:  
 Civil:  
 Structural:  
 Mechanical:  
 Electrical:



**Donald V. S. Duncan**  
 DEVELOPMENT CONSULTANT  
 LANDSCAPE ARCHITECT

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 778-791-4323  
 dvsduncan@gmail.com

**Courtenay Project #**  
 00-00-00

|          |                |           |
|----------|----------------|-----------|
| <b>B</b> | Project Leader | D. Duncan |
|          | Drawn          | D. Duncan |
| Revision |                |           |

**1975 CLIFFE AVENUE**  
 Courtenay BC

prepared for:  
**Jug Bilg**

Drawing Title  
**NOTES & KEYS**

Check Scale (may be photo reduced)  
 0 1inch 0 10mm

Project No. 24-0202 (JM# 2024-01)  
 Drawing No. L1-00

# 1975 CLIFFE AVENUE, COURTENAY BC

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Schedule 2

| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
| 2024-05-03 | D.P.       | A   |
| 2024-09-05 | D.P.       | B   |

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Architectural: JM Architecture  
 Arborist:  
 Civil:  
 Structural:  
 Mechanical:  
 Electrical:



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Courtenay Project #  
 00-00-00

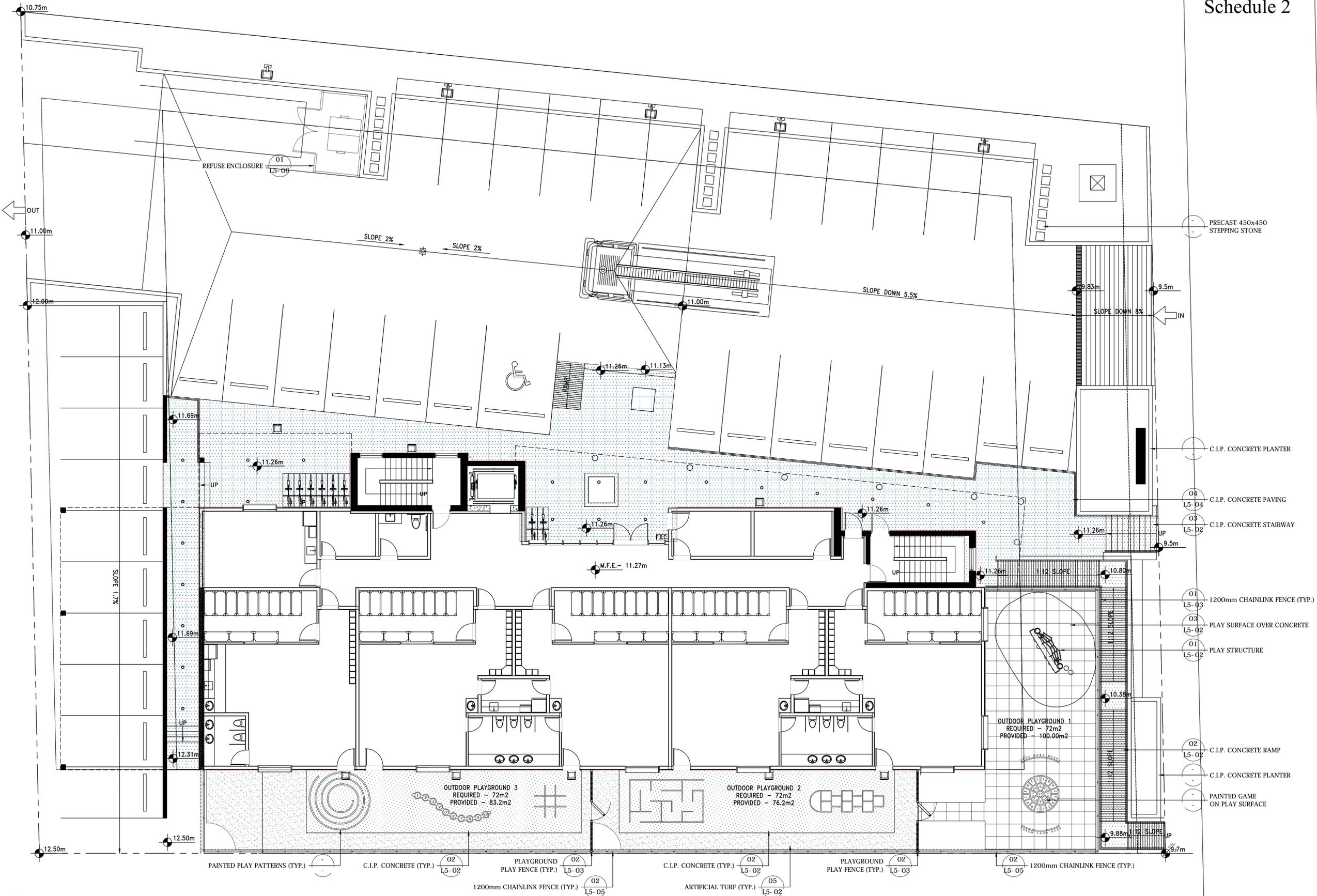
|                |           |
|----------------|-----------|
| Project Leader | D. Duncan |
| Drawn          | D. Duncan |
| Revision       | D. Duncan |

1975 CLIFFE AVENUE  
 Courtenay BC  
 prepared for:  
 Jug Bilg

Drawing Title  
**HARD LANDSCAPE PLAN**  
 GROUND LEVEL

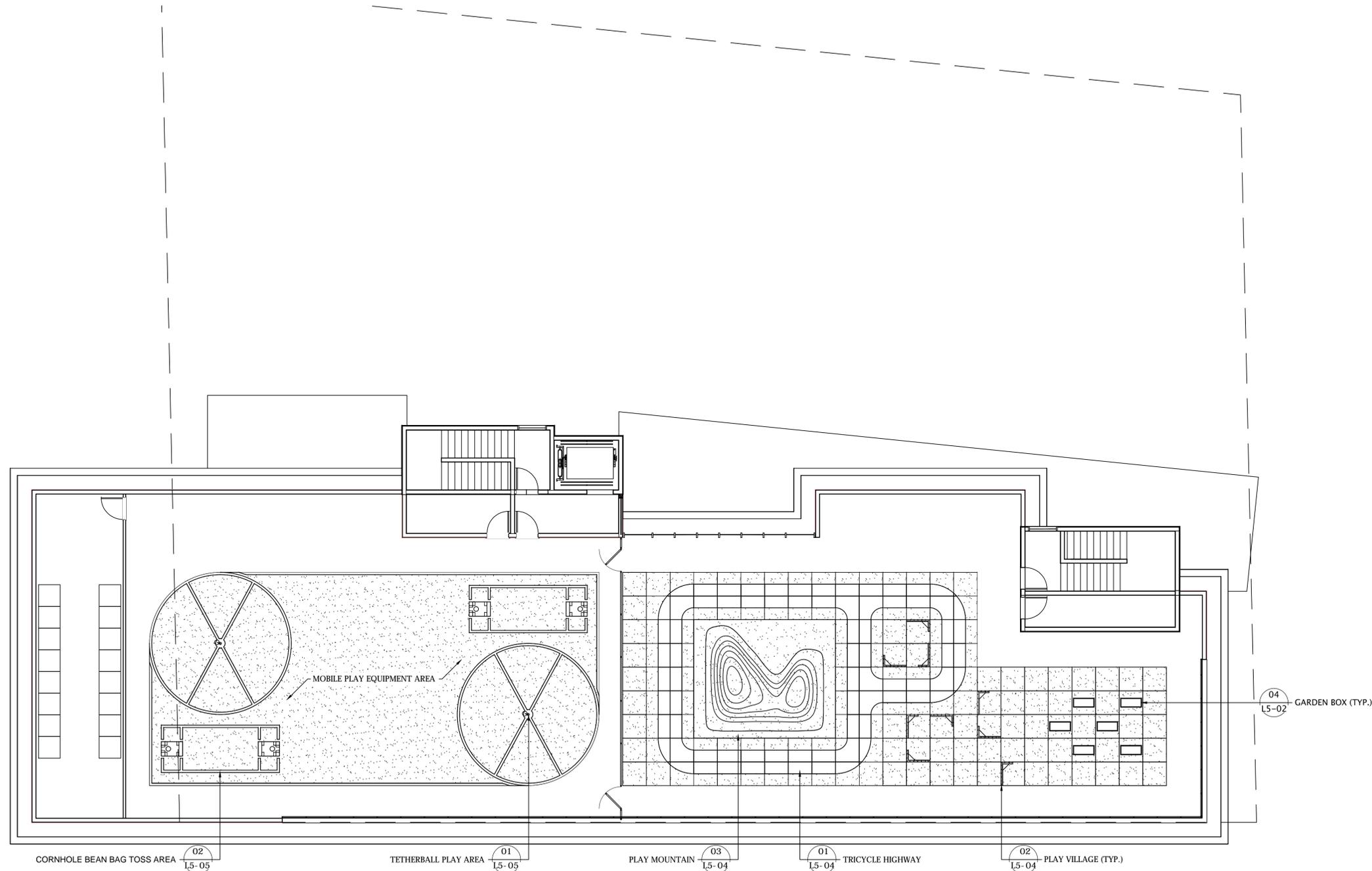
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Project No. 24-0202 (JM# 2024-01)  
 Drawing No. L2-01



01 HARD LANDSCAPE PLAN  
 L2-01 SCALE 1:100

Schedule 2



PLOT DATE: September 5, 2024 TIME: 4:30 PM FULL PATH AND FILENAME: D:\PROJECTS\24-0202 BLDG BLDG COURT\200-DELIVERABLES\210-LAND\01-DP\VTIB\L2-02.DWG PLOTSYLE TABLE: ----

01  
L2-02 HARD LANDSCAPE PLAN  
SCALE 1:100

| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
| 2024-05-03 | D.P.       | A   |

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 Civil:  
 Structural:  
 Mechanical:  
 Electrical:



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Courtenay Project #  
 00-00-00

|          |                |           |
|----------|----------------|-----------|
| A        | Project Leader | D. Duncan |
|          | Drawn          | D. Duncan |
| Revision |                |           |

1975 CLIFFE AVENUE  
 Courtenay BC  
 prepared for:  
 Jug Bilg

Drawing Title  
 HARD LANDSCAPE PLAN  
 ROOF PLAN

Check Scale (may be photo reduced)  
 0 1inch 0 10mm

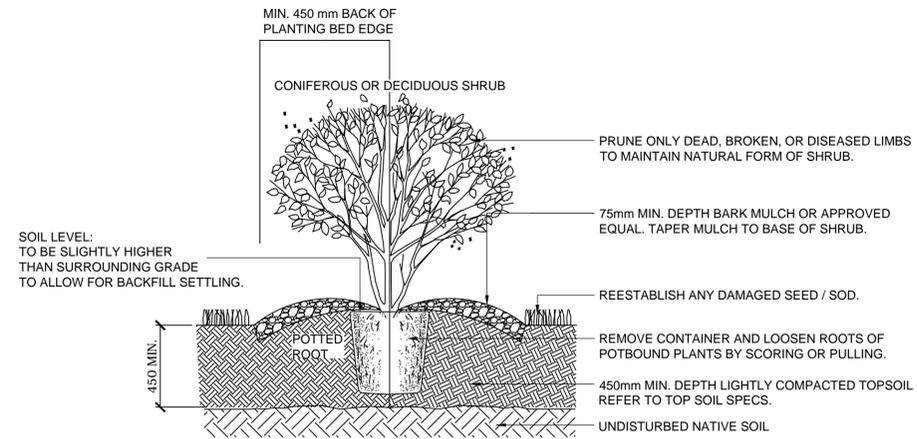
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 Drawing No. L2-02



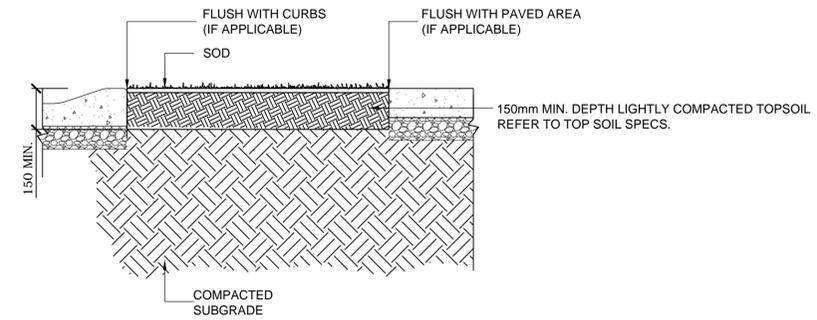
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## Schedule 2

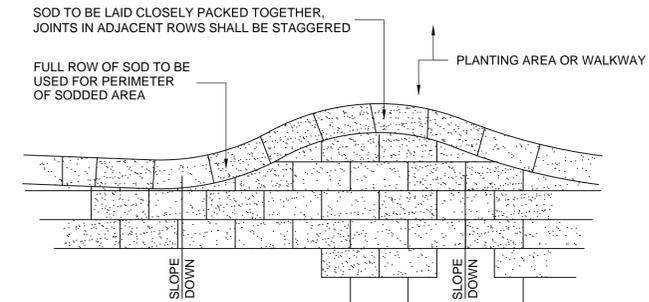
| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
| 2024-05-03 | D.P.       | A   |
| 2024-09-05 | D.P.       | B   |



01 TYPICAL SHRUB INSTALLION DETAIL  
L5-01 N.T.S.

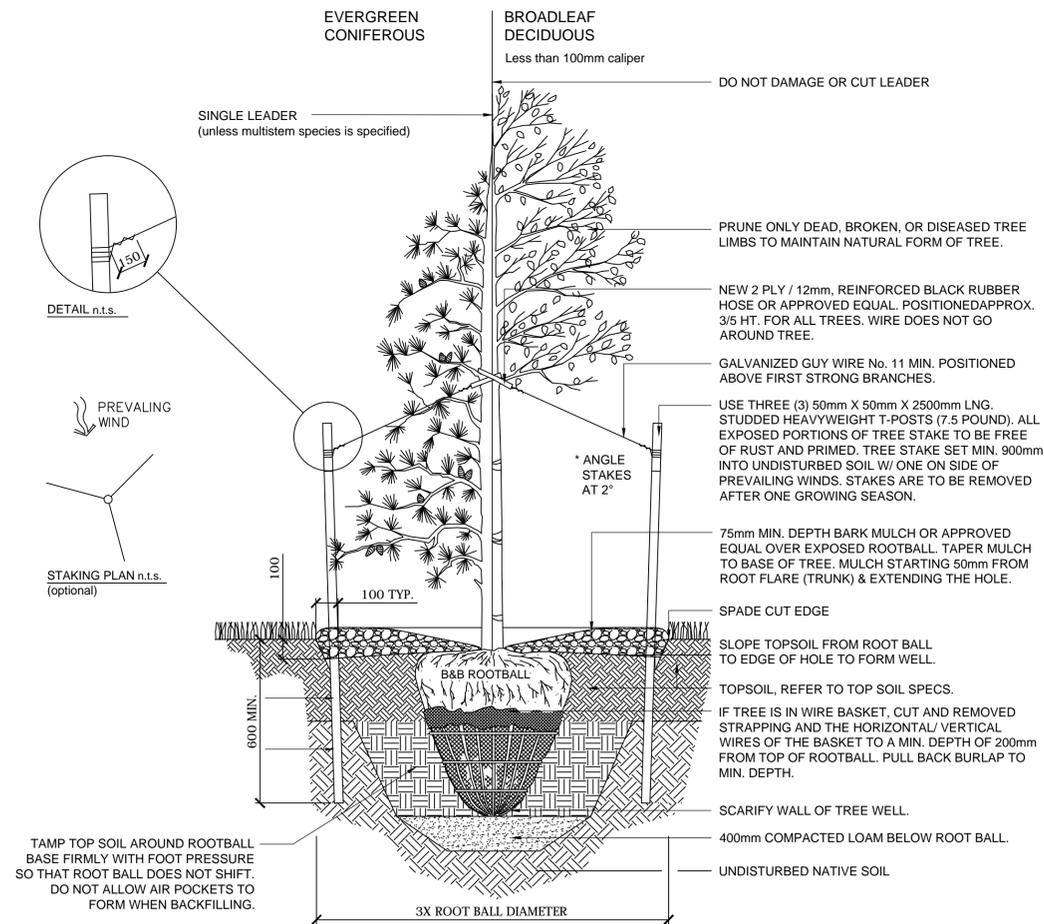


SECTION THROUGH SOD



PLAN VIEW OF SOD LAYOUT AND EDGING  
NOT TO SCALE

03 TYPICAL LAWN INSTALLION DETAIL  
L5-01 N.T.S.



02 TYPICAL TREE INSTALLION DETAIL  
L5-01 N.T.S.

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Arborist:  
Civil:  
Structural:  
Mechanical:  
Electrical:

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Courtenay Project #  
00-00-00

Revision B  
Project Leader: D. Duncan  
Drawn: D. Duncan

1975 CLIFFE AVENUE  
Courtenay BC  
prepared for:  
Jug Bilg

Drawing Title  
LANDSCAPE DETAILS

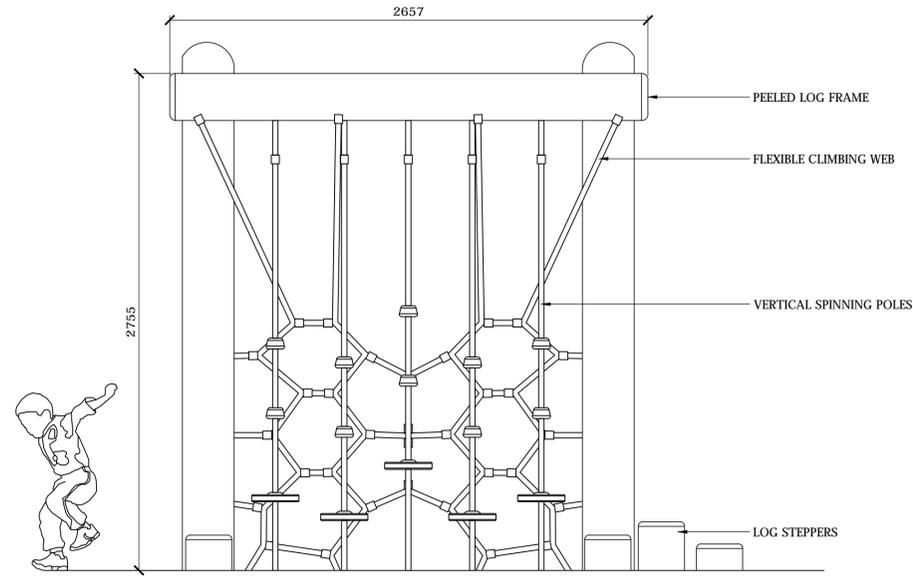
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Project No. 24-0202 (JM# 2024-01)

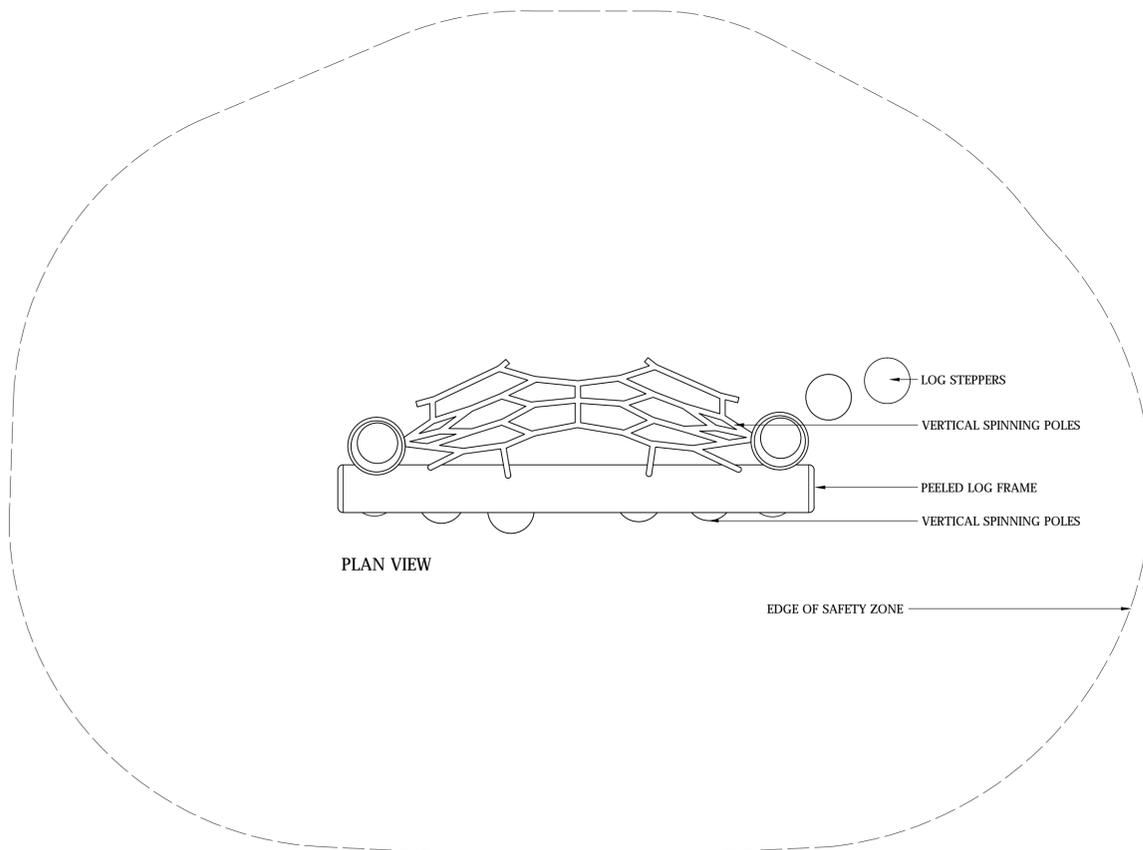
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## Schedule 2

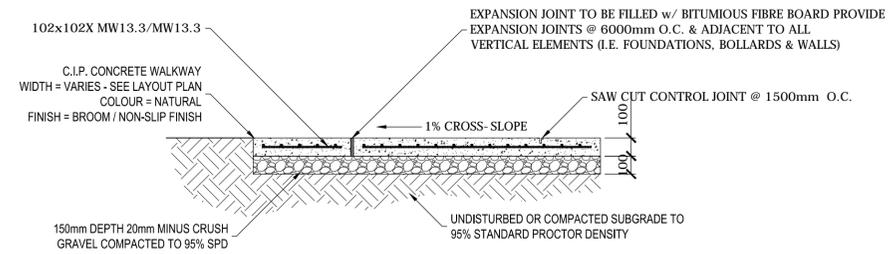


FRONT ELEVATION

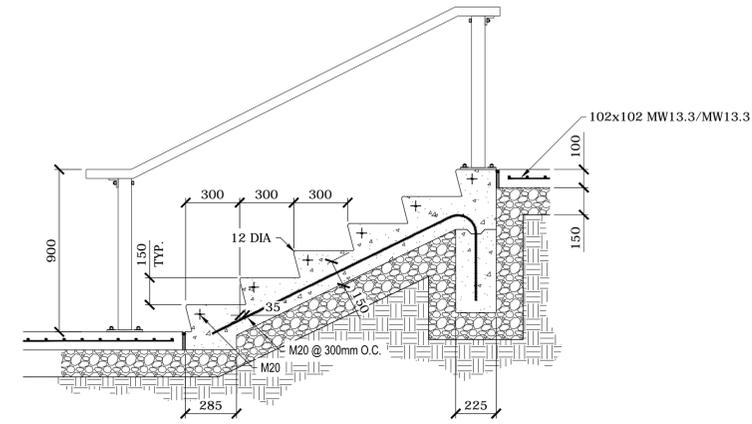


PLAN VIEW

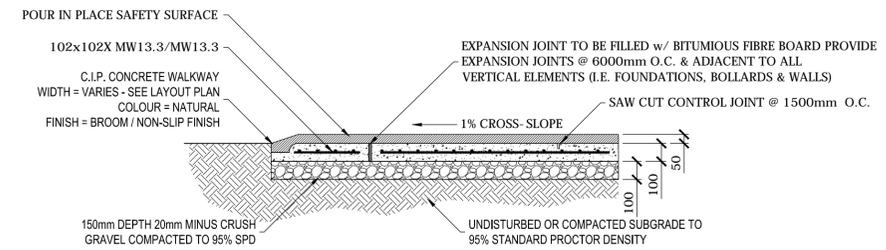
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L5-02 **PLAY STRUCTURE**  
SCALE 1:20



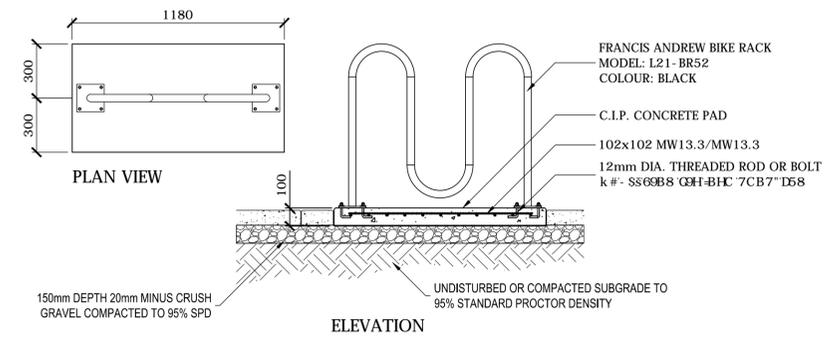
**02**  
L5-02 **CAST-IN-PLACE CONCRETE @ GRADE**  
SCALE 1:20



**03**  
L5-02 **CAST-IN-PLACE CONCRETE STAIR**  
SCALE 1:20



**03**  
L5-02 **PLAY SURFACE OVER CONCRETE @ GRADE**  
SCALE 1:20



**04**  
L5-02 **BICYCLE PARKING**  
SCALE 1:20

| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
| 2024-05-03 | D.P.       | A   |
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dvsduncan@gmail.com

Courtenay Project #  
00-00-00

**B** Project Leader D.Duncan  
Revision Drawn D.Duncan

1975 CLIFFE AVENUE  
Courtenay BC  
prepared for:  
Jug Bilg

Drawing Title  
LANDSCAPE DETAILS

Check Scale (may be photo reduced)  
0 1inch 0 10mm

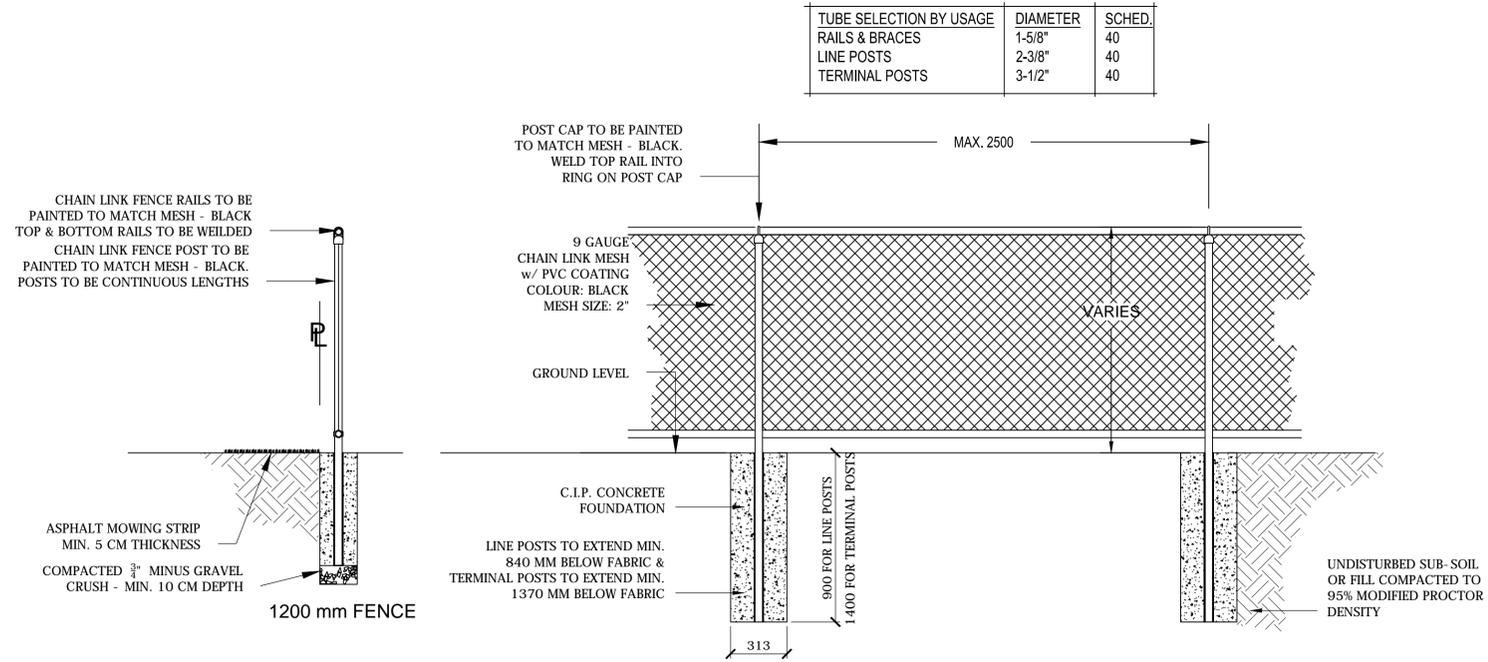
Project No. 24-0202 (JM# 2024-01)

Drawing No. L5-02

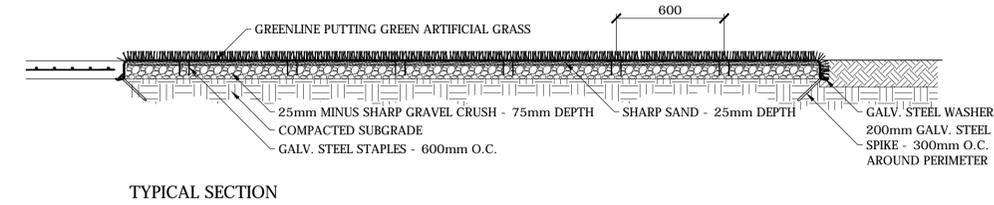
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## Schedule 2

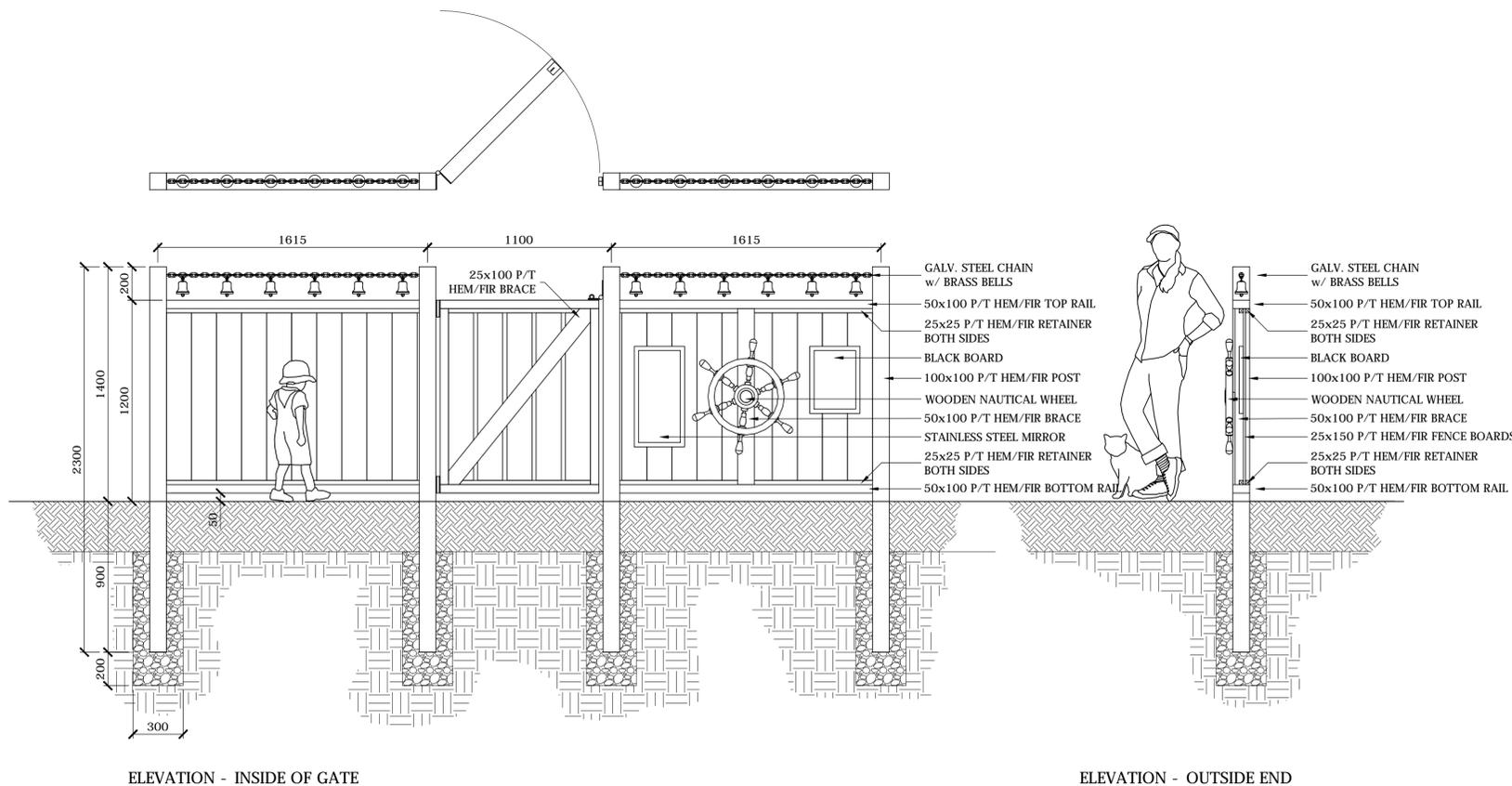
| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
| 2024-05-03 | D.P.       | A   |
| 2024-09-05 | D.P.       | B   |



**01** SIDE YARD PLAY FENCE  
L5-03 SCALE 1:20



**03** ARTIFICIAL TURF  
L5-03 SCALE 1:20



**02** PLAYGROUND PLAY FENCE  
L5-03 SCALE 1:20

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Consultants

Architectural: JM Architecture  
Arborist:  
Civil:  
Structural:  
Mechanical:  
Electrical:

**DVSD** Donald V. S. Duncan  
DEVELOPMENT CONSULTANT  
LANDSCAPE ARCHITECT

603 - 220 Eleventh Street  
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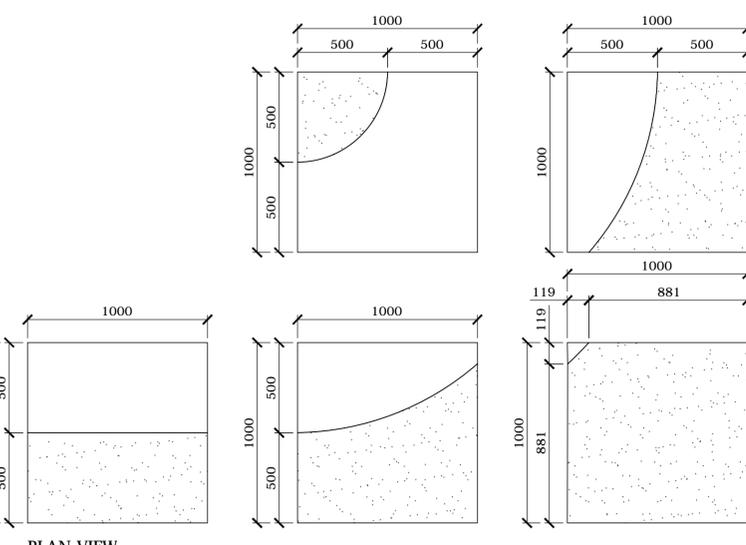
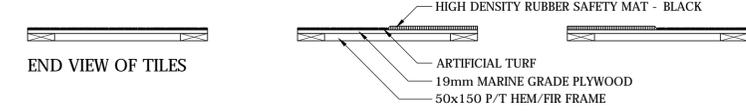
Drawing Title  
LANDSCAPE DETAILS

Check Scale (may be photo reduced)  
0 1inch 0 10mm

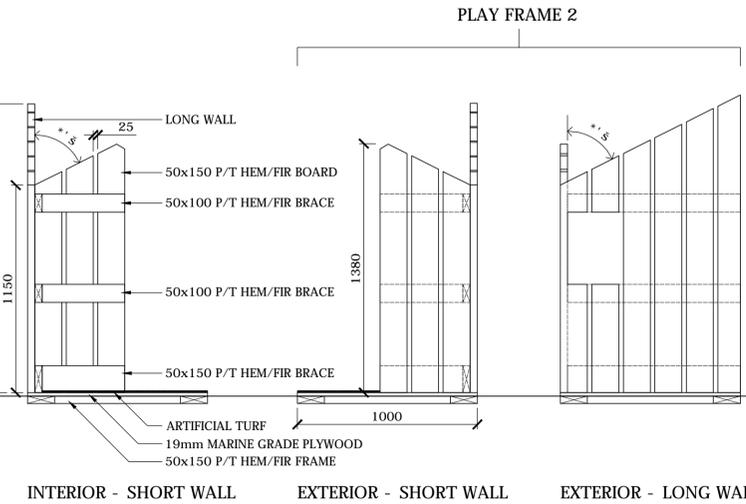
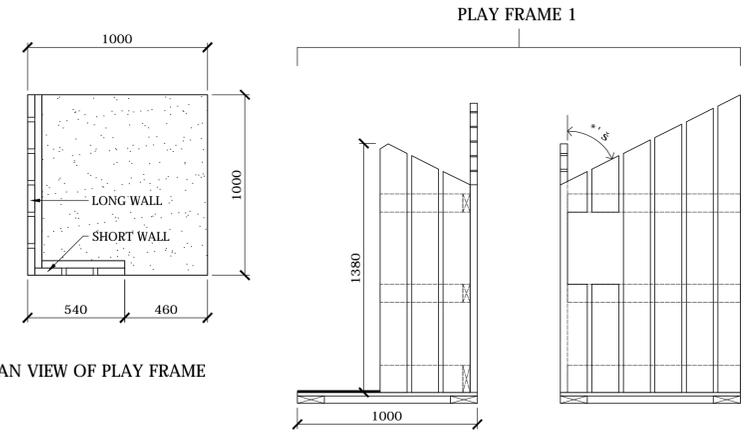
Project No. 24-0202 (JM# 2024-01)

Drawing No. L5-03

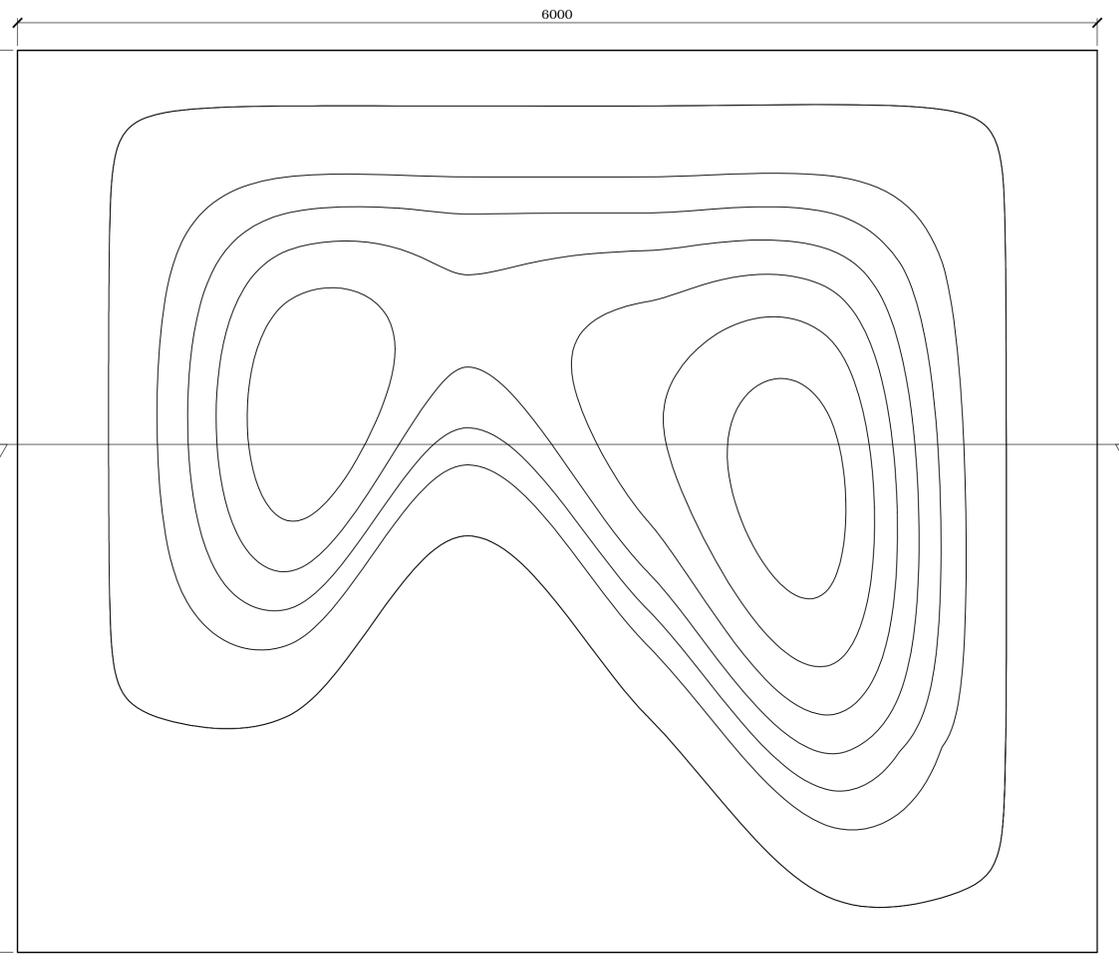
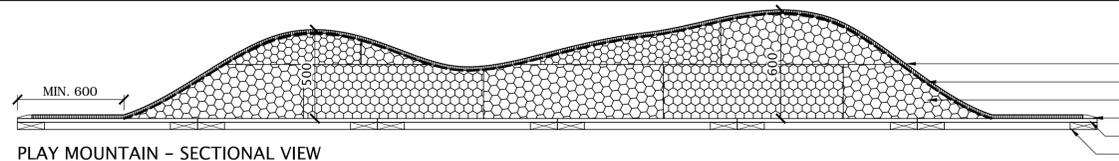
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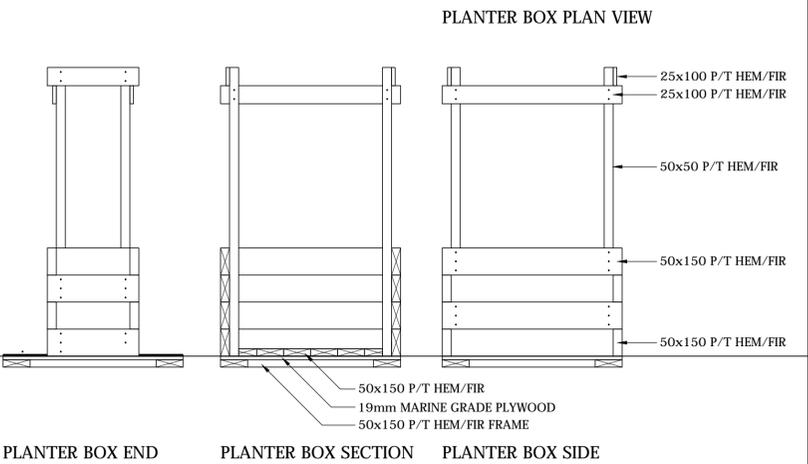
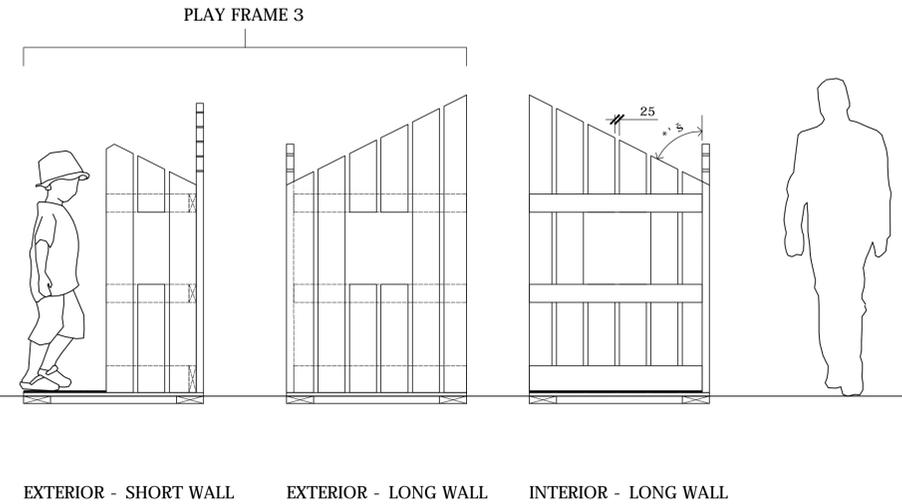
**01** ROOF DECK PLAY ROAD SEGMENTS  
L5-04 SCALE 1:20



**02** ROOF DECK PLAYHOUSE SEGMENTS  
L5-04 SCALE 1:20



**03** ROOF DECK PLAY MOUNTAIN  
L5-04 SCALE 1:20



**04** ROOF DECK PLANTER BOXES  
L5-04 SCALE 1:20

**Schedule 2**

| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
| 2024-05-03 | D.P.       | A   |
| 2024-09-05 | D.P.       | B   |

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Electrical:

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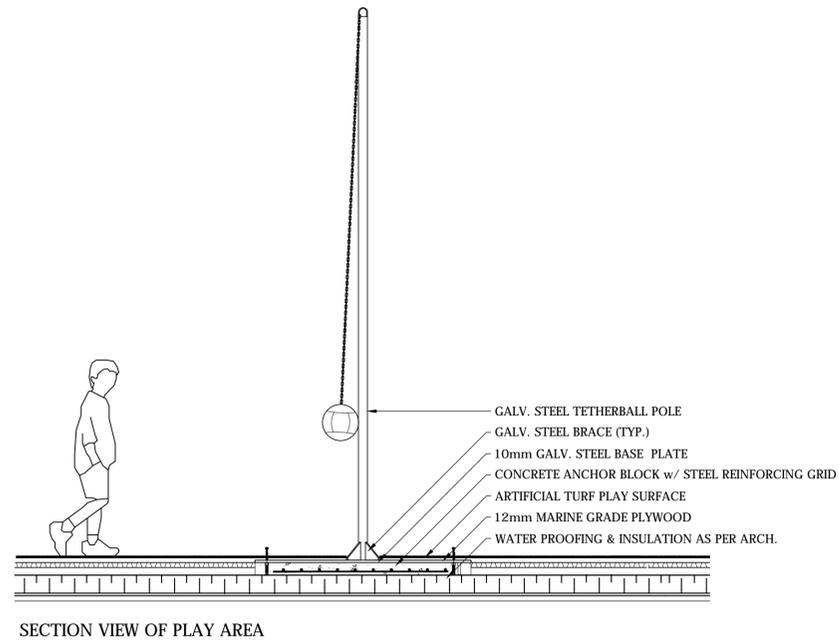
Courtenay Project #  
00-00-00

**B** Project Leader D.Duncan  
Revision Drawn D.Duncan  
**1975 CLIFFE AVENUE**  
Courtenay BC  
prepared for:  
Jug Bilg

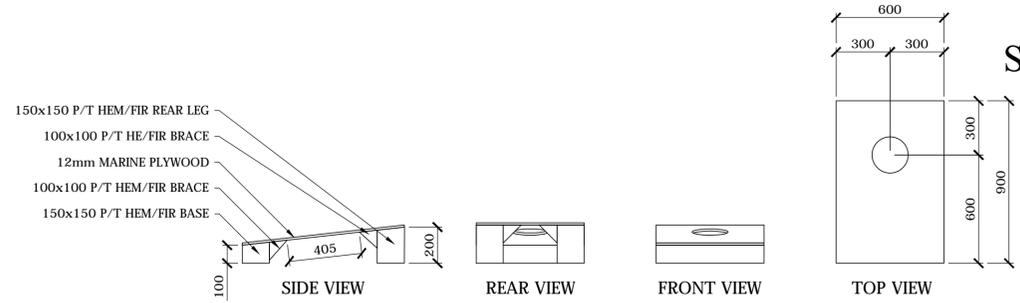
Drawing Title  
**LANDSCAPE DETAILS**

Check Scale (may be photo reduced)  
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Project No. 24-0202 (JM# 2024-01)  
Drawing No. L5-04

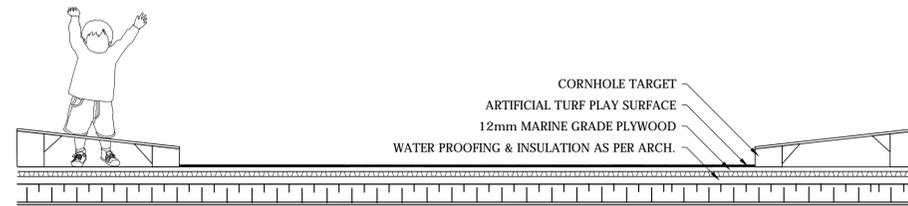
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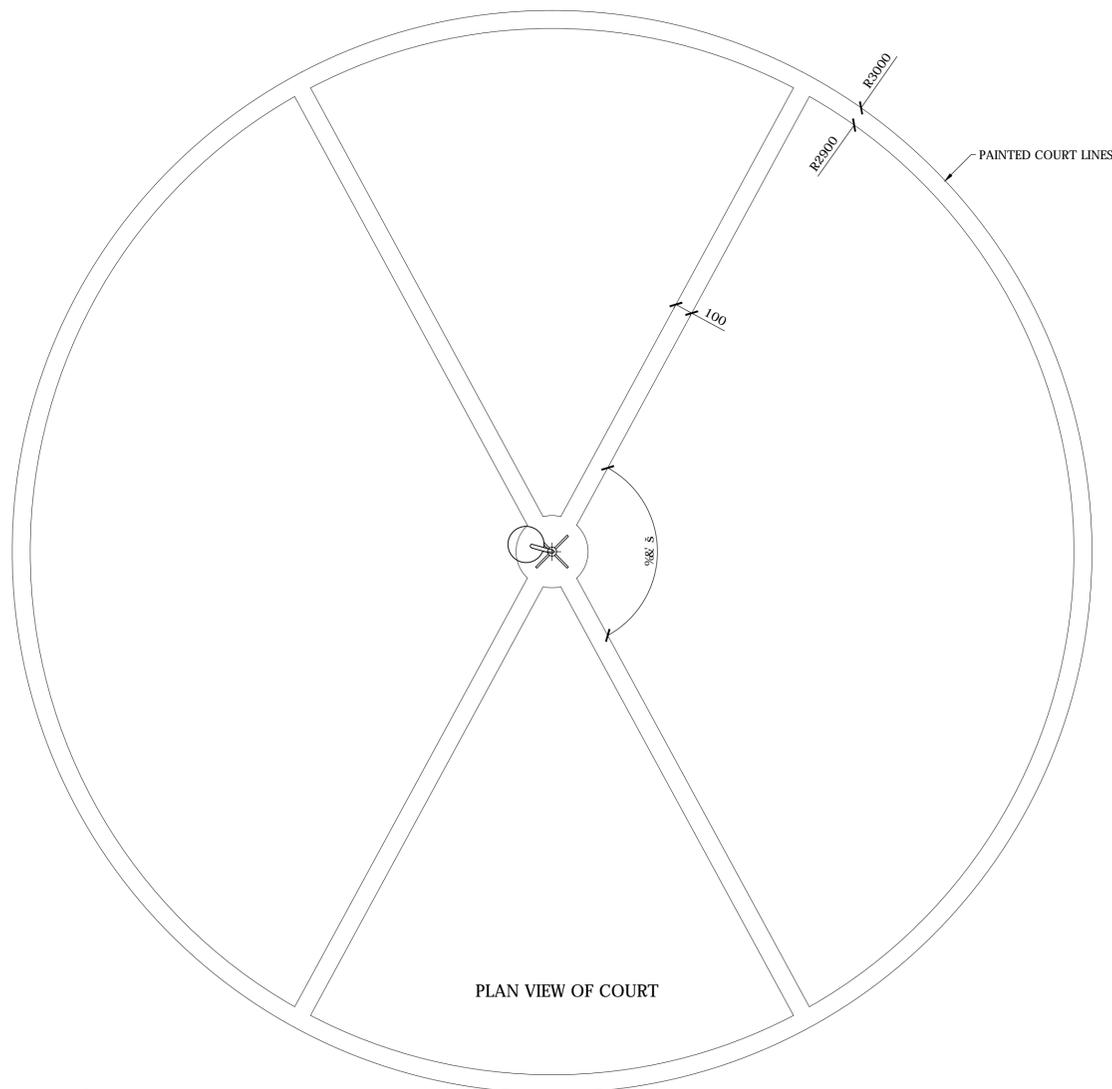
SECTION VIEW OF PLAY AREA



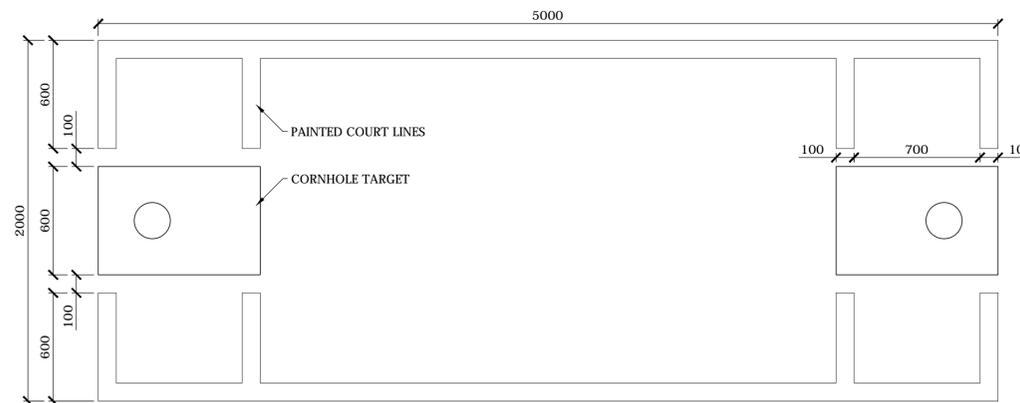
Schedule 2



SECTION VIEW OF PLAY AREA



PLAN VIEW OF COURT



PLAN VIEW OF COURT

02 CORNHOLE BEAN BAG TOSS AREA  
L5-05 SCALE 1:20

01 TETHERBALL PLAY AREA  
L5-05 SCALE 1:20

| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
| 2024-05-03 | D.P.       | A   |
| 2024-09-05 | D.P.       | B   |

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 Arborist:  
 Civil:  
 Structural:  
 Mechanical:  
 Electrical:

**DV SD** Donald V. S. Duncan  
 DEVELOPMENT CONSULTANT  
 LANDSCAPE ARCHITECT  
 603 - 220 Eleventh Street  
 New Westminster BC  
 Canada V3M 6N9  
 778-791-4323  
 dvsduncan@gmail.com

Courtenay Project #  
 00-00-00

|          |                |          |
|----------|----------------|----------|
| Revision | Project Leader | D.Duncan |
|          | Drawn          | D.Duncan |

1975 CLIFFE AVENUE  
 Courtenay BC  
 prepared for:  
 Jug Bilg

Drawing Title  
 LANDSCAPE DETAILS

Check Scale (may be photo reduced)  
 0 1inch 0 10mm

Project No. 24-0202 (JM# 2024-01)

Drawing No. L5-05

PLOT DATE: September 7, 2024 TIME: 11:38 AM FULL PATH AND FILENAME: D:\PROJECTS\24-0202 BILG BLDG COURT\200-DELIVERABLES\210-LAND\01-DP\VTLE\L5-06.DWG PLOTS\STYLE TABLE: - - - -

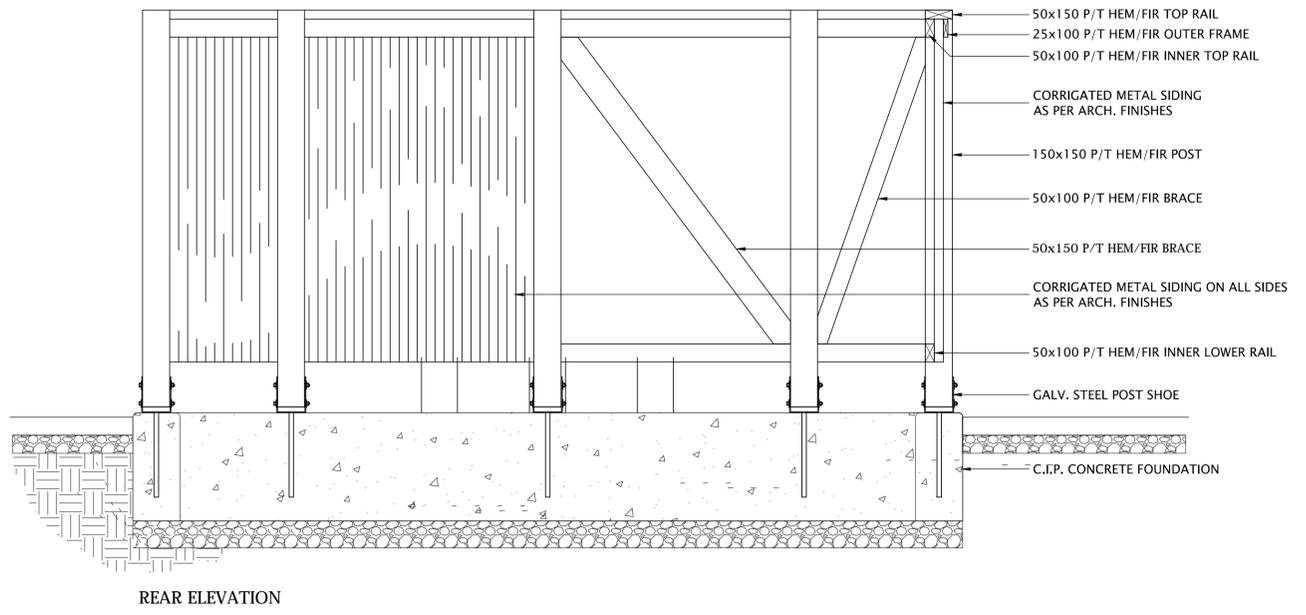
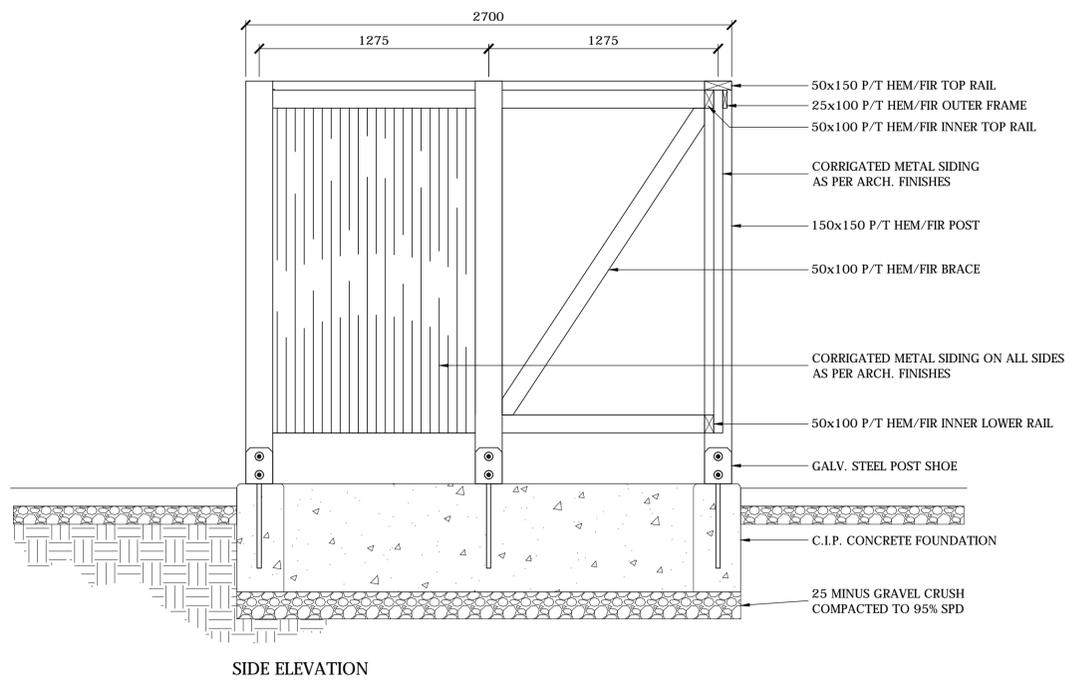
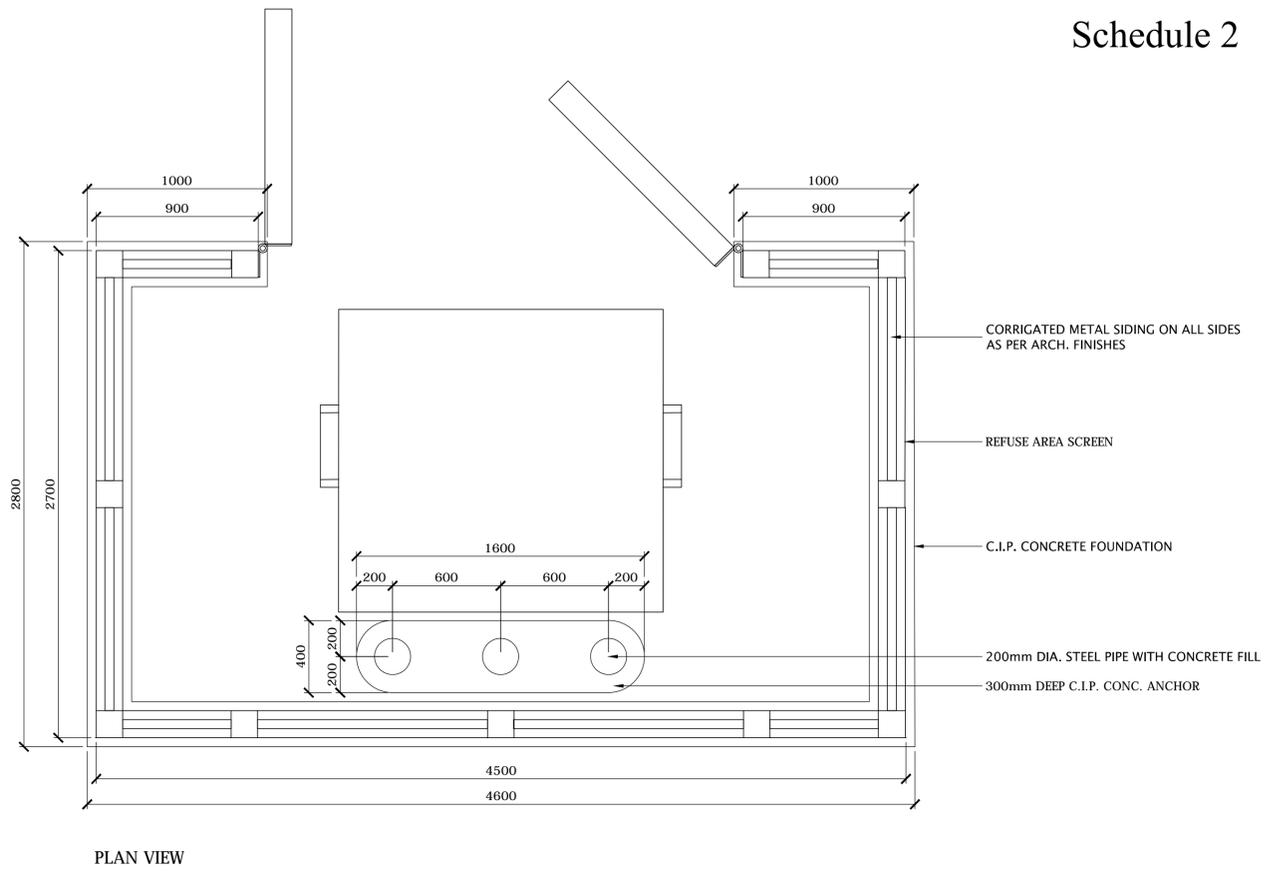
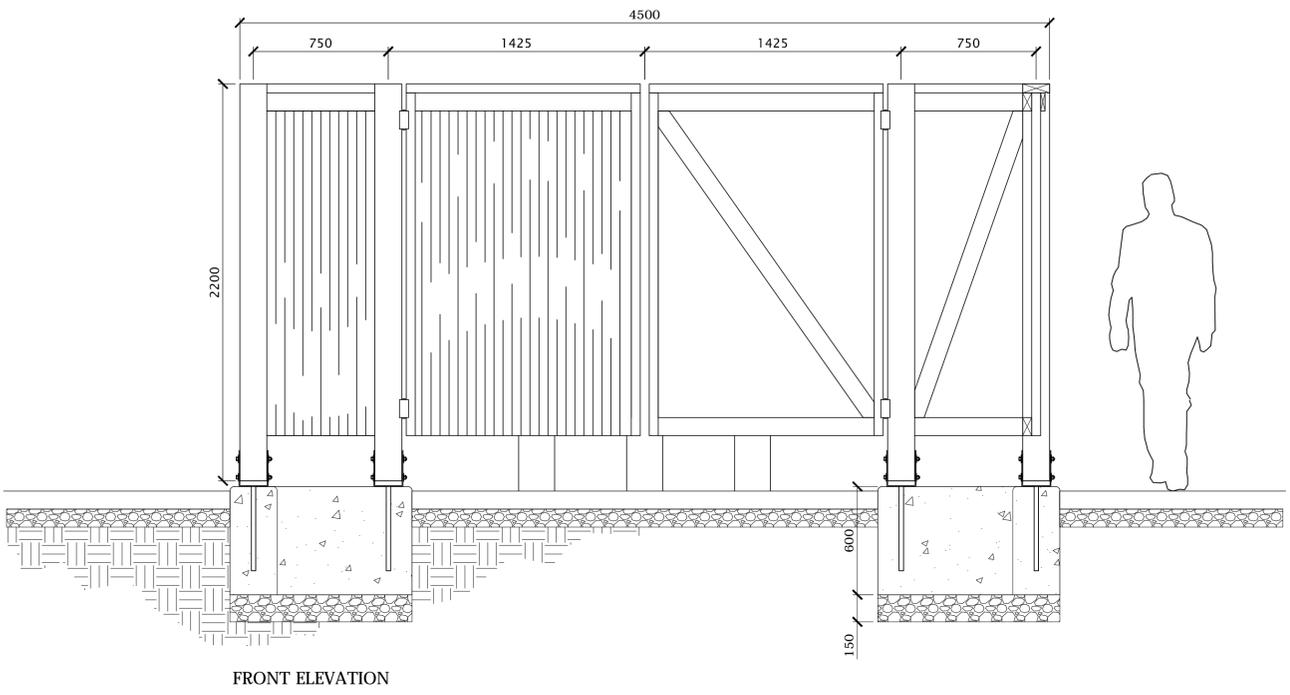
Schedule 2

| DATE       | ISSUED FOR | REV |
|------------|------------|-----|
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| 2024-09-05 | D.P.       | B   |

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01 REFUSE ENCLOSURE  
L5-06 SCALE 1:20

Consultants

Architectural: JM Architecture  
Arborist:  
Civil:  
Structural:  
Mechanical:  
Electrical:

**DVSD** Donald V. S. Duncan  
DEVELOPMENT CONSULTANT  
LANDSCAPE ARCHITECT

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1975 CLIFFE AVENUE  
Courtenay BC  
prepared for:  
Jug Bilg

Drawing Title  
LANDSCAPE DETAILS

Check Scale (may be photo reduced)  
0 1inch 0 10mm

Project No. 24-0202 (JM# 2024-01)  
Drawing No. L5-06

# Schedule 3



**Donald V. S. Duncan**

BA BLA BCSLA CSLA

LANDSCAPE ARCHITECT

Suite 603 – 220 11<sup>st</sup> Street, New Westminster, BC V3M 6N9

778-791-4323 dvsduncan@gmail.com

23 September 2024

**Planning Division**

City of Courtenay  
830 Cliffe Avenue  
Courtenay BC V9N 2J7

**Re: Bilg Building – 1975 Cliffe Avenue - Landscape Cost Estimate**

The estimate below represents the expected cost of the landscape at the proposed Bilg Building at 1975 Cliffe Avenue in Courtenay:

**HARD LANDSCAPE**

| DESCRIPTION OF ITEMS   | QUANTITY | UNITS    | UNIT PRICE | EXTENSIONS         | TOTAL              |
|------------------------|----------|----------|------------|--------------------|--------------------|
| GENERAL HARD LANDSCAPE |          |          |            |                    |                    |
| Concrete Paving        | 477.9    | m2       | \$80.00    | \$38,232.00        |                    |
| Concrete Planter Walls | 36.8     | m2       | \$100.00   | \$3,680.00         |                    |
| Chain Link Fence       | 69.6     | m        | \$55.00    | \$3,828.00         |                    |
| Side Yard Wooden Fence | 8.6      | m        | \$85.00    | \$731.00           |                    |
| Bicycle Rack           | 8        | ea       | \$500.00   | \$4,000.00         |                    |
| Refuse Enclosure       | 1        | lump sum | \$5,000.00 | \$5,000.00         |                    |
| <b>Sub-total</b>       |          |          |            | <b>\$55,471.00</b> | <b>\$55,471.00</b> |

**PLAYGROUND LANDSCAPE**

|                          |      |          |             |                    |                    |
|--------------------------|------|----------|-------------|--------------------|--------------------|
| Play Area Safety Surface | 86   | m2       | \$50.00     | \$4,300.00         |                    |
| Painting                 | 1    | lump sum | \$5,000.00  | \$5,000.00         |                    |
| Play Structure           | 1    | ea       | \$22,000.00 | \$22,000.00        |                    |
| Artificial Turf          | 46.9 | m2       | \$100.00    | \$4,690.00         |                    |
| <b>Sub-total</b>         |      |          |             | <b>\$35,990.00</b> | <b>\$35,990.00</b> |

# Schedule 3

TOTAL HARD LANDSCAPE

\$91,461.00

## SOFT LANDSCAPE

| DESCRIPTION OF ITEMS        | QUANTITY | UNITS | UNIT PRICE | EXTENSIONS | TOTAL      |
|-----------------------------|----------|-------|------------|------------|------------|
| Top Soil & Finished Grading |          |       |            |            |            |
| Top Soil                    | 224.7    | m3    | \$30.00    | \$6,741.00 |            |
| Mulch                       | 11.235   | m3    | \$10.00    | \$112.35   |            |
| Sub-total                   |          |       |            | \$6,853.35 | \$6,853.35 |

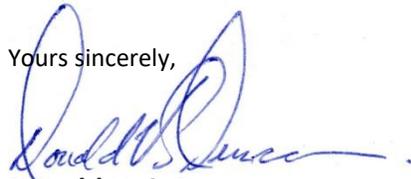
| BOTANICAL NAME                    | COMMON NAME                  | SIZE        | QUANTITY | UNIT PRICE | EXTENSION  |
|-----------------------------------|------------------------------|-------------|----------|------------|------------|
| <b>DECIDUOUS TREES</b>            |                              |             |          |            |            |
| Acer circinatum                   | Vine Maple                   | 3.0m clump  | 4        | \$500.00   | \$2,000.00 |
| Quercus garryana                  | Gary Oak                     | 6.0 cm cal. | 6        | \$500.00   | \$3,000.00 |
| total number of deciduous trees   |                              |             | 10       |            |            |
| <b>CONIFEROUS TREES</b>           |                              |             |          |            |            |
| Pinus contorta contorta           | Shore Pine                   | 3.0 m ht.   | 1        | \$500.00   | \$500.00   |
| Calocedrus decurrens              | California Incense Cedar     | 4.0 m ht.   | 3        | \$750.00   | \$2,250.00 |
| total number of coniferous trees  |                              |             | 4        |            |            |
| <b>CONIFEROUS SHRUBS</b>          |                              |             |          |            |            |
| Pinus mugo 'Mughus'               | Mugo Pine                    | #5 pot      | 14       | \$45.00    | \$630.00   |
| Pinus mugo 'Pumilio'              | Dwarf Mugo Pine              | #2 pot      | 13       | \$35.00    | \$455.00   |
| <b>BROADLEAF EVERGREEN SHRUBS</b> |                              |             |          |            |            |
| Lavandula angustifolia            | English Lavender             | #2 pot      | 54       | \$35.00    | \$1,890.00 |
| Prunus l. 'Otto Luyken'           | Otto Luyken Laurel Evergreen | #2 pot      | 6        | \$35.00    | \$210.00   |
| Vaccinium ovatum 'Thunderbird'    | huckleberry                  | #2 pot      | 22       | \$35.00    | \$770.00   |
| <b>BROADLEAF DECIDUOUS SHRUBS</b> |                              |             |          |            |            |
| Cornus stolonifera                | Redtwig Dogwood              | #2 pot      | 69       | \$35.00    | \$2,415.00 |
| Cotinus cogg. 'Royal Purple'      | Smoke Tree                   | #5 pot      | 6        | \$45.00    | \$270.00   |
| total number of shrubs            |                              |             | 184      |            |            |
| <b>FERNS</b>                      |                              |             |          |            |            |
| Polystichum munitum               | Swordfern                    | #1 pot      | 32       | \$15.00    | \$480.00   |

# Schedule 3

|   |                    |          |     |        |             |                     |
|---|--------------------|----------|-----|--------|-------------|---------------------|
| GROUND COVERS                                     |                    |          |     |        |             |                     |
| Rubus calycinoides                                | Creeping Raspberry | 10cm pot | 875 | \$6.00 | \$5,250.00  |                     |
| total number of perennials / ferns / ground cover |                    |          | 907 |        |             |                     |
| TOTAL PLANT MATERIAL                              |                    |          |     |        | \$20,120.00 | \$20,120.00         |
| <b>Sub-total</b>                                  |                    |          |     |        |             | <b>\$118,434.35</b> |
| <b>10% contingency</b>                            |                    |          |     |        |             | <b>\$11,843.44</b>  |
| <b>2% inflation allowance</b>                     |                    |          |     |        |             | <b>\$1,829.22</b>   |
| <b>7% GST</b>                                     |                    |          |     |        |             | <b>\$9,247.49</b>   |
| <b>TOTAL</b>                                      |                    |          |     |        |             | <b>\$141,354.50</b> |

I trust this material will meet your requirements. Should further be required, please do not hesitate to contact the sender.

Yours sincerely,



**Donald V. S. Duncan**

Landscape Architect



| Project Data:                         | Merritt City/BC Building Code Regulations   | Proposed / Provided   |
|---------------------------------------|---|---|
| Name                                  | BILG CHILDCARE SOCIETY  |   |
| Civic Address                         | 1959 & 1975 Cliffe Avenue,<br>V9N 2L2, Courtenay, B.C.  |   |
| Legal Description                     | Lot 1, Plan 6821 and Lot B, Plan 22105  |   |
| Lot Area                              | 2,544.27 Sq.m   |   |
| Building Areas                        | <b>MIXED USE</b>  | <b>in sqm</b>   |
| Floor Area                            | Main Floor  | 593.59  |
|                                       | 2nd Floor   | 730.64  |
|                                       | 3rd Floor   | 626.11  |
|                                       | Roof  | 75.00   |
| Gross floor area                      | <b>Total Floor Area</b>   | 2025.34   |
| Density                               |   | 6960.76<br>(refer to A-03 sheet for density calculations)   |
| ZONING DATA                           | <b>Permitted</b>  | <b>Proposed / Provided</b>  |
| (8.14.1) Permitted Uses               | Required   Permitted<br>Daycare, Office   | Proposed<br>Daycare, Office   |
| (8.14.2) Minimum Lot size:            | 850m2   | 2,544.27 Sq.m   |
| (8.14.3) Minimum Lot Frontage :       | 20.0m   | 21.12m  |
| (8.14.4) Lot Coverage:                | 40.0%   | 730.64/2544.27 = 29%  |
| (8.14.5) Setbacks:                    | Front Yard - 7.5m<br>Rear Yard - 7.5m<br>North Side Yard - 4.5m<br>South Side Yard - 6.0m         | 9.40m<br>1.0m Proposed (Variance Required)<br>21.1m<br>4.5m (Variance Required)                                   |
| (8.14.6) Height of Building:          | 10m   | 15.86m Proposed (16m Variance Required)<br>Rooftop play area for daycare use                                      |
| (8.14.7) Useable Open Space:          | Not Applicable  |   |
| (8.14.8) Accessory Buildings:         | Not Applicable  |   |
| (8.14.9) Off-Street Parking & Loading |   | Refer to Chart  |
| (8.14.10) Landscaping & Screening:    | 7.5 m along Cliffe Ave<br>2.0m at lot line/parking areas<br>loading and waste screen to 2.0m high | 1.5m Proposed (Non-Continuous Variance Required)<br>1.5m Proposed (Variance Required)<br>Refer to Site Plan A-100 |

| BCBC                      | BUILDING CODE ANALYSIS - BCBC 2024                          |  |   |
|---------------------------|---|--|---|
|                           | Building Statistics   | Required / Permitted   | Proposed / Provided                       |
| 1.4.1.2                   | Building Area   |  | 730.64                                    |
|                           | Gross floor Area  |  | 2025.34                                   |
|                           | Average finished grade                                      |  | 10.437m(refer site plan for calculations) |
|                           | Building Ht. (storeys)                                      | 10m max  | 15.86m                                    |
|                           | Total parking Area (SM)                                     |  | 1139.55 Sqm                               |
|                           | Facing Number of Streets                                    |  | 3 streets                                 |
| 3.2.2.24 & 3.2.2.61       | <b>Building Size and Construction Relative to Occupancy</b> |  | <b>Proposed / Provided</b>                |
|                           | Major Occupancies:  | RESIDENTIAL/COMMERCIAL/<br>COMBINED COMMERCIAL<br>RESIDENTIAL USES | Group A2 & Group D                        |
|                           | Fire Protection System Required (Y/N):                      | Yes  | Yes                                       |
|                           | Building height   | Max 10m  | 15.86m                                    |
|                           | Building Area (SM)  |  | 730.64                                    |
|                           | Construction Type:  | Combustible/ Noncombustible  | Non Combustible                           |
|                           | Floor Rating:   | 1 HR   | 1 HR                                      |
|                           | Mezzanine Rating:   | 1 HR   | 1 HR                                      |
|                           | Loadbearing Rating:   | not less than supported assembly                                   | As Required                               |
|                           | Roof Rating:  | 1 HR   | 1 HR                                      |
| 3.2.4                     | <b>Fire Alarm and Detection Systems</b>                     | <b>Required / Permitted</b>  | <b>Whole building</b>                     |
| 3.2.4.1.1                 | Fire alarm system   | Yes  | Yes                                       |
| 3.2.4.3.1 (d)             | Single Stage or two stage system                            | Yes  | Single System Proposed                    |
| 3.2.4.6.1 (b)             | Silencing of Alarm Signal                                   | 20 min   | 20 min                                    |
| 3.2.4.7                   | Signal to Fire Department                                   | Yes  | Yes                                       |
| 3.2.4.8                   | Annunciator Panel   | Yes  | Yes                                       |
| 3.2.4.9.1                 | Electrical supervision                                      | Yes  | Yes                                       |
| 3.2.4.10                  | Fire Detectors  | N/A  | N/A                                       |
| 3.2.4.11 & 3.2.4.14       | Smoke Detectors   | Yes  | Yes                                       |
| 3.2.4.12                  | Air-handling system   | Yes  | Yes                                       |
| 3.2.4.15                  | System monitoring   | Yes  | Yes                                       |
| 3.2.4.16.1                | Manual stations   | Yes  | Yes                                       |
| 3.2.4.17                  | Alert and Alarm signals                                     | No   | n/a                                       |
| 3.2.4.19.1(b)             | Visible signal devices & visible warning systems            | Yes  | Yes                                       |
| 3.2.4.20                  | Smoke alarms  | Yes  | Yes                                       |
| 3.2.5                     | <b>Provisions for Firefighting</b>                          | <b>Required / Permitted</b>  | <b>Whole building</b>                     |
| 3.2.5.1                   | Access to above-grade storey                                | No   | No  |
| 3.2.5.2                   | Access to basement  | No   | No  |
| 3.2.5.3                   | Roof access   | Yes  | Yes                                       |
| 3.2.5.4, 3.2.5.5, 3.2.5.6 | Access route  | Yes  | Yes                                       |
| 3.2.5.7                   | Water supply  | Yes  | Yes                                       |
| 3.2.5.8                   | Standpipe system  | Yes  | Yes                                       |
| 3.2.5.10                  | Hose connection   | Yes  | Yes                                       |
| 3.2.5.12.1                | Automatic sprinkler system                                  | Yes  | Yes                                       |
| 3.2.5.13                  | Combustible sprinkler piping                                | Yes  | Yes                                       |
| 3.2.5.15                  | Fire department connection (F.D.C)                          | Distance from F.D.C<br>to hydrant is 45m                           | Yes                                       |
| 3.2.5.16                  | Portable Fire extinguishers                                 | Yes  | Yes                                       |
| 3.1.10                    | <b>Fire wall</b>  | <b>Required / Permitted</b>  | <b>Whole building</b>                     |
| 3.1.10.2                  | Fire wall rating (3.1.10.2)                                 | N/A  | N/A                                       |
| 3.1.10.3.1                | Continuity of Firewall                                      | N/A  | N/A                                       |

| CHILDCARE REGULATIONS |                               |                     |                               |                                |                             |                                   |  |  |  |
|-----------------------|-------------------------------|---------------------|-------------------------------|--------------------------------|-----------------------------|-----------------------------------|--|--|--|
|                       | CARE PROGRAM                  | GROUP SIZE PROPOSED | INDOOR SPACE REQUIREMENTS     |                                | OUTDOOR SPACE REQUIREMENTS  |                                   | STAFF REQUIREMENTS   |  |  |
|                       |                               |                     | REQUIRED                      | PROVIDED                       | REQUIRED                    | PROVIDED (SHARED)                 | REQUIRED   | PROVIDED                                       |  |
| CLASSROOM 101         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.71 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  | PLAYGROUND 1 = 100.00 SQM         | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 102         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.71 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  | PLAYGROUND 2 = 76.2 SQM           | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 103         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.71 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  | PLAYGROUND 3 = 77.3 SQM           | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 104         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.71 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  |                                   | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 105         | INFANT/TODDLER                | 12 CHILDREN         | 12 CHILDREN @3.7 SQM =44.4SQM | 44.45 SQM.+ NAP ROOM (16.8SQM) | 12 CHILDREN @6 SQM =72 SQM  |                                   | 1 INFANT TODDLER EDUCATOR + 1 OTHER EDUCATOR + 1 ASSISTANT | 3 TEACHERS                                     |  |
| CLASSROOM 201         | 30 MONTHS TO 5 YEARS          | 25 CHILDREN         | 25 CHILDREN @3.7 SQM =92.5SQM | 94.83 SQM.                     | 25 CHILDREN @6 SQM =150 SQM |                                   | 1 EDUCATOR + 2 ASSISTANT                                   | 3 TEACHERS                                     |  |
| CLASSROOM 202         | 30 MONTHS TO 5 YEARS          | 25 CHILDREN         | 25 CHILDREN @3.7 SQM =92.5SQM | 94.83 SQM.                     | 25 CHILDREN @6 SQM =150 SQM |                                   | 1 EDUCATOR + 2 ASSISTANT                                   | 3 TEACHERS                                     |  |
| CLASSROOM 203         | GROUP CHILD CARE (SCHOOL AGE) | 24 CHILDREN         | 24 CHILDREN @3.7 SQM =88.8SQM | 130.73 SQM.                    | 24 CHILDREN @6 SQM =144 SQM | ROOF TOP PLAYGROUND 4 = 175 SQM   | 2 RESPONSIBLE ADULTS                                       | 2 TEACHERS                                     |  |
| CLASSROOM 204         | GROUP CHILD CARE (SCHOOL AGE) | 24 CHILDREN         | 24 CHILDREN @3.7 SQM =88.8SQM | 125.15 SQM.                    | 24 CHILDREN @6 SQM =144 SQM | ROOF TOP PLAYGROUND 5 = 167.4 SQM | 2 RESPONSIBLE ADULTS                                       | 2 TEACHERS                                     |  |
| CLASSROOM 302         | 30 MONTHS TO 5 YEARS          | 25 CHILDREN         | 25 CHILDREN @3.7 SQM =92.5SQM | 95.46 SQM.                     | 25 CHILDREN @6 SQM =150 SQM |                                   | 1 EDUCATOR + 2 ASSISTANT                                   | 3 TEACHERS                                     |  |
| TOTAL                 |                               | 183 CHILDREN        |                               |                                |                             |                                   |  | 28 TEACHERS + 1 DIRECTOR/MANAGER = 29 TEACHERS |  |

| PARKING REQUIREMENTS<br>(as per city of courtenay zoning bylaw) |   |   |
|---|---|---|
|   | REQUIRED  | PROVIDED ( TOTAL 37 SPACES & 1 LOADING SPACE) |
| DAYCARE   | 1 SPACE PER EMPLOYEE = 29 SPACES                                  | 29 SPACES                                     |
| OFFICE  | 1 SPACE PER 37.5 SQ.M = 148,71SQ.M (Office space area) = 4 SPACES | 4 SPACES                                      |
| LOADING SPACE   | 1 LOADING SPACE (FOR EVERY 1850 SQ.M FLOOR AREA REQUIRED)         | 1 LOADING SPACE                               |
|   | 33 SPACES   | TOTAL 37 SPACES & 1 LOADING SPACE (4 EXTRA)   |

| WASHROOM CALCULATION                            |               |   |          |       |
|---|---------------|---|----------|-------|
| FOR CHILDREN BASED ON ISLAND HEALTH REGULATIONS |               |   |          |       |
|   | OCCUPANT LOAD | REQUIRED  | PROVIDED |       |
| NUMBER OF CHILDREN                              | 183           | FOR EVERY 10 CHILDREN 1 WC AND 1 WB =REQUIRED IS 19 WC AND 19WB | 23       | 23    |
| FOR TEACHERS BASED ON BCBC 2024                 |               |   |          |       |
| NUMBER OF TEACHERS                              | 29            | BASED ON 3.7.2.2.(4) WC =2 AND WB =2                            | REQUIRED | 3   3 |
| FOR OFFICE BASED ON BCBC 2024                   |               |   |          |       |
| OFFICE (148.71/9.30)                            | 16            | BASED ON 3.7.2.2.(4) WC =1 AND WB =1                            | REQUIRED | 2   2 |
|   |               | TOTAL REQUIRED WC=22 AND WB =22                                 | 28       | 28    |

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| 3.0 | 2024/09/09 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
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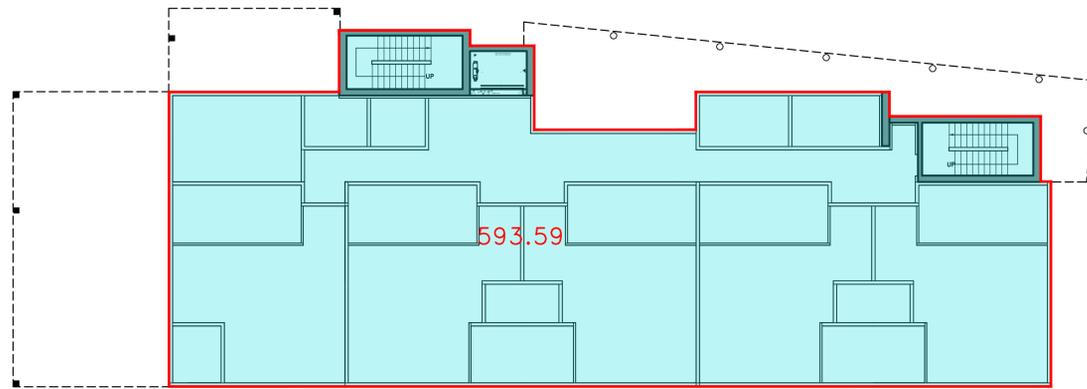
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Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

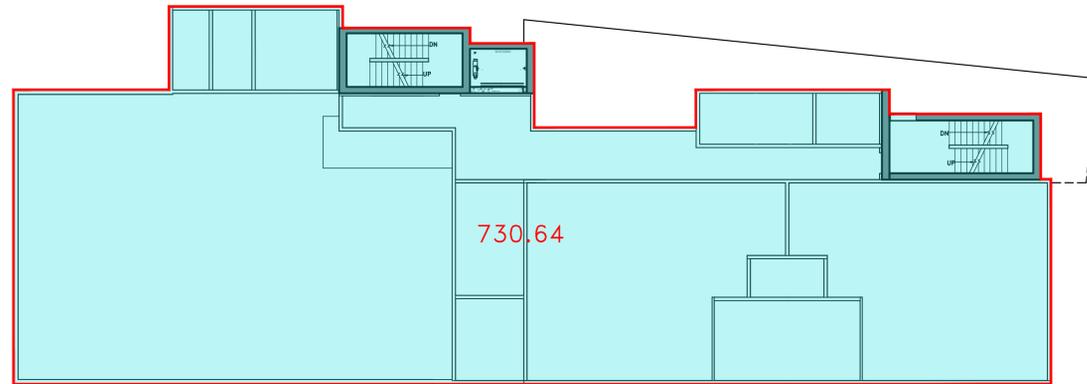
START DATE: 2024-01  
PROJECT No.: JMM  
DR.: JMM | CH.  
SCALE: AS SHOWN

Project No.:  
REV: 5.0 | 2024-01  
A-01



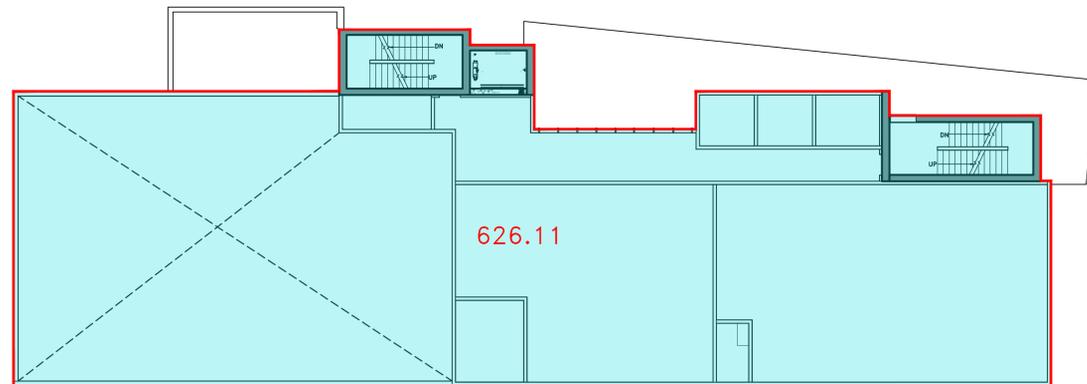
FLOOR AREA : 593.59 m<sup>2</sup>  
 MAIN FLOOR- 2ND FLOOR HEIGHT : 3.89m  
 VOLUME : 2309.06 m<sup>3</sup>

MAIN FLOOR PLAN  
 SCALE : N.T.S



FLOOR AREA : 730.64 m<sup>2</sup>  
 2ND FLOOR - 3RD FLOOR HEIGHT: 3.24m  
 VOLUME : 2367.27 m<sup>3</sup>

SECOND FLOOR PLAN  
 SCALE : N.T.S



FLOOR AREA : 626.11 m<sup>2</sup>  
 3RD FLOOR - ROOF HEIGHT: 3.24m  
 VOLUME : 2028.59 m<sup>3</sup>

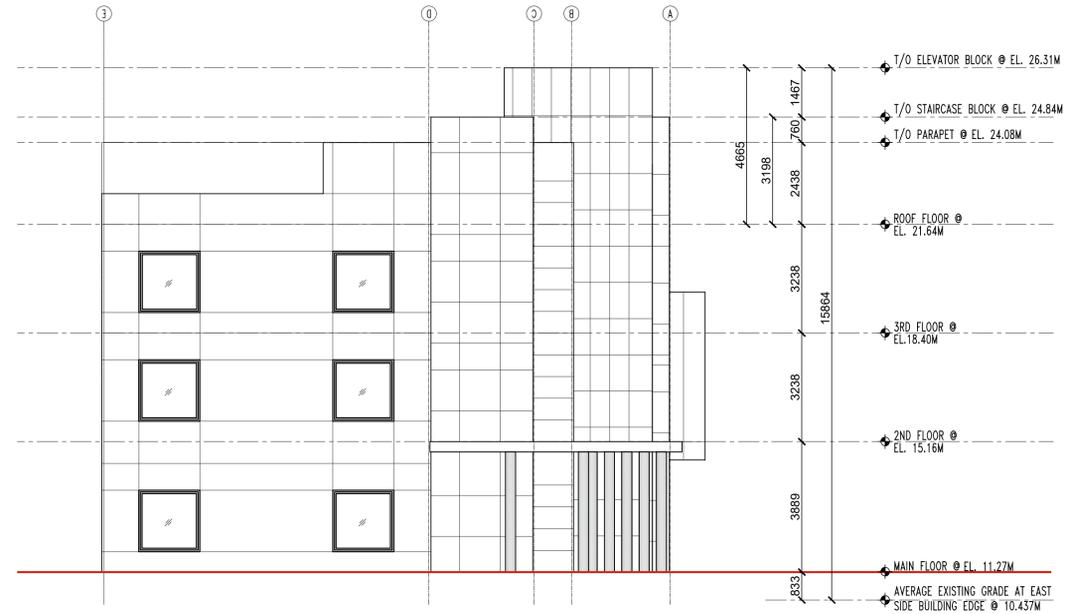
THIRD FLOOR PLAN  
 SCALE : N.T.S

SITE AREA : 2544.27 m<sup>2</sup>  
 ALLOWABLE LOT COVERAGE: 0.40  
 ALLOWABLE BUILDING HEIGHT : 10m

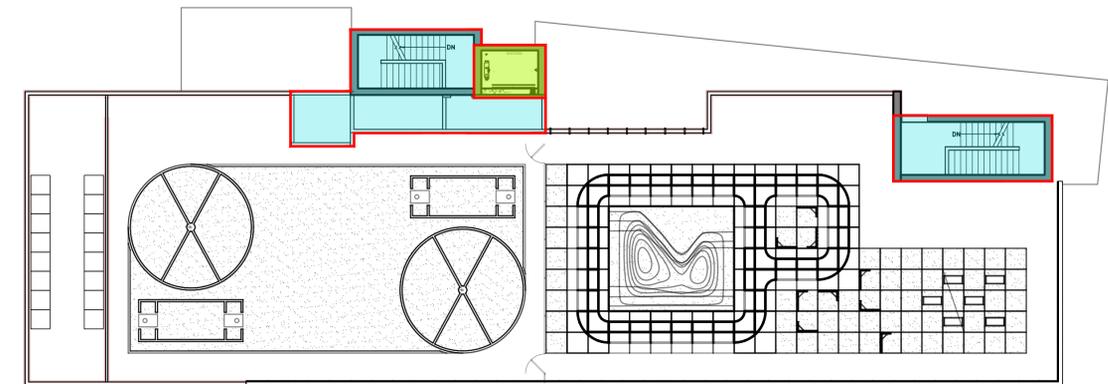
ALLOWABLE DENSITY = 2544.27 X 0.40 X 10  
 = 10,177.08 m<sup>3</sup>

PROPOSED DENSITY = 2309.06 + 2367.27  
 + 2028.59 + 212.48 + 43.34  
 = 6960.74 m<sup>3</sup>

| AREAS BREAKDOWN CHART |                |                   |                |
|-----------------------|----------------|-------------------|----------------|
|                       | AREA IN SQM    | FLOOR HEIGHT IN M | VOLUME         |
|                       | SQ.M           |                   |                |
| Main Floor            | 593.59         | 3.89              | 2309.07        |
| 2nd Floor             | 730.64         | 3.24              | 2367.27        |
| 3rd Floor             | 626.11         | 3.24              | 2028.60        |
| Stairs                | 66.40          | 3.20              | 212.48         |
| Elevator              | 8.60           | 5.04              | 43.34          |
| <b>Total</b>          | <b>2025.34</b> |                   | <b>6960.76</b> |



ELEVATION  
 SCALE : 1:100



FLOOR AREA : STAIRCASE AND WASHROOM : 66.4 m<sup>2</sup>  
 STAIRCASE AND WASHROOM : 66.4 m<sup>2</sup>  
 ROOF - STAIRCASE ROOF HEIGHT: 3.2m  
 VOLUME : 212.48 m<sup>3</sup>  
 ELEVATOR : 8.6 m<sup>2</sup>  
 ROOF - ELEVATOR ROOF: 5.04m  
 VOLUME : 43.34 m<sup>3</sup>

ROOF FLOOR PLAN  
 SCALE : N.T.S

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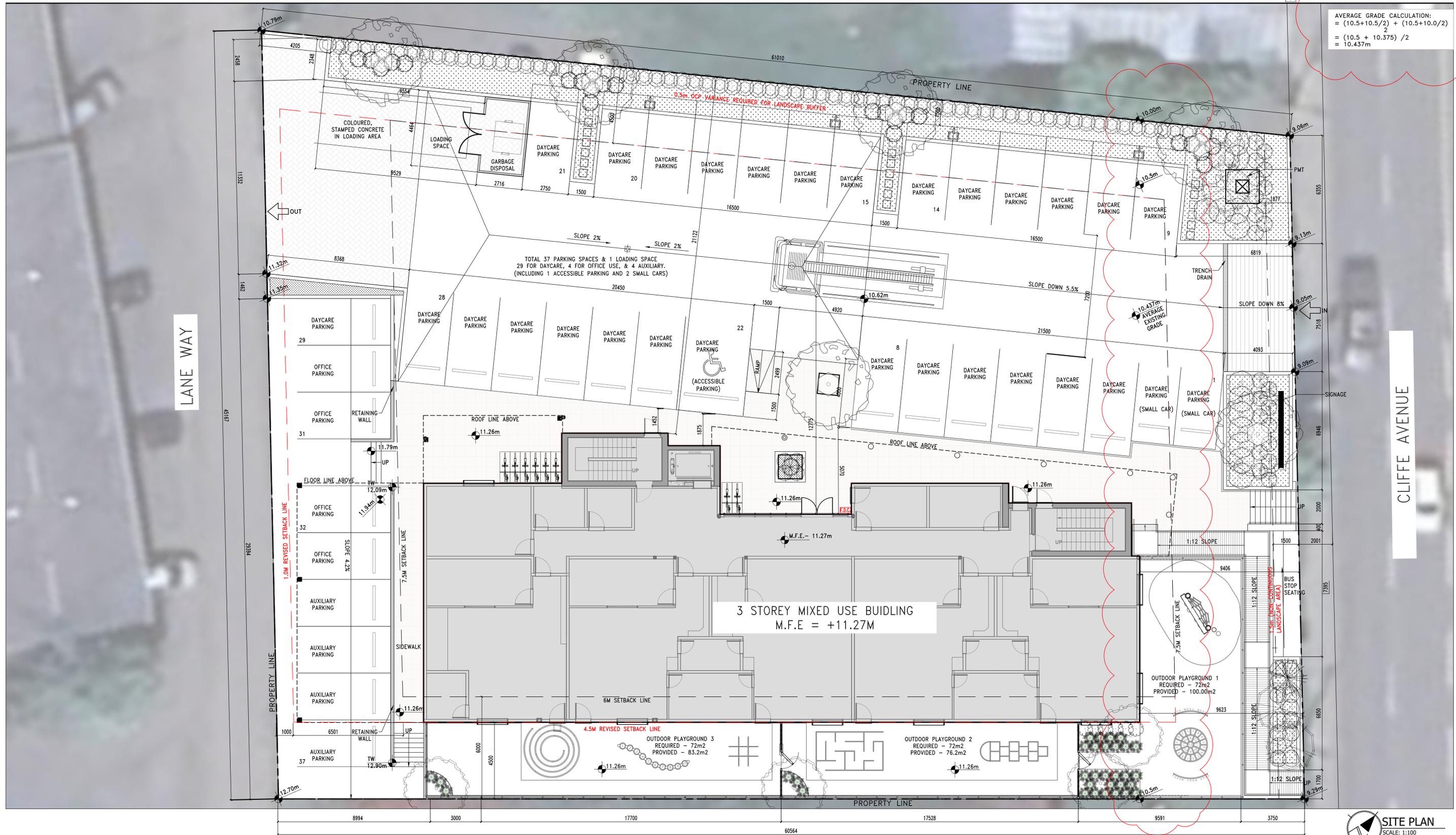
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Architects Seal & Signature  
 Project Name  
**1975 CLIFFE AVE.**  
 COURTENAY, B.C.  
 CLIENT: JUG BILG.  
 VOLUMETRIC CAL.  
 Project No. A-03

| REV | DATE    | DESCRIPTION | BY |
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AVERAGE GRADE CALCULATION:  
 $= (10.5 + 10.5/2) + (10.5 + 10.0/2)$   
 $= (10.5 + 10.375) / 2$   
 $= 10.437m$



LANE WAY

CLIFFE AVENUE

3 STOREY MIXED USE BUILDING  
M.F.E. = +11.27M

**SITE PLAN**  
SCALE: 1:100  
LOT AREA: 2544.275QM

| REV | DATE       | DESCRIPTION                            | BY |
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| 6.0 | 2024/09/23 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 5.0 | 2024/09/20 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
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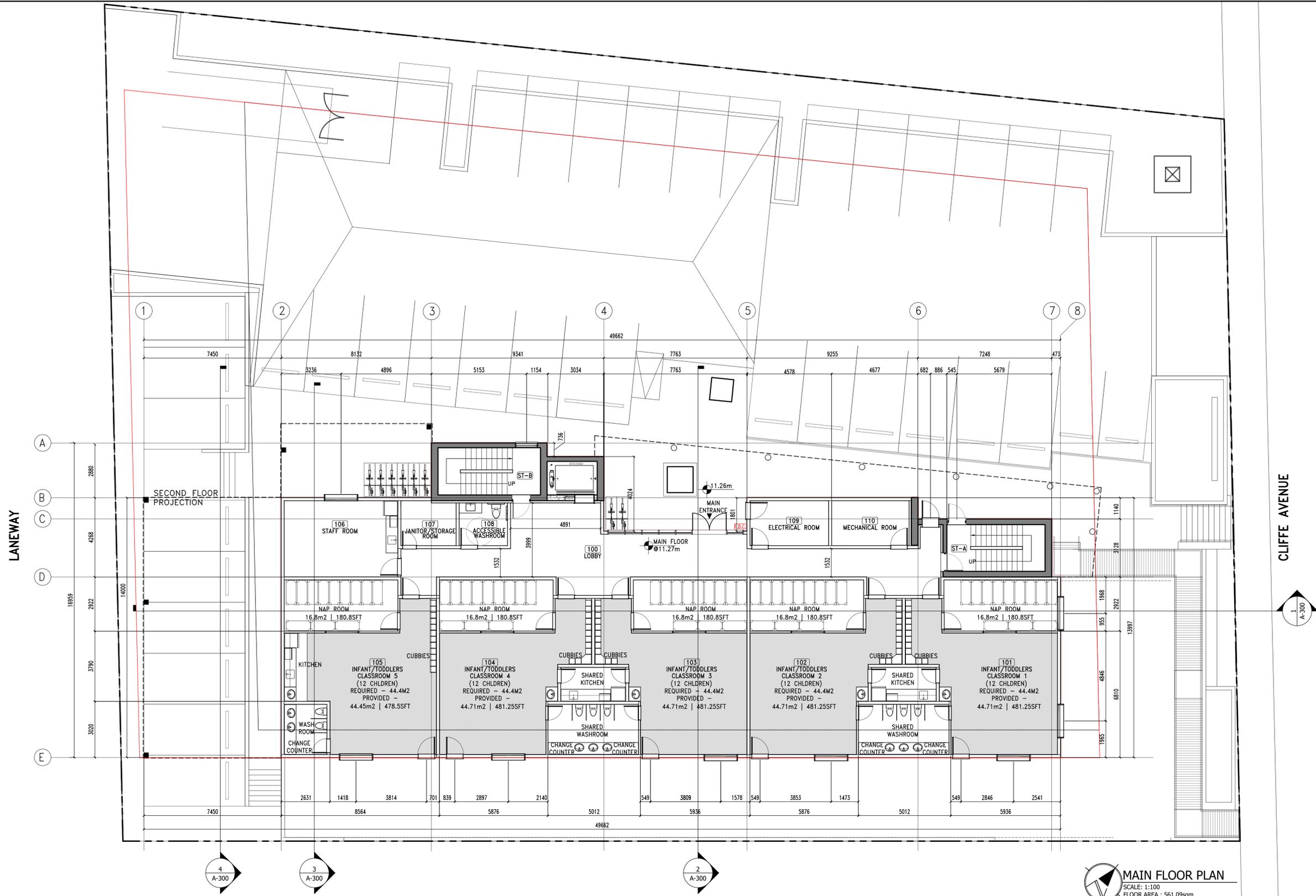
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COURTENAY, B.C.

CLIENT: JUG BILG.

START DATE: 2024-01  
PROJECT No.: JMM  
DR.: JMM CH.  
SCALE: AS SHOWN

2024-09-27

REVISIONS: 7.0  
Project No.: 2024-01  
A-100



**MAIN FLOOR PLAN**  
 SCALE: 1:100  
 FLOOR AREA : 561.09sqm

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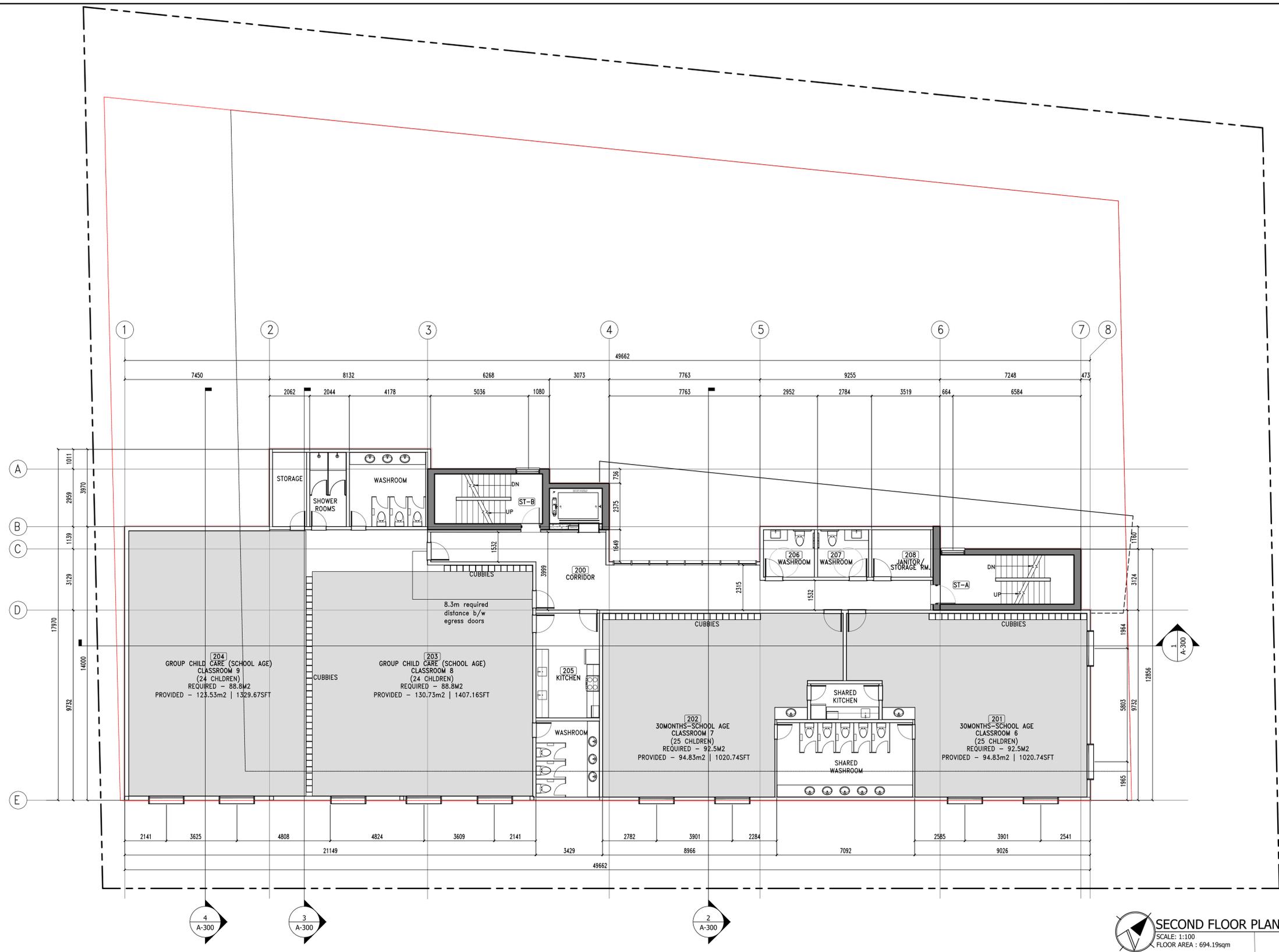
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START DATE: 2024-01  
 PROJECT No.: JMM  
 DR. SD CH.  
 SCALE: AS SHOWN

Project Name  
**1975 CLIFFE AVE.**  
 COURTENAY, B.C.

CLIENT: JUG BILG.

Project No.  
**3.0** 2024-01  
**A-101**



**SECOND FLOOR PLAN**  
 SCALE: 1:100  
 FLOOR AREA : 694.19sqm

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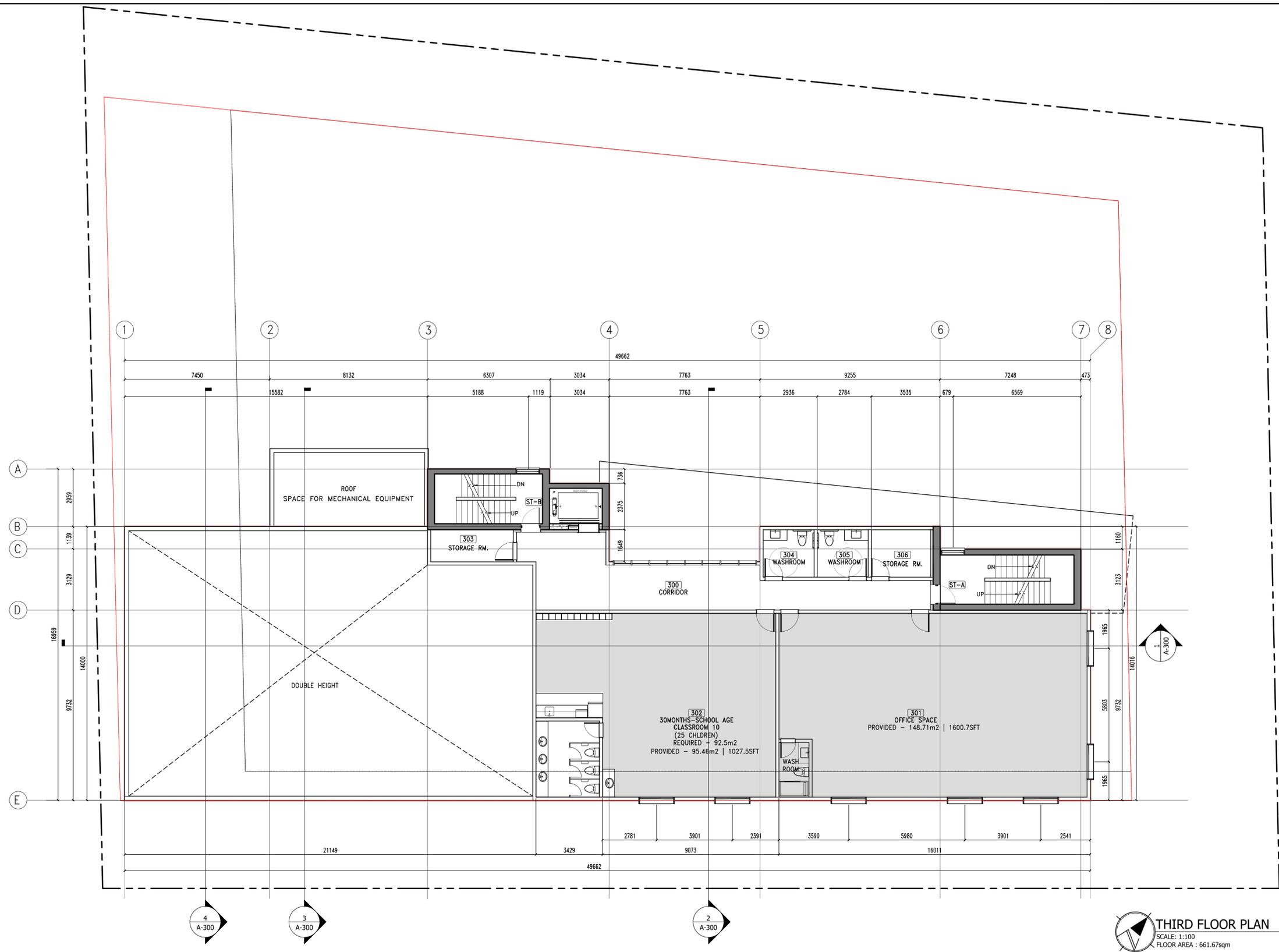
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START DATE: 2024-01  
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 SCALE: AS SHOWN

Project Name  
**1975 CLIFFE AVE.**  
 COURTENAY, B.C.

CLIENT: JUG BILG.

Project No.  
**A-102**



**THIRD FLOOR PLAN**  
 SCALE: 1:100  
 FLOOR AREA : 661.67sqm

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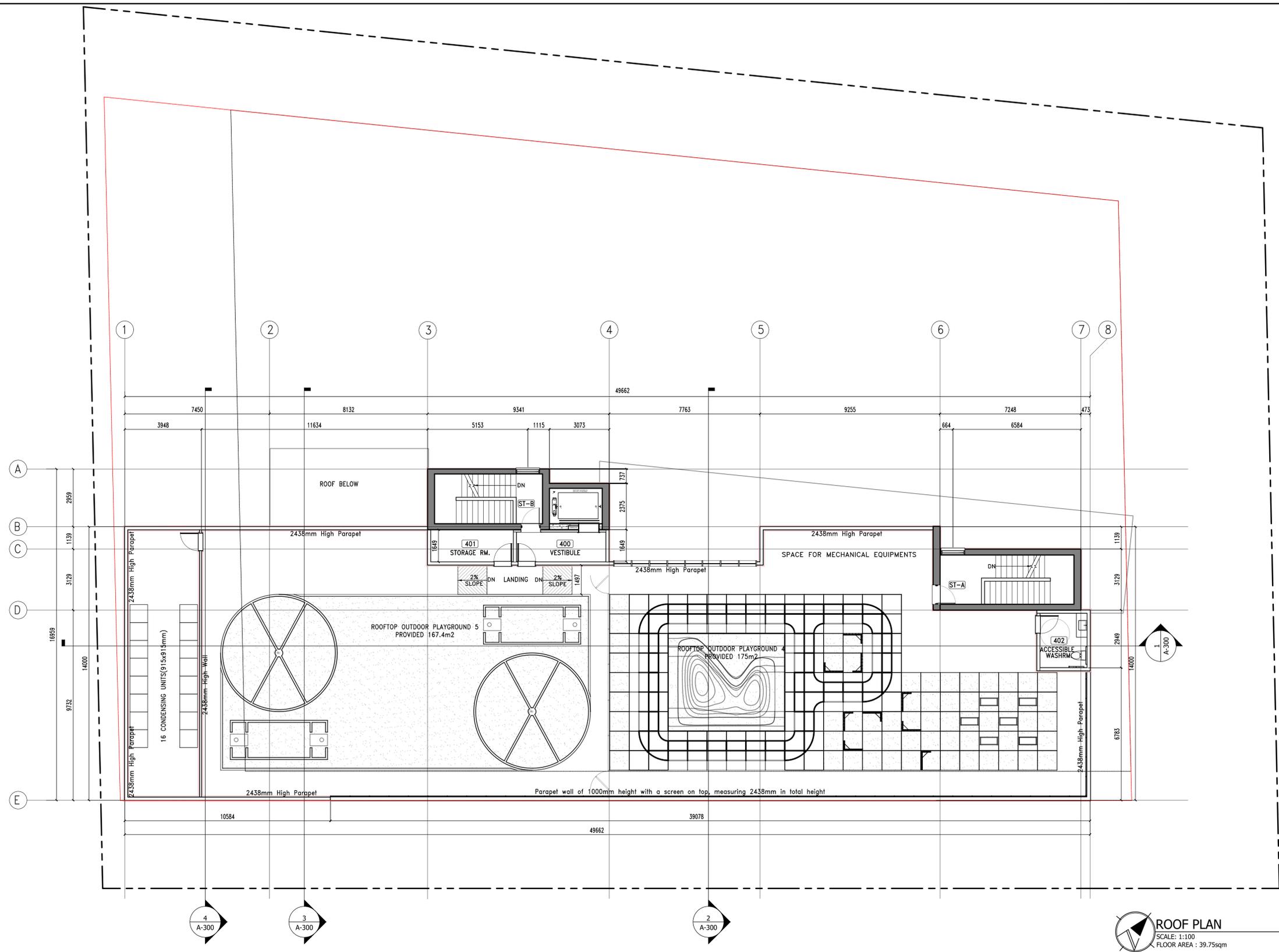
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|-------------|----------|
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| PROJECT No. | JMM      |
| DR.         | SD CH.   |
| SCALE       | AS SHOWN |

Project Name  
**1975 CLIFFE AVE.**  
 COURTENAY, B.C.

CLIENT: JUG BILG.

**THIRD FLOOR PLAN**

|          |     |             |         |       |
|----------|-----|-------------|---------|-------|
| REV. No. | 3.0 | Project No. | 2024-01 | A-103 |
|----------|-----|-------------|---------|-------|



**ROOF PLAN**  
 SCALE: 1:100  
 FLOOR AREA : 39.75sqm

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START DATE: 2024-01  
 PROJECT No.: JMM  
 DR. SD CH.  
 SCALE: AS SHOWN

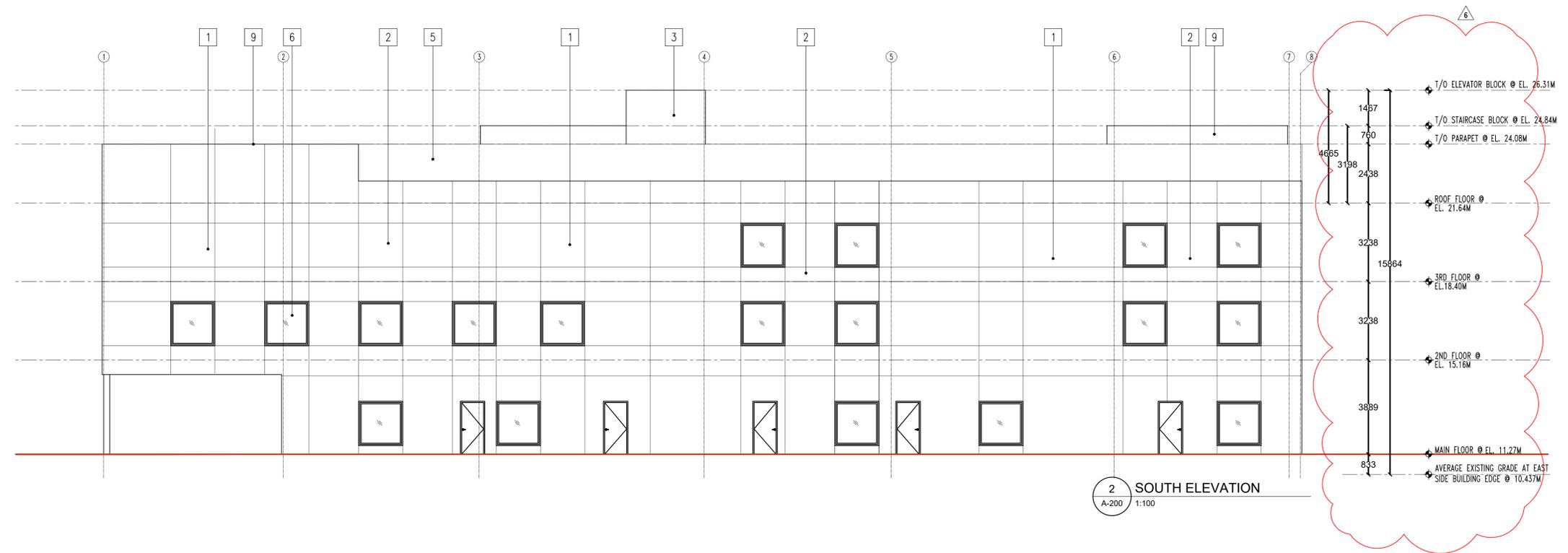
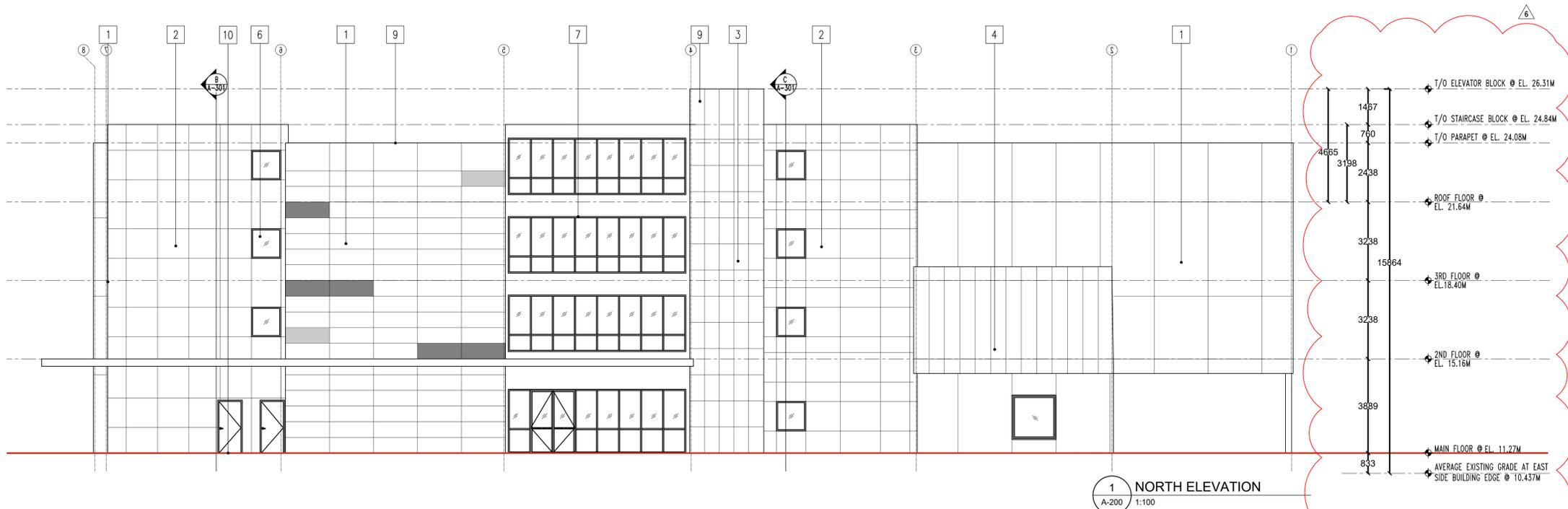
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 COURTENAY, B.C.

CLIENT: JUG BILG.

Project No.  
**A-104**

### EXTERIOR FINISH SCHEDULE

| BUILDING MATERIALS           | FINISH                    | COLOUR                                | MANUF./ SUPPLIER |
|------------------------------|---------------------------|---------------------------------------|------------------|
| 1 EIFS #1 - RS               | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 370     |                  |
| 2 EIFS #2 - RS               | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 385     |                  |
| 3 EIFS #3 - RS               | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 1150    |                  |
| 4 EIFS #4 - RS               | INTEGRAL                  | TO MATCH BENJAMIN MOORE 2131 - 10     |                  |
| 5 DECORATIVE SCREEN          | INTEGRAL                  |                                       | TBD              |
| 6 VINYL DOORS/ WINDOWS       | INTEGRAL                  | TO MATCH SHERWIN WILLIAMS SW9624      |                  |
| 7 STOREFRONT DOORS/ WINDOWS  | INTEGRAL                  | TO MATCH SHERWIN WILLIAMS SW9624      |                  |
| 8 SOFFITS                    | INTEGRAL                  | CEDAR - WOOD LIKE                     | TBD              |
| 9 METAL FLASHING             | INTEGRAL                  | TO MATCH COLOUR OF ADJOINING SURFACES |                  |
| 10 EXPOSED CONCRETE SURFACES | HORIZONTAL SCOREL REVEALS | BENJAMIN MOORE LIGHT GREY: 2124-40    | BY CONTRACTOR    |



| REV | DATE       | DESCRIPTION                            | BY |
|-----|------------|--|----|
| 6.0 | 2024/09/27 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 5.0 | 2024/09/23 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 4.0 | 2024/09/19 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 3.0 | 2024/09/09 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 2.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 1.0 | 2024/01/29 | ISSUED TO PLANNER FOR REVIEW           | SD |

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**JM Architecture Inc.**  
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107 - 15055 54A Avenue  
Surrey, B.C. V3S 5X7  
604 - 583 2003 - T  
jmarc@jmarc.ca - W

Architects Seal & Signature

Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

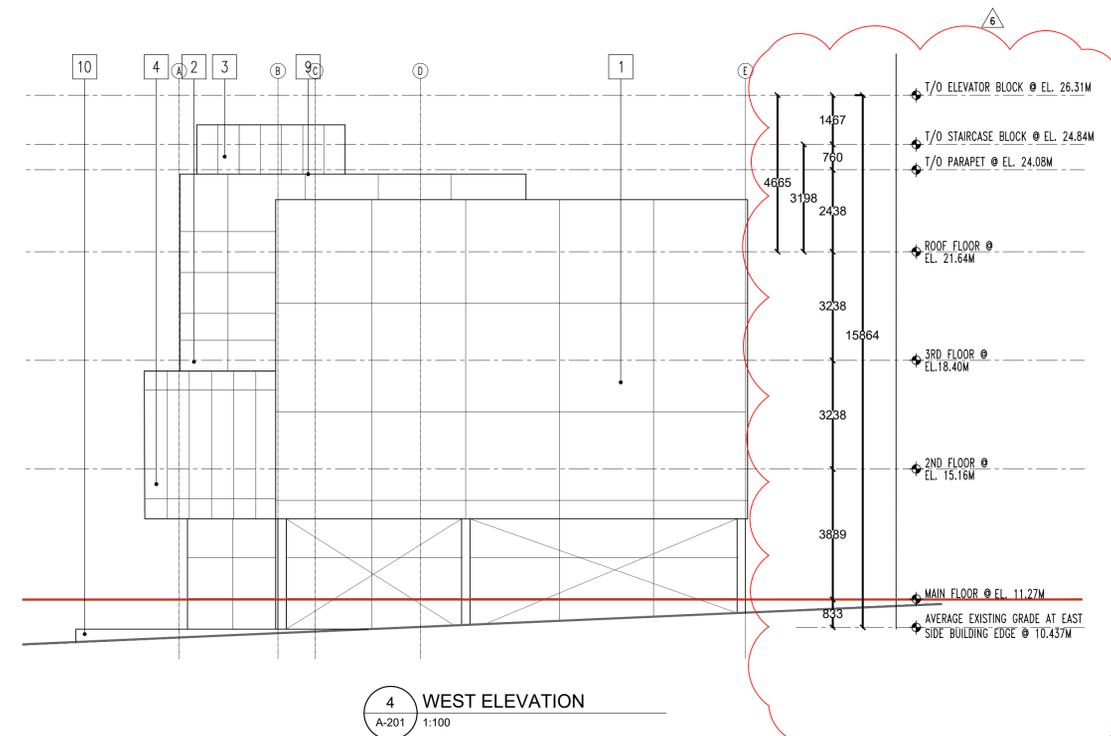
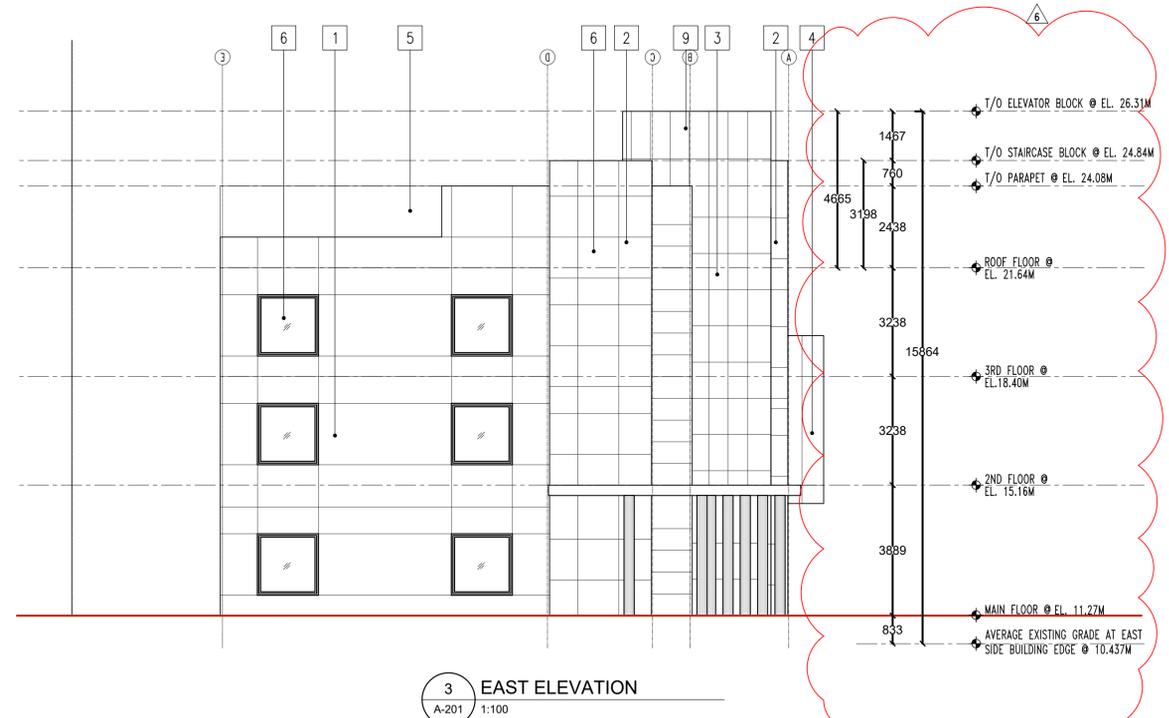
Project Name  
**BUILDING ELEVATIONS**

START DATE: 2024-01  
PROJECT No.: JMM  
DR.: JMM CH.  
SCALE: AS SHOWN

2024-09-27

REV: 6.0  
Project No.: 2024-01  
A-200

| EXTERIOR FINISH SCHEDULE |                           |                           |                                       |               |
|--------------------------|---------------------------|---------------------------|---------------------------------------|---------------|
| BUILDING MATERIALS       | FINISH                    | COLOUR                    | MANUF./ SUPPLIER                      |               |
| 1                        | EIFS #1 - RS              | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 370     |               |
| 2                        | EIFS #2 - RS              | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 385     |               |
| 3                        | EIFS #3 - RS              | INTEGRAL                  | TO MATCH BENJAMIN MOORE CSP - 1150    |               |
| 4                        | EIFS #4 - RS              | INTEGRAL                  | TO MATCH BENJAMIN MOORE 2131 - 10     |               |
| 5                        | DECORATIVE SCREEN         | INTEGRAL                  |                                       | TBD           |
| 6                        | VINYL DOORS/ WINDOWS      | INTEGRAL                  | TO MATCH SHERWIN WILLIAMS SW9624      |               |
| 7                        | STOREFRONT DOORS/ WINDOWS | INTEGRAL                  | TO MATCH SHERWIN WILLIAMS SW9624      |               |
| 8                        | SOFFITS                   | INTEGRAL                  | CEDAR - WOOD LIKE                     | TBD           |
| 9                        | METAL FLASHING            | INTEGRAL                  | TO MATCH COLOUR OF ADJOINING SURFACES |               |
| 10                       | EXPOSED CONCRETE SURFACES | HORIZONTAL SCOREL REVEALS | BENJAMIN MOORE LIGHT GREY: 2124-40    | BY CONTRACTOR |



| REV | DATE       | DESCRIPTION                            | BY |
|-----|------------|--|----|
| 6.0 | 2024/09/27 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 5.0 | 2024/09/23 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | SD |
| 4.0 | 2024/09/19 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 3.0 | 2024/09/09 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 2.0 | 2024/08/22 | RE-ISSUED TO CITY OF COURTENAY FOR DVP | JH |
| 1.0 | 2024/01/29 | ISSUED TO PLANNER FOR REVIEW           | SD |

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**Architects Seal & Signature**

Project Name  
**1975 CLIFFE AVE.**  
COURTENAY, B.C.

CLIENT: JUG BILG.

**JM Architecture Inc.**  
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604 - 583 2003 - T  
jarchitecture.ca - W

START DATE: 2024-09-27  
PROJECT No.: JMM  
DR.: JMM CH.  
SCALE: AS SHOWN

Project Name  
**BUILDING ELEVATIONS**

Project No.: A-201  
REV: 7.0  
DATE: 2024-01

**DO NOT SCALE DRAWING**



1 PERSPECTIVE VIEW 1  
- N.T.S



1 PERSPECTIVE VIEW 2  
- N.T.S

| REV | DATE       | DESCRIPTION                         | BY |
|-----|------------|-------------------------------------|----|
| 1.0 | 2024/05/03 | ISSUED TO CITY OF COURTENAY FOR DVP | SD |

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Architects Seal & Signature

2024-09-27

Project Name  
**BILG CHILDCARE SOCIETY**  
1959 & 1975 CLIFFE AVENUE  
COURTENAY, B.C.

CLIENT: JUG BILG.

START DATE: 2024-01

PROJECT No.: JMM

DR.: JMM|CH

SCALE: AS SHOWN

PERSPECTIVE VIEWS

Project No. A-900

1.0 2024-01



3 PERSPECTIVE VIEW 3  
- N.T.S



4 PERSPECTIVE VIEW 4  
- N.T.S

| REV | DATE       | DESCRIPTION                         | BY |
|-----|------------|-------------------------------------|----|
| 1.0 | 2024/05/03 | ISSUED TO CITY OF COURTENAY FOR DVP | SD |

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Project Name  
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 1959 & 1975 CLIFFE AVENUE  
 COURTENAY, B.C.

CLIENT: JUG BILG.

START DATE: 2024-01  
 PROJECT No.: JMM  
 DR.: JMM|CH

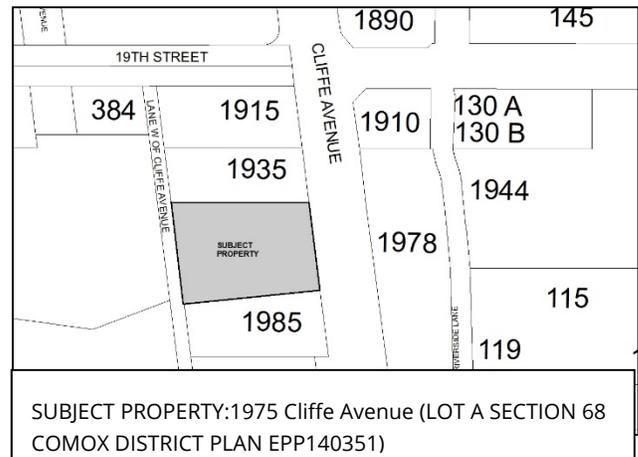
PERSPECTIVE VIEWS  
 Project No. A-900  
 Scale: AS SHOWN

# Notice of Development Variance Permit No. 2406

## Development Variance Permit application for 1975 Cliffe Avenue

### File No.: 3090-20-2406/DVP00056

Council will consider Development Variance Permit No. 2406, at the Wednesday, October 23, 2024 regular Council meeting at 4pm, to vary the building height, rear yard and southeast side yard setback and landscaping requirements for the front and northwest side yard in order to permit the development of a 3-storey mixed-use building that includes a 183+ person day care facility and office space. The property is zoned Multiple Use Two (MU-2).



The proposed Development Variance Permit (DVP) would vary the following sections of Zoning Bylaw No. 2500, 2007, Division 8, Part 9, Multiple Use Two Zone (MU-2):

- Section 8.14.5(2) rear yard setback from “7.5 m” to “1.0 m”,
- Section 8.14.5(3) side yard setback where the back of a building is adjacent to or faces a side lot line from “6.0 m” to “4.5 m” on the southeast side yard,
- Section 8.14.6 maximum building height from “10.0 m” to “16.0 m”,
- Section 8.14.10(1) landscaping area from “7.5 m” to “1.5 m” inside the Cliffe Avenue property line and,
- Section 8.14.10(2) landscaped buffer area along the northwest property line from “2.0 m” to “1.5 m in width” and from “2.0 m in height” to “0.0 m in height” along the northwest property line.

### Get more information

The proposed permit is available for viewing at Courtenay City Hall, 830 Cliffe Avenue, October 11 - October 23, 2024, 8:30 am – 4:30 pm Monday to Friday, Except holidays, OR online: [www.courtenay.ca/devapps](http://www.courtenay.ca/devapps)



#### Watch Meeting In-person

Wednesday October 23, 2024 starting at 4:00 p.m.

At the CVRD's CIVIC Room

770 Harmston Ave., Courtenay



#### Watch Meeting Online

Wednesday October 23, 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 October 23, 2024

Email: [planning@courtenay.ca](mailto: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

Page 158 of 417

Phone 250-703-4839 | Email [planning@courtenay.ca](mailto:planning@courtenay.ca)



The Corporation of the City of Courtenay

# Staff Report

**To:** Council

**File No.:** 3090-20-2408/DVP00058

**From:** Director of Development Services

**Date:** October 23, 2024

**Subject:** Development Variance Permit No. 2408 – 1089 Braidwood Road

## PURPOSE:

For Council to consider approval of Development Variance Permit No. 2408 to vary Section 5.3.1 (a) of Sign Bylaw No.2760, 2013 from, “The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (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 13.7 % of the building face for a business premise to a maximum of 18.6 m<sup>2</sup> (200.2 sq. ft.)”located at 1089 Braidwood Road.

## BACKGROUND:

The City of Courtenay has received a Development Variance Permit (DVP) application from the property owner’s representative, Brandon Galandy with HI-lite Signs, to vary the maximum fascia sign area to install additional commercial signage to the existing building fascia sign. The subject property is legally described as LOT C SECTION 16 COMOX DISTRICT PLAN 18531. The property is designated Commercial, pursuant to the “Official Community Plan Bylaw No. 3070, 2022” and zoned Commercial Two Zone (C-2) in the “Zoning Bylaw No. 2500, 2007” and is located in a Mixed-Use Area. The property is approximately 4,882 m<sup>2</sup> in area, see Figure 1: Site Location.

Figure 1: Site Location



## DISCUSSION:

In 2022, a Sign Permit was issued to install the existing signage shown in Figure 2 and Figure 3 as Sign A and Sign B. On review of the existing signage, it is noted the combined existing sign area is 13.2 m<sup>2</sup> which currently exceeds the 9.0 m<sup>2</sup> allowed in section 5.3.1(a). If approved by Council this request would bring the subject

property into conformance for the existing signage and add 5.4 m<sup>2</sup> (58.1 sq. ft.) of new signage (proposed Sign C) without exceeding the allowed combined sign area of 20% on a building face.

Figure 2: Existing Signage on South Building Face

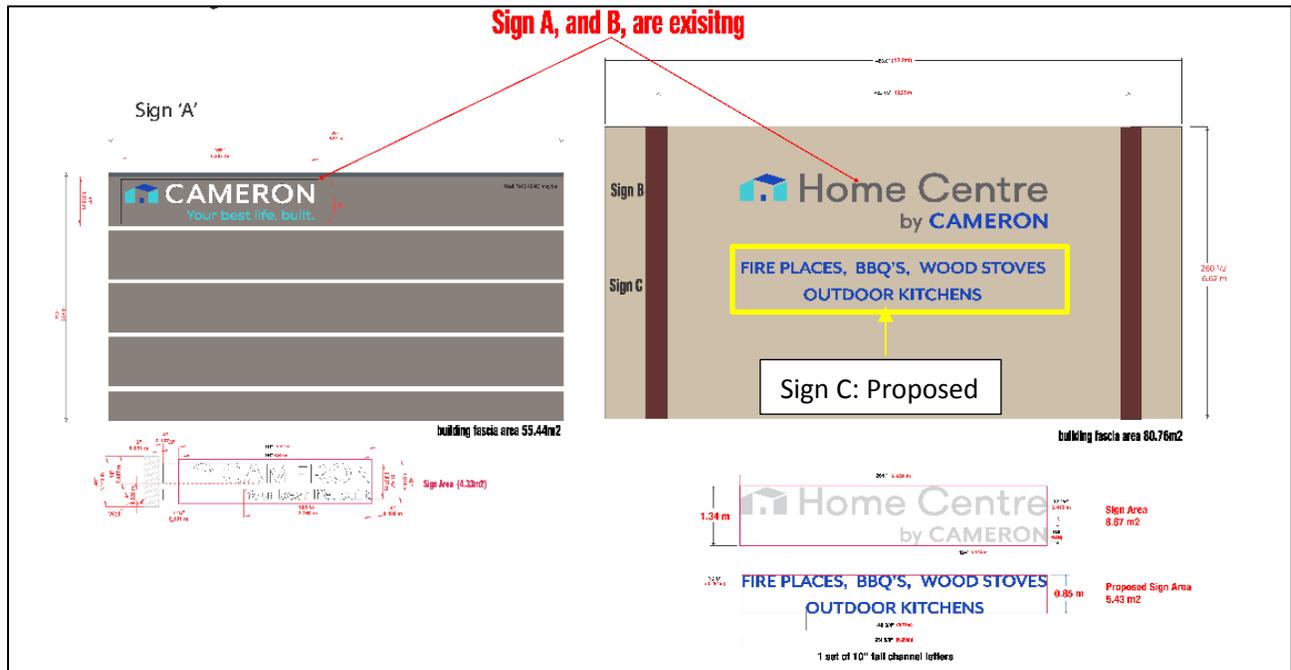


The proposed additional fascia signage (Figure 3: Sign C) shares visual characteristics such as colour, font style and placement with the existing signage, and does not exceed the existing permitted maximum of 20% of the area of the building face. Considered within the context of the location, adjacent properties, size of the building face and aesthetic appeal, no negative impacts are anticipated, and staff support the proposed variances. The combined variances for existing and proposed signage are outlined in Table 1 (below).

Table 1: Summary of Variance Requested

|  |                                  |                                   |
|--|----------------------------------|-----------------------------------|
| Bylaw No. 2760 Section 5.3.1 (a) - Fascia Signs: "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 business premise to a maximum of 9.0 m <sup>2</sup> (96.9 sq. ft.)" |                                  |                                   |
|  | <b>Area of the Building Face</b> | <b>Maximum Coverage</b>           |
| Current (Bylaw No. 2760)   | 20%                              | 9.0 m <sup>2</sup> (96.9 sq.ft.)  |
| Proposed (existing Sign A & B, and proposed Sign C)  | 13.7%                            | 18.6 m <sup>2</sup>               |
| Variance   | None                             | 9.6 m <sup>2</sup> (103.3sq. ft.) |

Figure 3: Existing & Proposed Signage on South Building Face



**OCP POLICY ANALYSIS:**

This application has no direct implications or conflicts related to the policies provided in the City's OCP.

**RGS POLICY ANALYSIS:**

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

**FINANCIAL IMPLICATIONS:**

Proceeding with the approval of this DVP application has no financial implications to the City's Financial Plan 2024 – 2029.

**ADMINISTRATIVE IMPLICATIONS:**

Processing DVPs applications is a statutory component of the corporate workplan 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.

**STRATEGIC PRIORITIES REFERENCE:**

Providing professional management and recommendations on development applications, inclusive of DVPs applications, aligns with the City's strategic priority:

- Good Governance - Review and streamline development process and set targets for application processing times

**PUBLIC ENGAGEMENT:**

Under the “City of Courtenay Development Procedures Bylaw No. 3106, 2023”, a Community Information Meeting is not required for this DVP application.

In accordance with Section 499, of the *Local Government Act*, a public notification was mailed to 99 property owners and occupants within 30-metres of the subject property on October 10, 2024.

As the date of this report, no public comments were received. Any comments received by 1:00 p.m. on October 23, 2024, will be presented to Council at the time of the scheduled council meeting.

**OPTIONS:**

1. THAT Council, vary Section 5.3.1 (a) of Sign Bylaw No.2760, 2013 from, “The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (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 13.7 % of the building face for a business premise to a maximum of 18.6 m<sup>2</sup> (200.2 sq. ft.)”; AND,

THAT Council, approve Development Variance Permit No. 2408 for the subject property located at civic address 1089 Braidwood Road; AND,

THAT Council, direct the Director of Development Services to issue Development Variance Permit No. 2408 for the subject property located at 1089 Braidwood Road.

2. THAT Council, defer and request additional information from staff for “Development Permit No. 2408” for the subject property located at civic address 1089 Braidwood Road.
3. THAT Council, deny the application for “Development Variance Permit No. 2408” for the subject property located at civic address 1089 Braidwood Road.

**ATTACHMENTS:**

1. Draft Development Variance Permit No. 2408
2. Public Notification Mailout

Prepared by: Corey Cooper, Planning Technician

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

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



The Corporation of the City of Courtenay

# Development Variance Permit

Permit No. 3090-20-2408 / DVP00058

## To issue a Development Permit

To: Name: CAMERON FAMILY PROPERTIES LTD., INC. NO. BC1274755  
Address: BOX 3730  
COURTENAY, BC, V9N 7P1

## Property to which permit refers:

Legal: LOT C SECTION 16 COMOX DISTRICT PLAN 18531  
Civic: 1089 BRAIDWOOD ROAD  
COURTENAY, BC, V9N 3S1

## The “City of Courtenay Sign Bylaw No. 2760, 2013” is varied as follows:

Section 5.3.1 (a) – Fascia Signs – From “The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0 m<sup>2</sup> (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 13.7% of the building face for a business premise to a maximum of 18.6m<sup>2</sup> (200.2 sq. ft.)”

## Conditions of Permit:

The dimensions of the proposed fascia signs shall be in accordance with the dimensions and location on the façade provided in Schedule 1 forming part of this permit.

## 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.

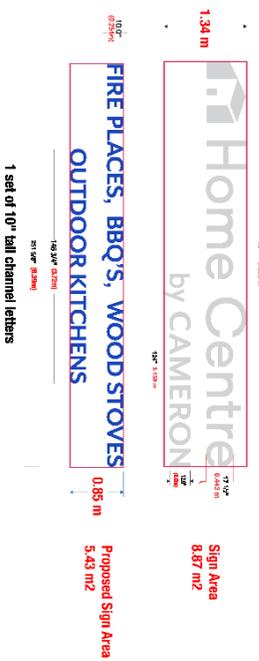
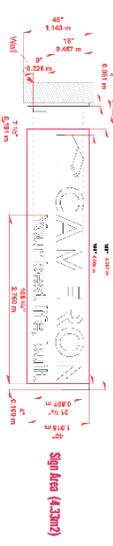
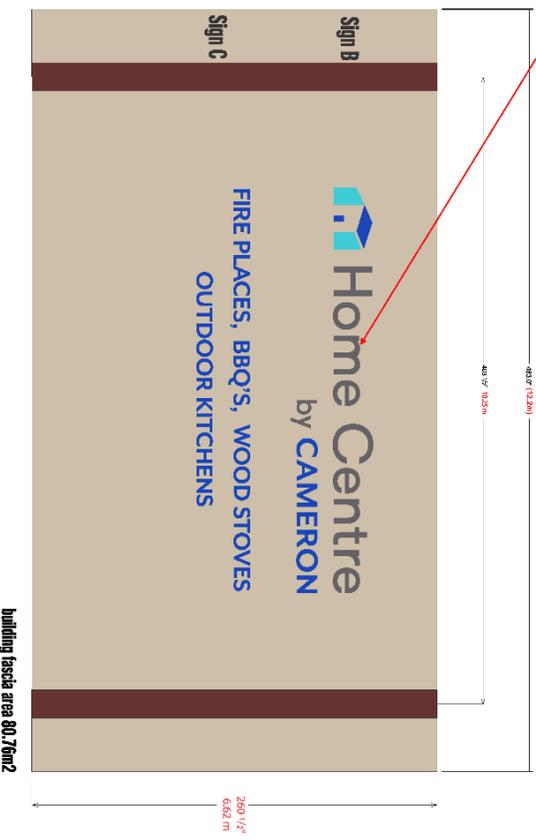
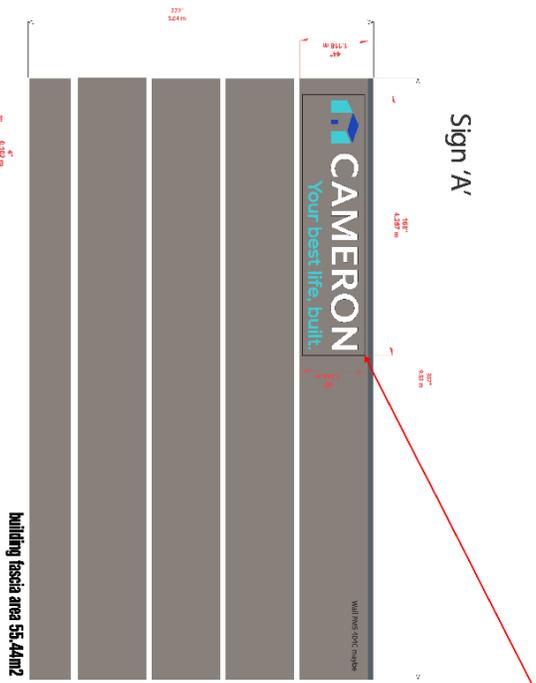
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Date

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Director of Development Services

**Sign A, and B, are existing**



**Total fascia area combined 136.20m<sup>2</sup>**  
**Total sign area combined 18.63**

# Notice of Development Variance Permit No. 2408

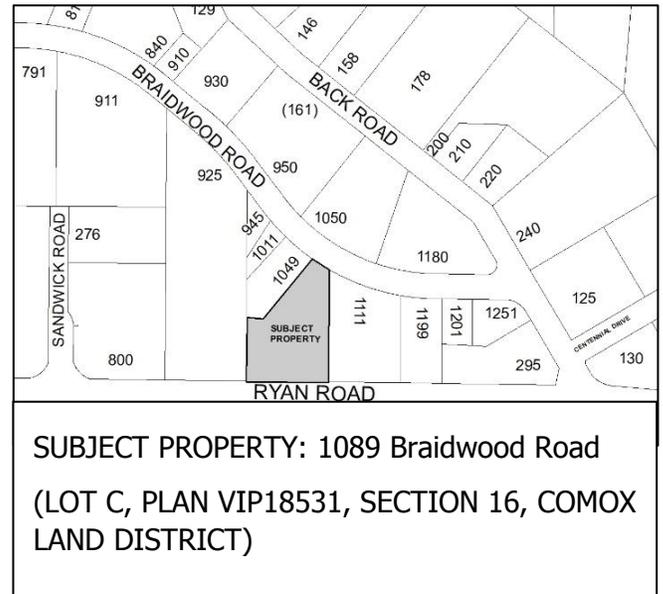
## Development Variance Permit application for 1089 Braidwood Road

**File No.: 3090-20-2408/DVP00058**

Council will consider Development Variance Permit No. 2408, at the Wednesday, October 23<sup>rd</sup>, 2024 regular Council meeting at 4:00 p.m., to increase the combined permitted sign area to allow for two new fascia signs on an existing building. The subject property is zoned Commercial Two (C-2).

The proposed Development Variance Permit would vary the "City of Courtenay Sign Bylaw No. 2760, 2013" as follows:

Section 5.3.1 (a) Fascia Signs: from "The combined sign area of all fascia signs plus canopy signs, awning signs, and projecting signs shall not exceed 20% of the area of the building face for a business premise to a maximum of 9.0m<sup>2</sup> (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 13.7 % of the building face for a business premise to a maximum of 18.6 m<sup>2</sup> (200.2 sq. ft.)".



### Get more information

The proposed permit is available for viewing at Courtenay City Hall, 830 Cliffe Avenue, until October 23<sup>rd</sup>, 2024 8:30 a.m. – 4:30 p.m. Monday to Friday, Except holidays, or online: [www.courtenay.ca/devapps](http://www.courtenay.ca/devapps)

#### Watch Meeting In-person

**Wednesday October 23, 2024 starting at 4:00 p.m.**

At the CVRD's CIVIC Room  
770 Harmston Avenue, Courtenay, BC, V9N 2X6



#### Watch Meeting Online

**Wednesday October 23, 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 October 23, 2024**

Email: [planning@courtenay.ca](mailto: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

Page 165 of 416 | **Phone** 250-703-4839 | **Email** [planning@courtenay.ca](mailto:planning@courtenay.ca)



The Corporation of the City of Courtenay

# Staff Report

---

**To:** Council

**File No.:** 1470-20

**From:** Director of Development Services

**Date:** October 23, 2024

**Subject:** Downtown Local Area Plan Communication Strategy and Workplan

---

**PURPOSE:** For Council to receive the report and endorse the Communication Strategy for the Downtown Local Area Plan (DLAP).

**BACKGROUND:**

At the regular meeting of Council held on July 17, 2024 staff provide a report on the consolidation of Harmston Precinct, Downtown Playbook, OCP Downtown Centre and provided a new boundary for a Downtown Local Area Plan (DLAP) which Council approved. Staff indicated they would report back to Council with a Communication Strategy for the DLAP and staff is seeking Council's endorsement of the proposed plan in accordance with the community engagement and consultation requirements of the Local Government Act.

**DISCUSSION:**

The DLAP is intended to inform and amend the Official Community Plan which triggers consultation requirements pursuant to Section 475 of the Local Government Act in addition to the requirement under Section 477 (3) (c) for the subsequent bylaw amendment.

The proposed communication strategy and actions is outlined in Attachment 1 and provides an overview of the engagement approach. The strategy will provide opportunities, with a variety of methods and utilizing communication tools, to provide early and on an ongoing consultation to form a draft local plan for Council to consider in 2025. This project is intended to implement the OCP and provides and aligns with Council's Strategic priorities. This work has been incorporated into staff's workplan and has been identified in the 2023-2026 financial plan.

In accordance with the legislation, the communication strategy includes broad public and engagement with parties with a direct interest in the DLAP study area. This strategy is designed to reflect the Public Interest will include the general public and groups including but not limited to: Downtown Business Association, Chamber of Commerce, Comox Valley Arts Council, and local property owners. In order to engage with intergovernmental authorities who have an interest in the plan area the strategy includes contact with School District 71, CVRD, MoTI and BC Transit. With respect to K'omoks First Nation, a detailed engagement plan will be developed through following direct contact with the Nation to determine their level of interest in the study area as well as to determine how they would like to be involved in the project and subsequent consideration of the OCP amendment.

Table 1 below is a high-level summary of the three phases of the communication strategy which supports the development of the local area plan by the project team. Staff have initiated the development of the communication strategy and engaged on the first two tasks in Phase 1 in order to provide the strategy to Council and seek endorsement of the plan.

TABLE 1 Summary of Communication Strategy Plan

|  |
|--|
| <p><b>PHASE 1: Planning Context &amp; design Foundations</b><br/>Engagement Planning Workshop (with project team)<br/>Communications Strategy Plan (developed with Team)<br/>Public Interest and Intergovernmental Interviews</p> <p>Summary of what we heard<br/>Material preparations for Social point</p> <p><b>PHASE 2: Key Directions &amp; Concept Plan</b><br/>Public Open house/Pop-up<br/>Virtual Engagement<br/>Public Interest and Intergovernmental follow-up<br/>What we Heard Summary</p> <p><b>PHASE 3: Refinement &amp; Draft Plans</b><br/>Virtual Engagement (Social Point)<br/>Public Interest and Intergovernmental follow-up meeting<br/>Engagement Analysis &amp; Report</p> |
|--|

This communication strategy supports the development of the local area plan while building upon the work undertaken through the OCP and Downtown play book as discussed at the July 17, 2024 council meeting. Tools being utilized include virtual, in person, survey, and interviews. The engagement will be summarized and utilized to inform the development of the local area plan. Staff will report back to Council at the end of Phase 2 and Phase 3 of the communication strategy to provide status updates and to outline how the engagement is informing the local area plan. These steps will be taken prior to the DLAP being presented for consideration of the OCP Amendment Bylaw.

**POLICY ANALYSIS:**

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

*For the purposes of subsection (1), the local government must*  
*(a) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and*

- (b) specifically consider whether consultation is required with the following:*
- (i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;*
  - (ii) the board of any regional district that is adjacent to the area covered by the plan;*
  - (iii) the council of any municipality that is adjacent to the area covered by the plan;*
  - (iv) first nations;*
  - (v) boards of education, greater boards and improvement district boards;*

*(vi)the Provincial and federal governments and their agencies.*

*(3) Consultation under this section is in addition to the public hearing required under section 477  
(3) (c).*

**FINANCIAL IMPLICATIONS:**

The 2023-2026 financial plan includes \$150,000 for the Harmston Local Area Plan. The Downtown Local Area Plan includes the Harmston Local Area Plan and has incorporated a number of strategic priorities like the Duncan Mews to create a comprehensive and coordinated local area plan to guide implementation of key actions that have been identified in the Downtown Playbook and OCP. To date \$45,000 has been spent on the first phase of the DLAP to create a SWOT analysis which is required to initiate and inform the communication strategy with the development of the DLAP.

MODUS has provided a proposal to support the DLAP process of \$45,000 plus additional \$10,000 to build the Social point page (Virtual Engagement) and monitor the page throughout the engagement process. The total cost to support the DLAP process is \$55,000 which leaves \$50,000 in the budget. The \$50,000 will be utilized for EKISTICS support to complete the DLAP. Any additional requirements outside of this plan would require additional funds.

**ADMINISTRATIVE IMPLICATIONS:**

This project is being delivered with a combination of staff resources from Development Services and external consultants. Internally the project will require support from Communications to utilize city social media, webpages, media and newsprint where required. This project will include input and support from all city departments in the development and implementation of the DLAP.

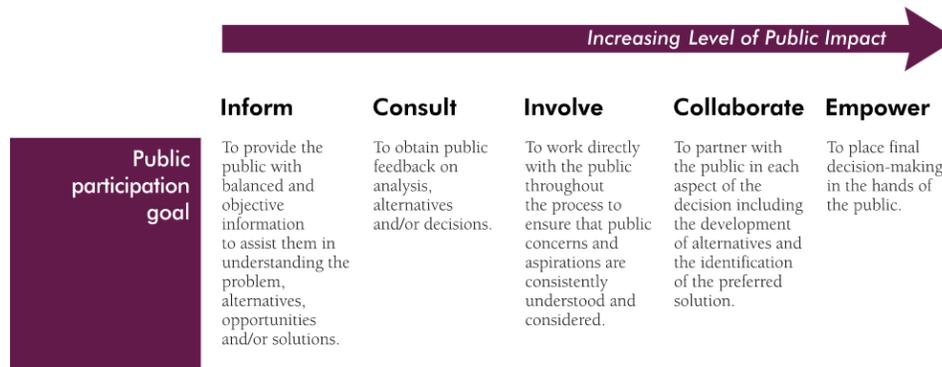
**STRATEGIC PRIORITIES REFERENCE:**

This initiative addresses the following strategic priorities:

- Streets and Transportation - Improve Cliffe Avenue and 5th Street intersection pedestrian facilities
- Streets and Transportation - Plan and implement bike parking and secure storage
- Buildings and Landscape - Update Zoning Bylaw - review maximum building heights
- Buildings and Landscape - Develop a local area plan for Harmston Avenue Civic Precinct
- Buildings and Landscape - Implement Duncan Commons/Downtown Courtenay Playbook, 5th Street staging/phasing
- Buildings and Landscape - Review and update land use regulations and bylaws for consistency with OCP

**PUBLIC ENGAGEMENT:**

Based 2 Spectrum the communication strategy will inform, consult, involve and collaborate.



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As discussed at the July 17, 2024 Council meeting, Staff is utilizing the engagement undertaken to date from the Downtown Play Book and the OCP to inform the development of the DLAP.

The DLAP will amend the OCP and the amending bylaws to the OCP will be prepared for Council’s consideration after the conclusion of the communication strategy that supports the development of the DLAP.

Staff anticipate initiating and completing the Social Point page to be live and completing the public interest and intergovernmental agencies interviews in November 2024.

Phase 2 would be initiated in February 2025 followed by Phase 3 in April 2025.

**OPTIONS**

1. THAT Council receive the report on the Downtown Local Area Plan Communication Strategy and Workplan and endorse the communication strategy outlined in Attachment 1 in order to guide community and and interest holder engagement;

THAT Council pursuant to section 475 and 476 Local Government Act, Council will provide opportunities it considers appropriate for consultation with persons and parties it considers will be affected, including the Comox Valley Regional District, Town of Comox, Village of Cumberland, First Nations, and the province/provincial agencies and pursuant to section 476 Local Government Act, Council will consult with Comox Valley School District 71 prior to considering amendments to City of Courtenay Official Commuity Plan Bylaw No 3070, 2022.

2. THAT Council provide alternative direction to staff.

**ATTACHMENTS:**

1. Draft Communication Strategy Downtown Local Area Plan
2. July 17, 2024 SDDR Local Area Plan Update - Staff Report

Prepared by: Marianne Wade, Director of Development Services  
 Concurrence: Geoff Garbutt, M.Pl., MCIP, RPP, City Manager (CAO)

### Phase 1: Planning Context & Design Foundations

|            |  |
|------------|--|
| <b>1.1</b> | <b>Engagement Planning Workshop (with project team)</b>                |
| 1.1.1      | background review (of LAP work to date, other resources, etc.)         |
| 1.1.2      | facilitate workshop to plan the "what, when, who & how" of engagement  |
| 1.1.3      | prepare notes from workshop  |
| <b>1.2</b> | <b>Communications &amp; Engagement Strategy</b>                        |
| 1.2.1      | draft plan (including timeline, key messages, etc)                     |
| 1.2.2      | finalize plan  |
| <b>1.3</b> | <b>Public, Interest-holder and Intergovernmental/Agency Interviews</b> |
| 1.3.1      | coordination & preparation for interviews/meetings                     |
| 1.3.2      | facilitation (assumes 10)  |
| 1.3.3      | summary of interview notes and key takeaways                           |

### Phase 2: Key Directions & Concept Plan(s)

|            |  |
|------------|--|
| <b>2.1</b> | <b>Public Open House / Pop-Up</b>  |
| 2.1.2      | coordinate open house logistics and preparations                           |
| 2.1.3      | facilitate event (includes travel)   |
| <b>2.2</b> | <b>Virtual Engagement</b>  |
| 2.2.1      | develop public survey & other online engagement tools through Social Point |
| <b>2.3</b> | <b>Follow-Up w/ Public, Interest-holder and Intergovernmental/Agencies</b> |
| 2.3.1      | coordination of meeting  |
| 2.3.2      | preparation of materials   |
| 2.3.3      | facilitation of meeting  |
| <b>2.4</b> | <b>Analysis and Reporting</b>  |
| 2.4.1      | analysis of all feedback in phase 2  |
| 2.4.2      | draft engagement summary   |
| 2.4.3      | final engagement summary   |

### Phase 3: Refinement & Draft Plan

|            |  |
|------------|--|
| <b>3.1</b> | <b>Virtual Engagement</b>  |
| 3.1.1      | develop short form survey for comments/feedback on draft plan                        |
| <b>3.2</b> | <b>Follow-Up w/ Public, Interest-holder and Intergovernmental/Agencies</b>           |
| 3.2.1      | coordination of meeting  |
| 3.2.2      | preparation of materials   |
| 3.2.3      | facilitation of meeting  |
| <b>3.3</b> | <b>Engagement Analysis &amp; Reporting</b>   |
| 3.3.1      | analyze feedback from phase 3  |
| 3.3.2      | Prepare a short summary of final comments/recommendations to support plan refinement |

### Project Management

|  |   |
|--|---|
|  | <b>Regular Project Meetings</b>   |
|  | <b>Project Admin (project setup, invoicing, processing expenses and</b> |



The Corporation of the City of Courtenay

# Staff Report

**To:** Council

**File No.:** 3030-01

**From:** Director of Development Services

**Date:** July 17, 2024

**Subject:** Update Local Area Plan Harmston Civic Precinct and Downtown Centre

## PURPOSE:

To update Council on the Strategic Priorities for Harmston Avenue Civic Precinct Local Area Plan and the implementation of the Duncan Commons/Downtown Courtenay Playbook, including 5<sup>th</sup> street staging and phasing that are scheduled for 2024, 2025, and beyond.

## BACKGROUND:

In September 2016, Council adopted the Downtown Courtenay Playbook. The “Playbook” outlines the vision, five strategic goals, high-level planning principles, and detailed actions necessary to initiate goal implementation. Each goal specifies actions, desired outcomes, involved parties, and timelines. The document acknowledges that further detailed analysis is needed to implement actions, which will require budget allocation. While some actions, such as the Sidewalk Patio Policy and Downtown Parking Analysis, have been implemented, others require more detailed analysis and could benefit from a more cohesive plan.

The *Official Community Plan Bylaw No. 3070, 2022* builds on the 2016 Downtown Playbook goals and actions and identifies Harmston Avenue Civic Precinct as a Local Area Plan to be initiated in 2024 and 2025. This is in the departments workplan for 2024 and 2025. In the 2024 Financial Budget \$150,000 was approved for the Harmston Local Area Plan. Further that the 2024 financial plan identifies budget for the design and construction of Harmston Park.

Council’s 2023-2026 Strategic Priorities identify building and landscape priorities:

1. “Develop a Local Area Plan for Harmston Avenue Civic Precinct for 2024 and 2025”
2. “Implement Duncan Commons/Downtown Courtenay Playbook, 5<sup>th</sup> street staging/phasing for 2025 and 2026 and beyond”.

At a regular Council meeting in November 2023, Council passed a resolution for staff to bring forward a report on the Duncan Avenue Summer Pilot project outlining considerations and financial implications for implementation in 2024. Staff were also directed to collaborate with the Duncan Avenue working group to review options for the design, implementation and evaluation of the pilot, and include recommendations informed by the consultation in the report back to Council.

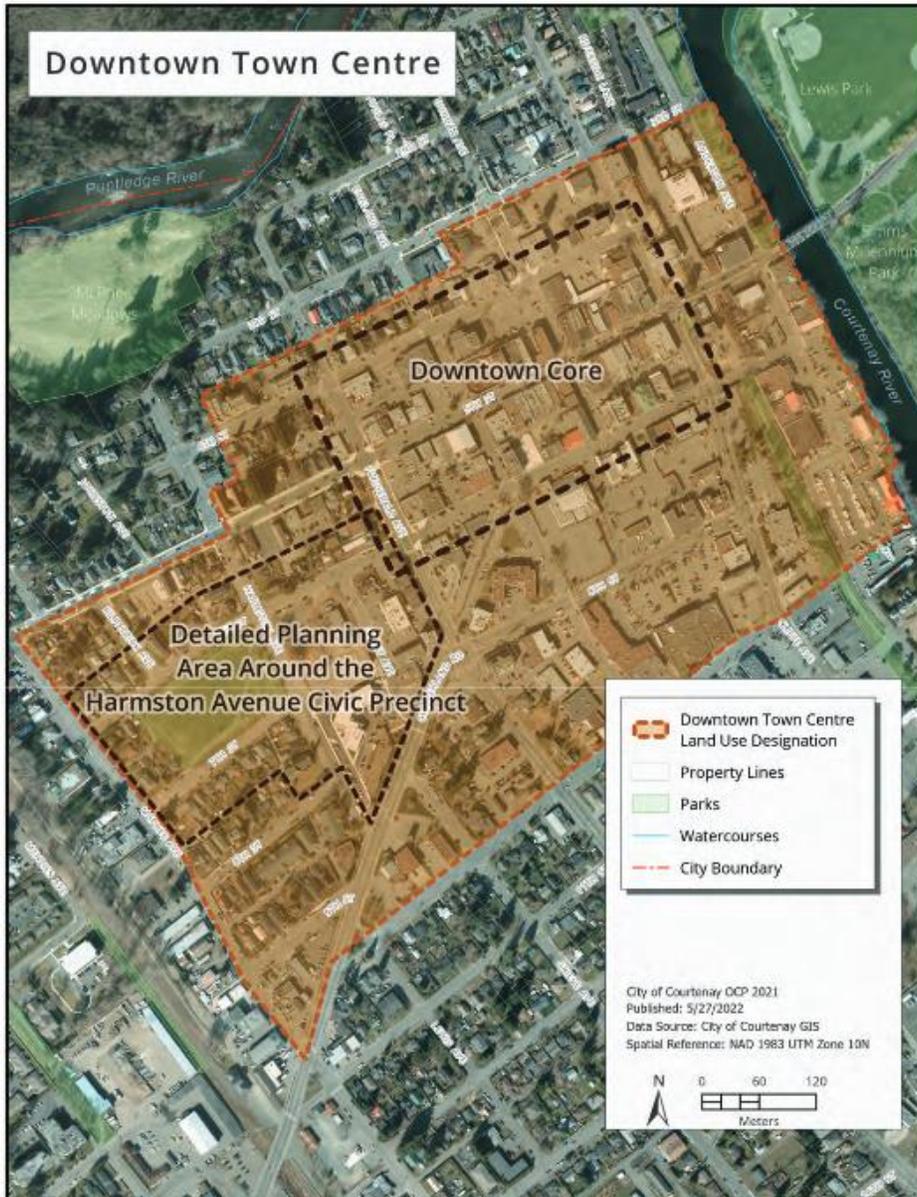
In January of 2024, staff initiated conversations with the Duncan Avenue working group Liaison, the Executive Director of Comox Valley Arts, to discuss the Duncan Commons program. Following these initial discussions, several factors including changes to provincial legislation, enhanced understanding of infrastructure challenges, and the transition from Wednesday markets to “Pulse on the Plaza”, necessitate an adjustment to the overall land use and community planning approach for the downtown core.

**DISCUSSION:**

To develop an effective process for informing the Downtown Town Centre in a coordinated and structured manner, staff are proposing the consolidation of the Harmston Avenue Civic Precinct with the Downtown Playbook to create a comprehensive Local Area Plan. This plan aims to build upon the five strategic goals and actions outlined in the Downtown Playbook, as well as the Official Community Plan (OCP) policies for Harmston Avenue Civic Precinct and the Downtown Centre. The plan will also incorporate the Harmston Park design principles to guide construction.

Figure 1 (below) illustrates the existing Downtown Town Centre from the OCP and identifies the Harmston Civic Precinct and the Downtown Core.

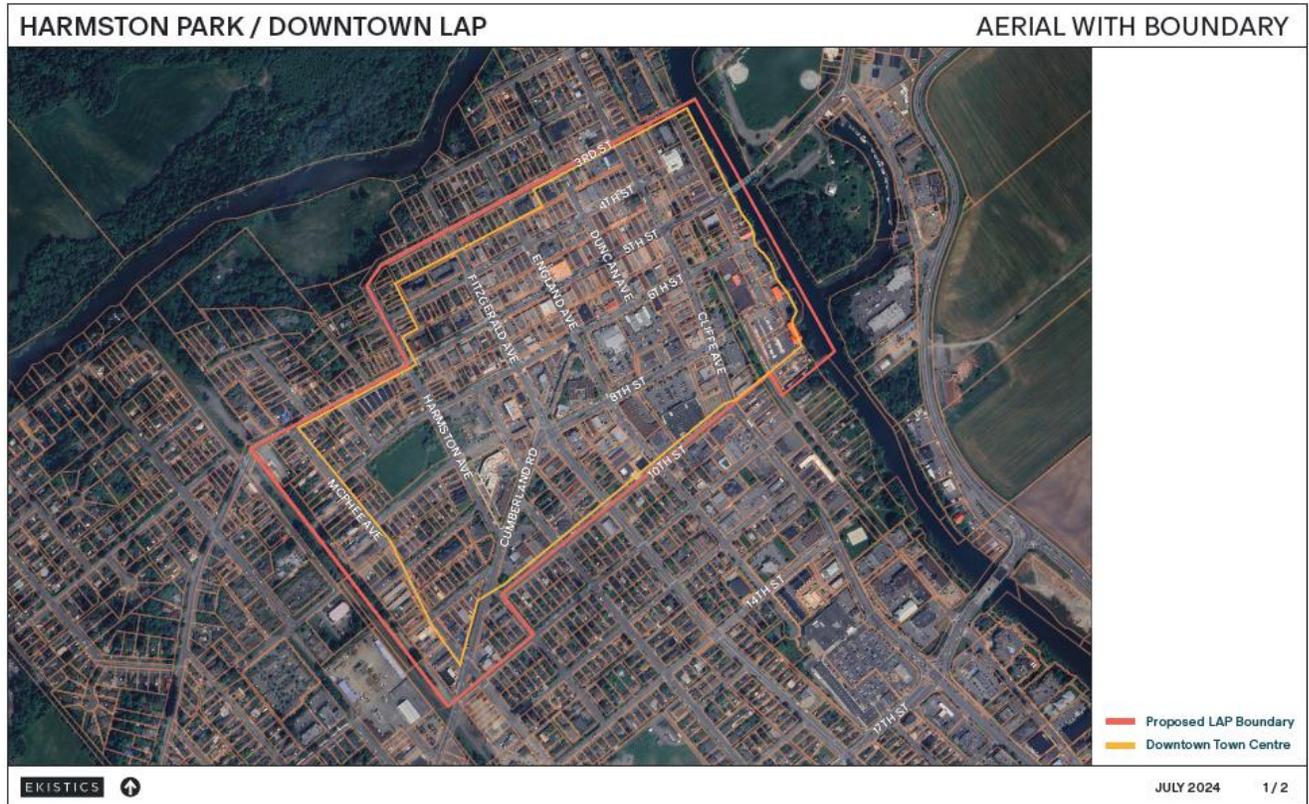
**Figure 1: Downtown Town Centre**



Map B-2 Downtown Town Centre

Figure 2 (below) illustrates the consolidated local area plan in dark orange encompassing the existing Downtown Town Centre Plan in light orange.

Figure 2 Consolidated Local Area Plan



This proposed consolidated Local Area Plan connects and coordinates two strategic priorities for 2024, 2025 and beyond, integrating strategic priorities from various City departments.

Projects such as the Duncan Commons require capital investment to develop the necessary infrastructure for activation and programming. Through the consolidation of existing plans, there is a greater opportunity to align and advance strategic and capital projects, like those actions currently identified in the Downtown Playbook. Through an all-encompassing Local Area Plan, the infrastructure planning can be developed to support activation of programming, connection to the downtown, and to seek opportunities for partnerships for capital investment.

The first phase of this Local Area Plan is to understand the land through Inventory and analysis, workshop with City departments exploring the plan area, a SWOT Analysis with City staff that will outline:

- *Strengths*: Positive attributes of a location that can be leveraged to enhance the success of a project.
- *Weaknesses*: Negative attributes of a location that can hinder the success of a project.
- *Opportunities*: External factors that can favorably affect the project's success.
- *Constraints (Threats)*: External factors that may have a negative impact on the project's Success.

After this analysis work is completed, an engagement plan will be developed for interaction with the community, associations, and agencies for initial discussions on the SWOT analysis. The outcome of Phase One will inform Phase Two which is the development of design principles, partnerships, and incentives.

Ekistics Town Planning has been retained for Phase one of the Local Area Plan. The inventory and analysis are completed, first city inter department workshop was held in June, and the SWOT analysis is underway with a city inter department workshop to be held in late July. Figure 2 below identifies the Local Area Plan boundary based upon this analysis in the orange line and the yellow line represents the Downtown Town Centre boundary from the OCP. Adjustments have been made to incorporate stronger connections to the ICF and River and neighbourhood connectivity.

#### **POLICY ANALYSIS:**

This Local Area Plan address objective 4 of the Official Community Plan “Sub-area planning provides more direction on growth” and will assist in guiding the implementation of the newly adopted Residential-SSMUH zone along with identifying zoning to support the Downtown policies in the OCP.

Further this consolidated Local Area Plan addresses thematic policies in the Official Community Plan that address: Parks and Recreation along with Arts; Cultural and Heritage policies; Streets and Transportation; Social Infrastructure; and Local Economy.

The consolidated Local Area Plan addresses the Parks and Recreation Master Plan Section 3.2.2 Conduct Park Plans:

- Harmston Park is identified as requiring a park plan and is identified as a short term priority in the Parks and Recreation Master Plan Implementation Strategy.

#### **FINANCIAL IMPLICATIONS:**

The budget for this Local Area Plan is in the 2024 Financial Plan under Development Services Community and Sustainability Special Projects Harmston Local Area Plan for \$150,000. Phase 1 contract is \$35,000.

#### **ADMINISTRATIVE IMPLICATIONS:**

The development of the Local Area Plan involves all departments and crosses over many strategic priorities for 2024 and 2025. This is a strategic approach to coordinating Infrastructure, natural environment, building, housing, active transportation, to provide informed analysis and priorities to the consolidated area to support programming of space.

#### **STRATEGIC PRIORITIES REFERENCE:**

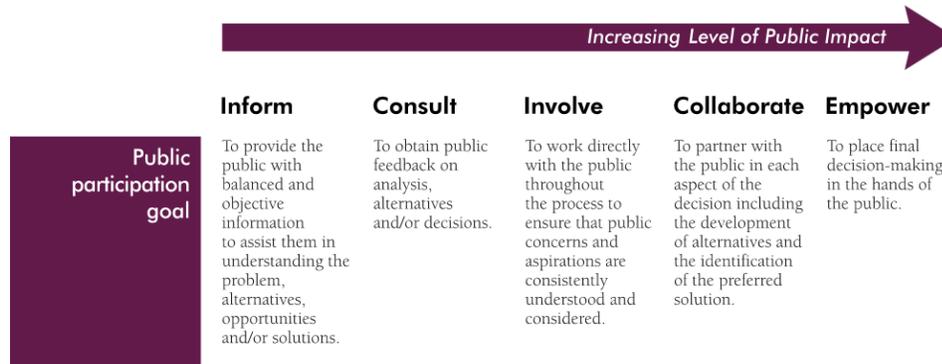
This initiative addresses the following strategic priorities:

- Buildings and Landscape - Develop a local area plan for Harmston Avenue Civic Precinct
- Buildings and Landscape - Implement Duncan Commons/Downtown Courtenay Playbook, 5th Street staging/phasing
- Buildings and Landscape - Review and update land use regulations and bylaws for consistency with OCP
- Buildings and Landscape - Update Zoning Bylaw - review maximum building heights
- Parks and Recreation - Optimize active public spaces to respond to density increases and increased park use

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

**PUBLIC ENGAGEMENT:**

An engagement plan will be developed and brought back to Council for endorsement based upon the IAP2 Spectrum of Public Participation.



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**OPTIONS:**

- 1) 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.

- 2) THAT Council receive the report “Update Local Area Plan Harmston Civic Precinct and Downtown Centre” and provide alternative direction to staff.

Prepared by: Marianne Wade, Director of Development Services  
 Concurrence: Geoff Garbutt, M.Pl., MCIP, RPP, City Manager (CAO)



The Corporation of the City of Courtenay

# Staff Report

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**To:** Council

**File No.:** 5335-20

**From:** Director of Infrastructure and Environmental Engineering

**Date:** October 23, 2024

**Subject:** Corporate Facilities Energy Management Plan Grant Support

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## **PURPOSE:**

To update Council on the Corporate Facilities Energy Management Plan and seek support for grant applications for the project.

## **BACKGROUND:**

The Corporate Facilities Energy Management Plan (CFEMP) seeks to develop a strategic roadmap to reduce greenhouse gas (GHG) emissions from City of Courtenay buildings to meet GHG reduction targets. The BC government has legislated targets to reduce GHG emissions, relative to a 2007 baseline. This roadmap will identify opportunities for upgrades and retrofits to improve energy efficiency, reduce energy consumption, and move away from fossil fuels where possible.

The City of Courtenay signed onto the Climate Action Charter in 2007, and identified climate change as a priority for action in the Official Community Plan (OCP), adopted in 2022. Courtenay is a participating municipality in the provincial Local Government Climate Action Program (LGCAP) administered by the BC Climate Action Secretariat. It is also a 2023-2026 council strategic priority to update the Corporate Climate Action Plan. The development of the CFEMP will inform the Corporate Climate Action Plan update to reduce GHG emissions from City of Courtenay facilities.

Prism Engineering was selected to develop the CFEMP through a competitive RFP process. Prism Engineering is an industry leader in energy management and building retrofit projects across Western Canada. The project scope includes all facilities owned and operated by the City of Courtenay, which represents approximately 40 buildings. These facilities range from small auxiliary buildings like public washrooms and park shelters, to large facilities like the Lewis Centre, Native Sons Hall, and City Hall. Prism has proposed an approach to ensure that the level of analysis is appropriate for the complexity of the facility, and is aligned with standards outlined by the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE). ASHRAE standards are widely referenced in Building Codes across Canada.

It is proposed that large buildings with complex energy systems, and high GHG emissions will undergo detailed ASHRAE Level 2 energy assessments. This ensures the City will have the information required to proceed with retrofit projects that can offer the greatest GHG reductions. Small buildings, with simple energy systems and few GHG emissions will undergo less detailed ASHRAE Level 1 energy assessments.

It is anticipated that the Corporate Facilities Energy Management Plan will be completed by Summer 2025, with building retrofits and upgrades to follow.

## **DISCUSSION:**

The development of the CFEMP is funded by the provincial Local Government Climate Action Program (LGCAP). This program provides funds to local governments to support climate initiatives that reduce emissions and prepare for climate impacts. These LGCAP funds can be used for planning initiatives and capital investments to reduce GHG emissions.

The CFEMP is also eligible for funding from the Green Municipal Fund (GMF) from the Federation of Canadian Municipalities (FCM) and BC Hydro's Integrated Energy Audit program. If funding is secured from these programs, the provincial LGCAP funds could be reallocated to other climate action initiatives at the City of Courtenay, allowing us to accomplish more.

### **Federation of Canadian Municipalities Funding**

The GMF Community Buildings Retrofit grant for the GHG Reduction Pathway Feasibility Study covers 80% of eligible study costs up to a maximum of \$200,000. The funding is intended to help municipalities integrate reductions in emissions and energy use into long-term plans for managing municipal buildings. Funding applications are accepted for this program year-round until all funding has been allocated. It is proposed that this funding support the completion of detailed ASHRAE Level 2 energy assessments for complex facilities.

Project work completed prior to submitting a GMF application is ineligible for funding, so the application submission work has been prioritized. Staff have submitted a pre-application to the GMF program to complete the first step in securing the funding. The FCM has invited the City to complete a full application for the CFEMP. Council support for application to this funding stream is a requirement of the submission.

### **BC Hydro Funding**

Funding under the BC Hydro Integrated Energy Audit program provides 100% of the study costs up to \$100,000. This program is intended to identify major areas of energy usage and systems that offer the best opportunities for improved efficiency, energy demand reduction and electrification. It is proposed that this funding support the completion of all ASHRAE Level 1 energy assessments of simple facilities.

The application is submitted through the City of Courtenay's key account manager at BC Hydro.

## **POLICY ANALYSIS:**

The British Columbia provincial government has legislated greenhouse gas reduction targets for the years 2030, 2040, and 2050 under the Climate Change Accountability Act. The City of Courtenay's Official Community Plan also has set goals for greenhouse gas reduction. The Corporate Facilities Energy Management Plan seeks to develop a detailed implementation plan to meet these targets.

## **FINANCIAL IMPLICATIONS:**

The Corporate Facilities Energy Management Plan is estimated to cost \$264,788. If successful, grants from both BC Hydro, and FCM could cover \$222,078 of the project costs. The remaining fees, estimated to be \$42,710, would be covered by provincial LGCAP funds. The following table summarizes the financial implications associated with each source of funding.

| Funding Source   | Total Fees (\$)   | Funding Opportunity (%) | Funding Opportunity (\$) | Remaining Fees (\$) |
|--|-------------------|-------------------------|--------------------------|---------------------|
| BC Hydro Integrated Energy Audits (Level 1 Energy Assessments) | \$ 51,240         | 100%                    | \$ 51,240                | \$ 0                |
| FCM's Green Municipal Fund (Level 2 Energy Assessments)        | \$ 213,548        | 80%                     | \$ 170,838               | \$ 42,710           |
| <b>Project Total</b>   | <b>\$ 264,788</b> | <b>-</b>                | <b>\$ 222,078</b>        | <b>\$ 42,710</b>    |

In the 2024-2028 Financial Plan the Corporate Facilities Energy Management special project was identified with a budget of \$269,000 funded through LGCAP funds. The Corporate Facilities Energy Management Plan Project is not changing it is simply seeking grants to supplement the project and free up LGCAP funds for future implementation items.

**ADMINISTRATIVE IMPLICATIONS:**

Infrastructure and Environmental Engineering will lead the development of the Corporate Facilities Energy Management plan with support from the consultants, Prism Engineering. The development of the plan is supported by Civic Properties Services, the Fire Department, and Recreation Facilities Operations.

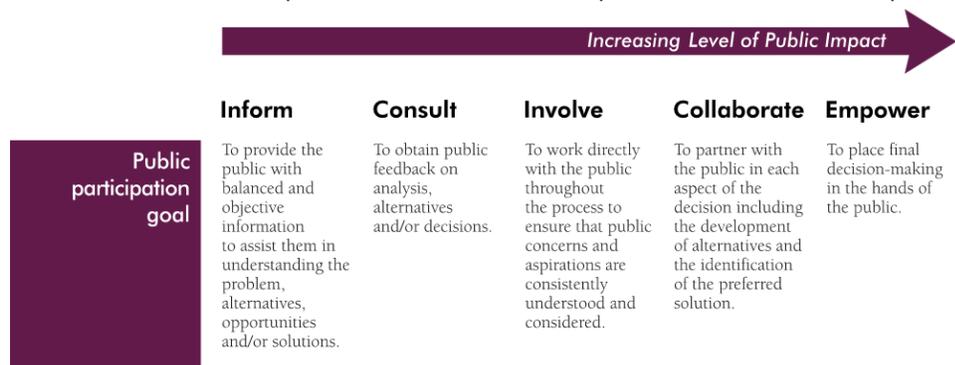
**STRATEGIC PRIORITIES REFERENCE:**

This initiative addresses the following strategic priorities:

- Natural Environment - Integrate climate change commitment into our governance work: Update Corporate Climate Action Plan
- Natural Environment - Integrate climate change commitment into our governance work: Include climate change lens in staff reports
- Social Infrastructure - Develop measures and criteria to track progress for the OCP's four cardinal directions: reconciliation, community well-being, equity, and climate action

**PUBLIC ENGAGEMENT:**

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



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**OPTIONS:**

***Motion 1: Federation of Canadian Municipalities***

1. THAT Council direct staff to submit a full application to the Federation of Canadian Municipalities Green Municipal Fund to support the development of the Corporate Facilities Energy Management Plan.
2. THAT Council provide alternative direction to staff.

***Motion 2: BC Hydro***

1. THAT Council direct staff to submit an application to BC Hydro's Integrated Energy Audit funding program, to support the development of the Corporate Facilities Energy Management Plan.
2. THAT Council provide alternative direction to staff.

**ATTACHMENTS:**

1. Presentation – CFEMP Grant Support

Prepared by: Garret Wright, Engineering Technologist

Jeanniene Tazzioli, P. Eng, Manager of Environmental Engineering

Reviewed by: Chris Davidson, P. Eng, PMP, Director of Infrastructure and Environmental Engineering

Adam Langenmaier, BBA, CPA, CA, Director of Financial Services

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



City of  
Courtenay

# Corporate Facilities Energy Management Plan Grant Support

Infrastructure and Environmental Engineering  
City of Courtenay  
October 23, 2024 Council Meeting



# Purpose

ZOOM Window Space

1. Update Council on the Corporate Facilities Energy Management Plan
2. Seek support for grant applications

# Project Overview

ZOOM Window Space

## Corporate Facilities Energy Management Plan

- Strategy to reduce GHG emissions from City facilities to meet OCP and BC legislated emission reduction targets
- Informs the Corporate Climate Action Plan Update
- Prism Engineering Ltd. selected through RFP
- Develop prioritized building retrofit projects
- Improve efficiency, reduce consumption, and electrify systems



Changing systems for a better world

# Discussion

ZOOM Window Space

- Currently funded by the provincial Local Government Climate Action Program
- This project is eligible for additional grants offered by the Federation of Canadian Municipalities, and BC Hydro.
- LGCAP funds could be reallocated to other climate action initiatives

# Available Grant Funding

ZOOM Window Space



- **Federation of Canadian Municipalities Green Municipal Fund:**

- 80% of costs up to \$200,000
- Integrate emissions and energy use reductions into long-term plans

- **BC Hydro Integrated Energy Audits:**

- 100% of costs up to \$100,000
- Identify best opportunities for energy efficiency and electrification



# Financial Implications

ZOOM Window Space

|  | Total Fees (\$)  | Funding Opportunity (%) | Funding Opportunity (\$) | Remaining Fees (\$) |
|--|------------------|-------------------------|--------------------------|---------------------|
| BC Hydro Integrated Energy Audits<br><i>(Level 1 energy assessments)</i> | \$51,240         | 100%                    | \$51,240                 | \$0                 |
| FCM's Green Municipal Fund<br><i>(Level 2 energy assessments)</i>        | \$213,548        | 80%                     | \$170,838                | \$42,710            |
| <b>Project Total</b>   | <b>\$264,788</b> | <b>-</b>                | <b>\$222,078</b>         | <b>\$42,710</b>     |

# Options

ZOOM Window Space

## Motion 1: Federation of Canadian Municipalities

1. THAT Council direct staff to submit a full application to the Federation of Canadian Municipalities Green Municipal Fund to support the development of the Corporate Facilities Energy Management Plan.
2. THAT Council Provide alternative direction to staff.

# Options

ZOOM Window Space

## Motion 2: BC Hydro

1. THAT Council direct staff to submit an application to BC Hydro's Integrated Energy Audit funding program, to support the development of the Corporate Facilities Energy Management Plan.
2. THAT Council Provide alternative direction to staff.



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council  
**From:** City Manager (CAO)  
**Subject:** 2025 MRDT Tactical Plan

**File No.:** 6900-01 [2025]  
**Date:** October 23, 2024

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### **PURPOSE:**

The purpose of this report is to request Council approval of the 2025 Municipal and Regional District Tax (MRDT) Tactical Plan prepared by Experience Comox Valley (4VI) to be submitted to Destination BC and to approve the Appendix 1.8 Affordable Housing Plan prepared by staff.

### **EXECUTIVE SUMMARY:**

The City of Courtenay's MRDT was approved in 2021 on the basis that there would be support for management and administration of the funds by a third-party contractor (4VI) that is the official Destination Management Organization (DMO) for Courtenay. Governance of the MRDT is supported by a Tourism Advisory Committee (TAC).

The agreement between the City and 4VI to provide for management, delivery and reporting of the MRDT funds on behalf of the City of Courtenay requires that 4VI submit an annual MRDT Tactical Plan for review and approval. Additionally, the City is electing to use the Online Accommodation Platform (OAP) funds towards affordable housing projects and so must annually submit an Affordable Housing Plan.

### **BACKGROUND:**

Due to the contract termination and wind up of the Comox Valley Economic Society (CVEDS), the previous MRDT regulation in place for the City of Courtenay was repealed as of August 31, 2021. A new application was submitted to re-establish the tax, which was approved by the Ministry of Finance and is effective September 1, 2021.

On September 27, 2021 Council approved the agreement between the City of Courtenay and 4VI to provide for management, delivery and reporting of the MRDT funds on behalf of the City of Courtenay.

### **DISCUSSION:**

Over the course of a calendar year, MRDT is collected and paid to the City on a monthly basis and those funds are then transferred to 4VI.

4VI is responsible for maintaining the appropriate accounting records of the MRDT funds and responsible to provide the required financial reports to the City throughout the year.

4VI has completed the attached 2025 MRDT Tactical Plan with direction from the Tourism Advisory Committee (TAC) and upon City review of the documentation, the 2025 MRDT Tactical Plan will be submitted to Destination BC.

Online Accommodation Platform (OAP) funds are a subset of the MRDT funds collected. OAP funds are collected from online marketplaces that facilitate transactions for short-term rental units. OAP is eligible to be spent on tourism initiatives or affordable housing initiatives if approval has been received from the Province. Since September 1, 2021 all OAP funds have been held for affordable housing initiatives. As of July 2024, the City has accrued \$1,049,400 of OAP funds, but to date no spending has occurred as they are earmarked for the affordable housing needs analysis that is now scheduled to be completed in 2025. With the Principal Residence Requirement rules that the Province introduced in May of 2024, OAP funds collected in 2024 have dropped significantly and it is assumed they will remain lower in future years.

|                               |           | <b>OAP Funds Collected</b> |
|-------------------------------|-----------|----------------------------|
|                               |           | <b>January to July</b>     |
| 2023                          | \$        | 239,973.00                 |
| 2024                          | \$        | 94,334.00                  |
| <b>Reduction in OAP Funds</b> | <b>\$</b> | <b>145,639.00</b>          |

Upon the City’s review and approval of the 2025 Affordable Housing plan (Appendix 1.8), it will be submitted to the Province of BC for approval. It is expected that future year Affordable Housing Plans will look for approval to spend OAP funds on completing items as identified in the affordable housing needs assessment.

**POLICY ANALYSIS:**

Section 123 of the *Provincial Sales Tax Act* imposes a tax of up to three percent on the purchase price of accommodation in a specified geographic area of the province on behalf of a designated recipient.

The *Designated Accommodation Area Tax Regulation, B.C. Reg. 93/2013* sets out the authorized purposes for funds collected under the MRDT program.

**FINANCIAL IMPLICATIONS:**

The MRDT generates approximately \$400,000 annually to provide tourism marketing, programs and projects for the Comox Valley. With the support of 4VI, there are no budget implications to the City of Courtenay for the administration of the MRDT.

**ADMINISTRATIVE IMPLICATIONS:**

Once Council approves the 2025 Municipal and Regional District Tax (MRDT) Tactical Plan and Appendix 1.8 Affordable Housing Plan, the plans will be submitted for approval.

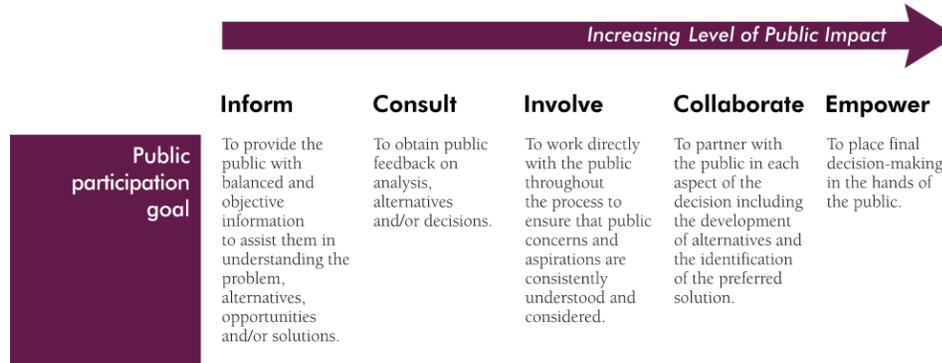
**STRATEGIC PRIORITIES REFERENCE:**

This initiative addresses the following strategic priorities:

- Affordable Housing - Explore approaches to develop affordable housing: Develop strategy for housing amenity fund

**PUBLIC ENGAGEMENT:**

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



© International Association for Public Participation [www.iap2.org](http://www.iap2.org)

**OPTIONS:**

1. THAT Council approve the 2025 Municipal and Regional District Tax (MRDT) Tactical Plan and the 2025 Appendix 1.8 Affordable Housing Plan as prepared by Experience Comox Valley (4VI) and staff.
2. That Council defer the approval of the 2025 MRDT Tactical Plan and Appendix 1.8 Affordable Housing Plan for further discussion at a later Council meeting.

It should be noted that deferring the approval of the 2025 MRDT Tactical Plan may hinder Council’s ability to meet the statutory November 30, 2024 deadline.

**ATTACHMENTS:**

1. 2025 MRDT One Year Tactical Plan
2. 2025 MRDT Appendix 1.8 Affordable Housing Plan – City of Courtenay

Prepared by: Krista McClintock, CPA, CGA, Manager of Finance  
 Reviewed by: Adam Langenmaier, BBA, CPA, CA, Director of Financial Services  
 Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)



**EXPERIENCE COMOX VALLEY**

# One-Year Tactical Plan 2025

**DESIGNATED RECIPIENT:** City of Courtenay

**DESIGNATED ACCOMMODATION AREA:** Courtenay

**DATE PREPARED:** September 20, 2024

**MRDT REPEAL DATE:** September 1, 2026

**FIVE YEAR PERIOD:** January 1, 2022 - December 31, 2026

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*Experience Comox Valley is grateful to live, work and play on the traditional and unceded territories of the K'ómoks First Nation.*

# Section 1: Overview and Update to Five-year Strategic Business Plan

## STRATEGIC DIRECTION

The Five-Year Strategic Business Plan for Experience Comox Valley set a clear and ambitious path for the region, aiming to position the Comox Valley as a premier, year-round destination on Vancouver Island. Building on its rich tapestry of outdoor adventures, from mountain peaks to coastal waters, and its developing culinary scene, the strategy emphasizes sustainable growth, economic benefits for the local community, and a commitment to environmental stewardship.

Through a blend of marketing initiatives, stakeholder collaboration and a focus on the region's unique assets, this plan lays the groundwork for the future of tourism in the Comox Valley.

### Mission

Implement fiscally prudent destination marketing initiatives that are informed and tested through stakeholder engagement that are objectively focused on increasing overnight stays in the Comox Valley that drive economic benefit to business owners and residents.

### Vision

The Comox Valley is recognized as the premier, year-round Vancouver Island destination for outdoor, culinary, and arts and cultural activities.

### Brand Strategy

The Comox Valley's compelling uniqueness lies in its combination of diverse outdoor activities, rich culinary experiences and a welcoming community atmosphere. The strategic focus is on articulating this uniqueness in a cohesive, charming, and organized way, ensuring all marketing activities are aligned with a central theme that resonates with potential visitors.

### Anticipated Challenges

The strategy must address challenges such as inflation, rising costs of living, and limited disposable income, which may affect visitor spending. Additionally, the Comox Valley faces competition from more well-known Vancouver Island destinations like Tofino and Victoria. Overcoming these challenges will require innovative marketing approaches that emphasize the Valley's unique selling points, such as its ski-to-surf opportunities and its geographic and cultural significance.

## KEY LEARNINGS & CONCLUSIONS

The transition from the pandemic-related strategy to the current strategy reflects an evolution in approach, adapting to the immediate challenges created by the pandemic and the broader, long-term goals for the region. While the original strategy was focused on stabilizing the tourism sector during a time of crisis, the new approach emphasizes sustainable growth, strategic marketing and enhancing the Comox Valley's position as a year-round destination. This shift marks a move from short-term recovery efforts to a future-focused plan that aims to strengthen the region's economic resilience and environmental stewardship.

### Focus and Adaptability

- **Original Approach:** The strategy during and following the pandemic was focused on short-term stabilization and immediate recovery due to reduced hotel occupancy rates and lower marketing budgets. The plan prioritized quick wins, such as attracting closer geographic markets and minimizing the emphasis on long-term initiatives like event development, which were less viable during that period.
- **New Approach:** The new strategic direction shifts towards a broader, more future-oriented approach. The focus is on establishing Comox Valley as a year-round destination with an emphasis on sustainable growth and environmental stewardship. It involves long-term goals that aim to increase visitor revenue, improve competitiveness and foster stakeholder collaboration.

### Challenges and Responses

- **Original Approach:** The plan highlighted pandemic-related challenges such as labour shortages, transportation costs and the limited availability of marine and event infrastructure. It also focused on the immediate need to adapt brand messaging and product positioning to align with shifts created from the pandemic.
- **New Approach:** The new plan addresses a broader set of challenges, including inflation, rising costs of living and competition from more well-known destinations on Vancouver Island. The strategy involves leveraging the region's unique selling points and emphasizes the importance of managing growth through seasonal and geographical dispersion.

### Marketing Strategy

- **Original Approach:** The original strategy relied on digital marketing and partnerships to maximize reach with limited resources. It included tactical adjustments like closer geographic targeting and product repositioning to quickly bring some stability to the sector.

- **New Approach:** The current plan takes a more holistic approach to marketing, focusing on cohesive and organized brand communication that highlights the Comox Valley's unique outdoor, culinary and cultural offerings. The strategy is less about immediate recovery and more about building a strong, unified brand identity that resonates with a broad audience.

## Sustainability and Stakeholder Collaboration

- **Original Approach:** The original plan included elements of stakeholder collaboration and enhanced event delivery. However, these efforts were more focused on the immediate recovery phase and less on long-term sustainability.
- **New Approach:** The new strategy places a stronger emphasis on sustainable tourism practices and deeper stakeholder collaboration. It again includes advancing Vancouver Island's Biosphere program and aligning with the UN's Sustainable Development Goals, reflecting a commitment to long-term environmental and community well-being.

## Key Learnings and Growth

- **Original Approach:** The key learnings from the original approach were centered around digital marketing effectiveness and stakeholder partnerships, with significant growth in off-peak period visits and MRDT revenues.
- **New Approach:** The new approach builds on these learnings but expands them to include a more integrated and sustainable growth strategy. The focus has shifted from just recovery to ensuring that the Comox Valley remains competitive, attractive and resilient in the face of evolving challenges.

## Overall Unique Appeal of the Comox Valley

Insights collected via intercept research in 2023/2024 suggest that marketing efforts should focus on the region's natural beauty, diverse outdoor activities and rich culinary and cultural offerings to attract a wide range of visitors, from adventure seekers to those looking for relaxation.

- **Diverse Outdoor Recreation:** The region's combination of coastal, forest, and mountain landscapes provides a wide range of outdoor activities, making it a versatile destination for all types of nature lovers.
- **Rich Cultural and Culinary Experiences:** The Comox Valley's local food scene, with its emphasis on fresh, locally sourced ingredients, combined with thriving arts, cultural events and festivals, offers visitors an authentic taste of the region.
- **Welcoming and Relaxed Atmosphere:** The Valley's friendly communities, coupled with its peaceful and scenic environment, create an inviting atmosphere for travelers looking to escape the hustle and bustle of everyday life.

## OVERALL GOALS AND OBJECTIVES

The goals and objectives for Experience Comox Valley are designed to elevate the region as a destination while ensuring sustainable and inclusive growth. These objectives focus on increasing visitor revenue, enhancing the competitiveness of the region and improving the visitor experience.

By strategically managing growth, promoting key destination drivers and encouraging collaboration among stakeholders, the plan seeks to maximize the economic benefits of tourism while preserving the social, cultural and environmental goals of the Comox Valley.

- **Support Sustainable Tourism Initiatives:** Promote and implement sustainable tourism practices that minimize negative impact and contribute positively to the environment and local communities.
- **Increase Revenue from Visitation:** Focus marketing efforts on attracting visitors year-round to boost revenue and stimulate the local economy.
- **Generate Leads for Businesses:** Develop and execute marketing campaigns that create business opportunities for local companies, enhancing their visibility and profitability.
- **Increase Competitiveness of the Comox Valley as a Desired Destination:** Enhance the region's appeal by showcasing its distinct offerings, including its blend of mountain and ocean activities, heritage, arts and vibrant community life.
- **Improve the Visitor Experience:** Continuously seek feedback to ensure visitors have memorable experiences that encourage repeat visits and positive word-of-mouth.
- **Increase Collaboration with Stakeholders:** Foster stronger partnerships with local businesses, Indigenous communities and other stakeholders to create a unified tourism environment.
- **Amplify Local Tourism Messaging:** Work closely with local businesses and tourism operators to amplify local messaging, with particular emphasis on regenerative tourism practices and experiences — those that increase the positive impact of tourism on the economy, community and environment while mitigating any negative effects.

## STRATEGIES

The 2025 Plan for Experience Comox Valley introduces key strategies designed to elevate the region as a destination while ensuring sustainable and inclusive growth. Building on lessons learned from the pandemic and adapting to evolving conditions, the plan focuses on sustainable tourism practices, enhanced brand communication, strategic growth management, strengthened stakeholder collaboration and ongoing market research.

- **Position Destination Drivers:** Identify and promote key attractions and experiences that differentiate the Comox Valley from other destinations, such as its unique ski-to-sea outdoor adventure and farm-to-table culinary experiences.
- **Sustainable Tourism Practices:** Prioritize and promote sustainable and regenerative tourism initiatives that contribute positively to the environment and local communities. This includes advancing Vancouver Island's Biosphere program and aligning with Global Sustainable Development Goals to ensure long-term viability and minimal negative impact.
- **Enhanced Brand Communication:** Amplify a cohesive and organized brand strategy that highlights the Comox Valley's unique outdoor, culinary and arts and cultural offerings. This strategy should focus on articulating the region's distinctiveness in a way that resonates with potential visitors, ensuring all marketing efforts are aligned with a central theme.
- **Strategic Growth Management:** Implement strategies for managing growth through seasonal and geographical dispersion. Promote diverse areas and activities within the Comox Valley to distribute visitor traffic more evenly, reduce pressure on popular spots and extend the economic benefits of tourism throughout the year.
- **Strengthened Stakeholder Collaboration:** Foster deeper partnerships with local businesses, Indigenous communities and other stakeholders. This includes enhancing collaboration to create a unified tourism environment and supporting regenerative tourism practices that benefit the economy, community and environment.
- **Ongoing Market Research and Adaptation:** Invest in continuous market research to stay competitive, understand visitor needs, and adapt marketing strategies accordingly. This approach ensures that the Comox Valley remains responsive to market trends and visitor preferences, optimizing the effectiveness of tourism initiatives.

## TARGET MARKETS

### Primary Audience

#### Rejuvenators, Authentic Experiencers, and Cultural Explorers

Affluent, frequent travelers who are focused on touring and exploring new destinations, these individuals seek to immerse themselves in local culture, nature and unique experiences.

- Geographic Locations:
  - Primary: Southern Vancouver Island (Victoria), Lower Mainland BC
  - Secondary: Alberta (Calgary, Edmonton), Okanagan (Kelowna) BC
  - Other: Washington State
- Demographics:
  - Primary: Age 30+ couples and small groups
  - Secondary: Families, particularly multi-generational groups
- Activity Interests:
  - Outdoor and marine adventures, including: skiing/snowboarding, biking, hiking, kayaking, diving, wildlife viewing, golf, boating
  - Arts and cultural activities, including: Indigenous experiences, art galleries, museums, history, live theatre, music, events and festivals
  - Culinary tourism, including: winery, distillery, brewery tours, farm tours & tastings, farmers' markets, culinary festivals/events

### Secondary Audience

#### Free Spirits

Younger, adventurous individuals or groups seeking spontaneous, high-energy travel experiences that offer memorable and unique activities.

- Geographic Locations:
  - Same as the primary markets but with a greater emphasis on destinations known for vibrant experiences, such as: Southern Vancouver Island and Lower Mainland, BC
- Demographics:
  - Similar to primary target markets but also including younger travelers in their 20s and early 30s
- Activity Interests:
  - High-energy outdoor activities and events.
  - Exploration of local culinary and cultural scenes.

## Audience Insights

|  | <b>Why they're coming</b>   | <b>Unique regional appeal</b>  |
|--|---|--|
| <b>Nature and Outdoor Enthusiasts</b>          | A significant portion of visitors are drawn to the Comox Valley for its natural beauty and outdoor recreation opportunities. Activities like hiking, beach outings, wildlife viewing and marine adventures are top reasons for visiting.        | Offers a range of outdoor experiences, from coastal adventures at beaches to mountain activities. The region's well-maintained parks and trails provide a natural environment that appeals to those seeking active, nature-focused getaways.   |
| <b>Culinary and Cultural Tourists</b>          | Visitors are also attracted by the region's vibrant food and drink scene, with many coming specifically for winery, brewery and year-round farmers' market. The presence of local culinary or cultural events and festivals adds to the appeal. | Known for its farm-to-fork and tide-to-table dining experiences, local wineries and craft breweries. The region's commitment to sustainable and locally sourced food makes it a destination for culinary enthusiasts. The arts and cultural richness of the area offers a dive into the local way of life. |
| <b>Family and Multi-Generational Travelers</b> | The region is popular with families, particularly multi-generational groups, who visit to enjoy a mix of outdoor activities and family-friendly attractions.  | From beach days to easy hiking trails and community parks, make the region a welcoming destination for all ages. The region's safe, relaxed atmosphere and variety of accessible activities ensure that there's something for everyone.  |
| <b>Relaxation Seekers</b>                      | Many visitors come to the Comox Valley to unwind and enjoy a peaceful, scenic environment. The area's overall atmosphere, with its slower pace of life, is a key draw.  | Offers a blend of tranquil natural settings, such as beaches and quiet parks, alongside wellness-focused amenities like spas and retreats. This makes the Comox Valley a destination for those looking to rejuvenate in a picturesque, relaxed environment.  |

# Section 2: One-Year Tactical Plan with Performance Measures

## MARKETING | CONSUMER ASSET DEVELOPMENT

Experience Comox Valley is intensifying efforts to enhance its visual and written content, aligning with an advanced strategic focus on sustainable tourism, enhanced brand communication and strategic growth management. This year's asset development will continue to incorporate principles of diversity, equity, inclusion, and accessibility across all media to authentically represent the region's diverse offerings. There will be some emphasis on content that represent the accommodation, transportation and arts and cultures sectors which stakeholders currently feel are underrepresented.

### Tactics

|                        |  |
|------------------------|--|
| <b>Photography</b>     | <ul style="list-style-type: none"> <li>● Capture compelling images that showcase sustainable tourism practices, highlighting the natural beauty and community initiatives.</li> <li>● Focus on capturing images across various less-known locations within the Comox Valley.</li> <li>● Collaborate with local businesses and Indigenous communities to ensure photographs represent diverse demographics and cultures.</li> </ul>   |
| <b>Video</b>           | <ul style="list-style-type: none"> <li>● Create "hero" videos that capture the essence of the region's outdoor, culinary and arts and cultural offerings, aligning with the brand.</li> <li>● Develop video content that demonstrates commitment to sustainability and cultural respect, promoting regenerative tourism practices.</li> <li>● Produce videos in partnership with local stakeholders to highlight the benefits of tourism on local economies and cultures.</li> </ul> |
| <b>Written Content</b> | <ul style="list-style-type: none"> <li>● Develop itineraries, blog posts and articles that clearly show uniqueness in sustainable tourism, cultural richness and diverse outdoor activities.</li> <li>● Feature stories and experiences from various community members, including Indigenous narratives, to provide a view of the region's cultural and environmental positioning.</li> </ul>  |

|  |   |
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|  | <ul style="list-style-type: none"> <li>● Produce content aimed at educating visitors on sustainable practices and how they can positively contribute to the environment and culture during their visits.</li> </ul> |
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## Implementation Plan

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| <p>In 2025, asset development will broaden and diversify Comox Valley's brand portfolio to enhance marketing initiatives aligned with sustainability and strategic growth objectives.</p> |   |
| <b>Quantifiable Objective</b>   | Increase in sustainable content, more assets featuring geographic dispersion, increase in stakeholder content collaboration.  |
| <b>Rationale</b>  | Strengthening the asset base enhances marketing efforts, promotes sustainable tourism, manages visitor distribution and encourages community relationships.   |
| <b>Action Steps</b>   | <ul style="list-style-type: none"> <li>● Develop detailed content creation guidelines and content calendar based on seasonality, sustainability and DEIA principles.</li> <li>● Schedule and conduct diverse content creation sessions across varied locations.</li> <li>● Engage with community stakeholders for authentic representation in content.</li> <li>● Integrate new assets into marketing channels and distribute to partners.</li> </ul> |
| <b>Potential Partnerships</b>   | Environmental NGOs, cultural organizations, local businesses/tourism operators, Indigenous councils, content creators, Destination BC brand team.   |
| <b>Resources</b>  | Photographers, videographers, content writers, Indigenous councils, DEIA and sustainability consultants.  |
| <b>Sources of Funding</b>   | MRDT, Destination BC Co-op dollars  |
| <b>Timeframe</b>  | Ongoing, with adjustments based on seasonal tourism trends and stakeholder feedback.  |
| <b>Budget</b>   | \$30,000  |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Tracking the number of visits to specific web pages that feature the new content provides direct insight into the effectiveness of the marketing materials in attracting interest.</li> </ul>  |

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|  | <ul style="list-style-type: none"><li>● Social media platforms are a primary channel for digital marketing and a critical area where new content is likely to be consumed and shared. Engagement metrics such as likes, shares, comments, and video views provide immediate feedback on the content's appeal and reach.</li></ul> |
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## MARKETING | MEDIA ADVERTISING

Experience Comox Valley's media strategy is designed to capture consumer interest and drive bookings while supporting long-term brand development and awareness. The focus is on leveraging a mix of media channels to deliver compelling messages that resonate with the right-fit consumers. This strategy incorporates messaging around responsible travel, sustainability, inclusiveness, and Reconciliation, ensuring these crucial themes are represented across all advertising mediums.

### Tactics

|  |  |
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| <b>Print<br/>(Newspaper /<br/>Magazine)</b>          | Utilizing regional newspapers and magazines, this involves placing advertisements that resonate with niche audiences who value content from publications in their communities. Print will target consumers likely to respond to a call to action to plan and book travel, particularly those who appreciate detailed, in-depth articles and ads in print media.                    |
| <b>Television</b>                                    | Running commercials and integrated content on major regional TV channels like CTV, Global BC and/or ChekTV, particularly during news and prime-time slots to maximize exposure. This tactic will utilize TV's extensive reach to promote shoulder season campaigns and special offers, directly increasing visitor nights and spending.  |
| <b>Email Marketing</b>                               | Developing a targeted email marketing strategy that focuses on building and nurturing a list of 'owned' leads, which allows for direct communication and personalized marketing. This approach will aim to increase subscriber engagement through regular updates and promotions, driving direct leads and bookings, while encouraging repeat visits through continual engagement. |
| <b>Paid Search /<br/>Search Engine<br/>Marketing</b> | Using targeted ads on search engines to capture the attention of potential visitors at the crucial moment they are researching or planning a vacation. Paid search will help to generate immediate interest by optimizing ad spend based on search trends and user intent, focusing on high conversion keywords related to travel and tourism.                                     |
| <b>Paid Social<br/>Media</b>                         | Leveraging platforms like Facebook and Instagram to run targeted ads that promote Comox Valley's attractions, events and travel packages. The ads will drive engagement and conversions through compelling calls-to-action, special offers, and interactive content that promotes immediate booking and enhances brand awareness.  |

|   |  |
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| <b>Display and Third Party Advertising Partnerships (Digital)</b> | Utilizing display ads on various digital platforms and partnering with third-party websites to place contextual ads that align with the interests of potential visitors. They aim to maximize brand awareness through widespread visibility on popular sites and blogs, targeting right-fit consumers with dynamic, visually appealing ads designed to encourage travel and exploration of the region. |
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## Implementation Plan

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| Implement a year-long, multi-channel media booking strategy for Experience Comox Valley with seasonal content updates to maximize budget efficiency and campaign effectiveness. |   |
| <b>Quantifiable Objective</b>   | Achieve year-round visibility, maximize budget allocation efficiency and ensure content relevance to seasonal trends and visitor interests. Increase brand visibility, consumer engagement and direct bookings for travel to Comox Valley.  |
| <b>Rationale</b>  | Booking media on an annual basis allows for better negotiation rates and placement opportunities, ensuring continuous visibility. Seasonal content updates keep the messaging fresh and aligned with consumer interests and behaviors that vary throughout the year. Multi-channel media advertising will ensure broad coverage and targeted reach, effectively communicating Comox Valley's unique offerings to potential visitors.  |
| <b>Action Steps</b>   | <ul style="list-style-type: none"> <li>● Coordinate with media outlets to secure annual contracts for various advertising channels including print, television, digital, and social media. This will be done early in the year to ensure cost-effectiveness and secure prime advertising spots.</li> <li>● Develop a flexible content calendar that aligns with seasonal themes and promotions. This involves creating a suite of adaptable templates and core messages that can be customized easily.</li> <li>● Schedule and execute content updates at the start of each season. This includes updating visuals, promotional offers, and specific calls to action that reflect the current seasonal appeal of Comox Valley.</li> </ul> |
| <b>Potential Partnerships</b>   | Regional TV stations, print publications and online publications. Collaborate with local businesses, cultural organizations, and event promoters to ensure content is reflective of Comox Valley's diverse offerings and upcoming events.   |

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| <b>Resources</b>            | Long-term agreements with a media planner and outlets, creative agencies/designers for content development and a dedicated marketing team to manage campaigns.  |
| <b>Sources of Funding</b>   | MRDT, Destination BC Co-op dollars, supplemented by partnerships and possibly local business contributions.   |
| <b>Timeframe</b>            | Annual media planning and booking, with content updates occurring at the transition of each season (spring, summer, fall, winter).  |
| <b>Budget</b>               | \$100,000   |
| <b>Performance Measures</b> | <ul style="list-style-type: none"> <li>● Monitor the cost-effectiveness of annual media bookings compared to previous season-by-season bookings, assessing spending against reach and engagement metrics.</li> <li>● Evaluate the impact of seasonal content changes through metrics such as click-through rates, conversion rates, and social media engagement specific to seasonal promotions.</li> <li>● Track year-long brand visibility across all channels, measuring fluctuations and impacts based on seasonal content adjustments.</li> <li>● Gather continuous feedback from stakeholders and visitors to refine and adapt content for future seasonal updates, ensuring the messaging remains dynamic and responsive to market trends and visitor feedback.</li> </ul> |

## MARKETING | SOCIAL MEDIA MANAGEMENT (ORGANIC)

Experience Comox Valley is poised to significantly enhance its social media presence by leveraging user-generated content (UGC) through the Crowdriff platform, maintaining robust engagement across its channels, and amplifying stakeholder content. This approach will utilize the authenticity and appeal of visual interactions to boost reach, engagement and click-through rates and integrate core strategies that ensure sustainable and strategic growth. Organic content will focus on:

- Sustainable tourism initiatives, showcasing practices within the community, celebrating local conservation efforts, and encouraging visitors to engage in environmentally and socially responsible behaviors while exploring Comox Valley.
- Comox Valley’s unique identity, focusing on its outdoor, culinary, and arts and cultural offerings.
- Promoting a wider geographical spread of attractions throughout Comox Valley.
- Collaborations with local businesses, Indigenous communities and other stakeholders.

### Tactics

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| <b>Content Strategy/ Calendar Development</b> | <p>Creation of and maintenance of a detailed content calendar that outlines all planned social media activities for the year. The content calendar serves as a tool to ensure consistency, timely posting and alignment with overall goals and seasonal themes. It also helps coordinate campaigns, track performance and streamlines collaboration among team members and stakeholders.</p> |
| <b>Social Media Management</b>                | <p>Involves the management of all social media channels associated with the region. It encompasses planning, posting, monitoring and interacting with users to maintain an active and engaging online presence. Regular activities include scheduling posts, responding to comments and analyzing engagement data to optimize strategies and increase the overall visibility.</p>            |
| <b>Amplify Stakeholder Content and Events</b> | <p>Focuses on using social media platforms to promote and amplify content from stakeholders, such as cultural events and community activities. By sharing and highlighting diverse offerings from partners, this aims to create a cohesive community presence on social media.</p>   |
| <b>Crowdriff Subscription</b>                 | <p>Crowdriff is a powerful marketing platform that allows organizations to discover, manage, and share user-generated content (UGC) legally and effectively. This tool enables the team to harness the authenticity and appeal of visuals created by visitors and locals.</p>  |

## Implementation Plan

|  |   |
|--|---|
| <p>Implement a comprehensive social media strategy for Experience Comox Valley that leverages user-generated content, regular engagement practices, content strategy development and amplification of stakeholder content to enhance online presence and visitor engagement.</p> |   |
| <p><b>Quantifiable Objective</b></p>   | <p>Significantly enhance overall social media engagement, notably increase content reach, improve click-through rates across all platforms.</p>   |
| <p><b>Rationale</b></p>  | <p>Using a strategic blend of planned content, user-generated content and regular interaction, this approach ensures that the social media presence is both engaging and aligned with the goals of promoting the region. This approach fosters a vibrant community, drives engagement and communicates the unique aspects of the region.</p>  |
| <p><b>Action Steps</b></p>   | <ul style="list-style-type: none"> <li>● Conduct a content audit to determine what types of content have been most effective. Identify key themes, messages, and campaigns that align with Experience Comox Valley’s marketing goals.</li> <li>● Develop a monthly content calendar that includes daily posts, major campaigns, stakeholder highlights, and reactive content spaces. Actively engage with comments and questions, and continuously monitor social media performance. Review and adjust the content calendar monthly to incorporate feedback and emerging trends.</li> <li>● Purchase and implement the Crowdriff platform to manage and utilize user-generated content efficiently.</li> <li>● Regularly collaborate with local businesses and cultural events to promote and share their content, enhancing community engagement and support.</li> </ul> |
| <p><b>Potential Partnerships</b></p>   | <p>Local tourism businesses, cultural organizations and community event planners, influencers and content creators within the region.</p>   |
| <p><b>Resources</b></p>  | <p>Crowdriff software for content curations, social media management tools, dedicated social media team or agency.</p>  |
| <p><b>Sources of Funding</b></p>   | <p>MRDT, Destination BC Co-op dollars</p>   |
| <p><b>Timeframe</b></p>  | <p>Ongoing, with specific content updates and strategy reviews scheduled quarterly.</p>   |
| <p><b>Budget</b></p>   | <p>\$35,000</p>   |

|                                    |   |
|------------------------------------|---|
| <p><b>Performance Measures</b></p> | <ul style="list-style-type: none"> <li>● Monitor the utilization, frequency, and quality of user-generated content, as well as the diversity and relevance of all social media posts according to the strategic content calendar.</li> <li>● Assess user interaction through engagement metrics such as likes, comments, and shares, and evaluate the overall growth in followers and reach to determine visibility.</li> <li>● Regularly review click-through rates to gauge the effectiveness of promotional content and conduct surveys to collect feedback, ensuring content remains relevant and satisfies audience expectations.</li> </ul> |
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## MARKETING | WEBSITE

ExperienceComoxValley.ca will undergo strategic enhancements to optimize user experience and functionality, ensuring the website serves as a comprehensive portal for information on local attractions, accommodations, culinary experiences and events. This initiative aligns with sustainable tourism practices, brand communication, strategic growth management and strengthened stakeholder collaboration. The enhancements will focus on integrating interactive features like an itinerary builder and a robust events calendar, improving content depth and promoting regional offerings more effectively.

### Tactics

|   |   |
|---|---|
| <b>Content Enhancement and Optimization</b> | Enhance website content to include high-quality, engaging material that accurately reflects Comox Valley’s distinct outdoor, culinary and cultural offerings, aimed at increasing visitor engagement and website stickiness.                          |
| <b>Itinerary Builder Integration</b>        | Implement an itinerary builder tool on the website to allow visitors to customize their travel plans within Comox Valley, enhancing personalization and improving the overall planning experience.  |
| <b>Events Calendar Revamp</b>               | Overhaul the existing events calendar to create a comprehensive, easy-to-use interface that becomes the go-to resource for finding and planning attendance at local events, ensuring it is updated in real-time and includes all regional activities. |
| <b>User Experience Improvements</b>         | Continuously update the website’s design and functionality to ensure a seamless, intuitive, and accessible user experience, including faster load times, responsive design, and accessibility features to cater to all users.                         |

### Implementation Plan

|  |  |
|--|--|
| Revamp and enrich the Experience Comox Valley website to better showcase the region's unique offerings and facilitate user engagement and conversion to stakeholder activities and bookings. |  |
| <b>Quantifiable Objective</b>  | Increase average time on site by enhancing content quality and interactivity, grow the number of referrals to stakeholder websites, enhance user engagement metrics, including sessions, unique visitors, and page views, boost conversions through strategically placed calls-to-action and referral links. |

|                               |  |
|-------------------------------|--|
| <b>Rationale</b>              | Website enhancements aim to integrate several strategic goals to optimize its effectiveness as a promotional tool.   |
| <b>Action Steps</b>           | <ul style="list-style-type: none"> <li>● Redesign and update the events calendar to make it the go-to resource for regional events.</li> <li>● Integrate an itinerary builder to enhance user interaction and trip planning.</li> <li>● Continuously source and create compelling content (blogs, listings) and visuals that reflect the strategies and objectives.</li> <li>● Optimize website architecture for speed, responsiveness and search engine visibility.</li> <li>● Leverage Google Analytics to monitor user behavior and adjust strategies accordingly.</li> </ul> |
| <b>Potential Partnerships</b> | Local tourism operators, cultural groups, and event organizers. Tech firms for web development and interactive tools integration.  |
| <b>Resources</b>              | Creative and web development agency, marketing and content creation teams, technology tools for itinerary building.  |
| <b>Sources of Funding</b>     | MRDT, Destination BC Co-op dollars   |
| <b>Timeframe</b>              | Build updates in Spring/Summer 2025. Ongoing updates for seasonality.  |
| <b>Budget</b>                 | \$10,000   |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Track enhancements made to the website (new features, content updates).</li> <li>● Monitor the implementation of interactive tools like the itinerary builder and events calendar.</li> <li>● Analyze improvements in user engagement metrics (time on site, page views).</li> <li>● Evaluate increases in referrals to local businesses and stakeholder websites.</li> <li>● Review user feedback and conduct surveys to gauge satisfaction with the new features and content.</li> </ul>  |

## MARKETING | PARTNERSHIP MARKETING

Experience Comox Valley will engage in strategic partnership marketing to enhance its visibility and appeal as a destination. This approach involves collaborating with Destination BC consortiums and the Comox Valley Airport to promote the region's unique offerings and experiences, and to capitalize on direct flight routes from key markets. Through these partnerships, the initiative aims to amplify Comox Valley's messaging, increase visitor traffic, and enhance overall tourism stakeholder conversions.

### Tactics

|                                       |  |
|---------------------------------------|--|
| <b>Destination BC Consortiums</b>     | Continue to collaborate with Destination BC consortiums to promote sector and activity-specific experiences in the Comox Valley. These include BC Ale Trail, AhoyBC, Golf VI, Ride Island, BC Farmers Markets, and Paddle BC.  |
| <b>Comox Valley Airport</b>           | Promote direct flight options to the Comox Valley Airport to boost awareness and drive inbound air travel.   |
| <b>'Other' Strategic Partnerships</b> | Identify and nurture strategic partnerships with various organizations both within and beyond the tourism industry, to amplify Comox Valley's visibility and attract a broader visitor base. These might include neighbouring destinations, local and provincial parks, culinary institutes and food / beverage producers, cultural and historical societies, sports and rec organizations, arts and music festivals, educational institutions, or tech companies. |

### Implementation Plan

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| This strategic partnership marketing plan is designed to capitalize on existing networks and new opportunities, driving both awareness and visitation to Comox Valley through focused, collaborative marketing efforts. Exploring new partnership avenues can further integrate Comox Valley into a broader network of tourism and community interests, amplifying its reach and impact. By considering collaborations outside the typical tourism spectrum, such as with technology companies for innovative visitor experiences or educational institutions for sustainable tourism education programs, Comox Valley can enhance its appeal and commitment to progressive tourism practices. These partnerships not only drive the regional tourism agenda but also contribute to the community's economic and social development, aligning with strategic growth management and strengthened stakeholder collaboration. |  |
| <b>Quantifiable Objective</b>  | Expand partnership network, increase networking and collaborative promotional efforts. |

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| <b>Rationale</b>              | By partnering with a diverse range of entities, Comox Valley can tap into new audiences, share marketing costs, and benefit from the expertise and reputation of established brands and organizations.   |
| <b>Action Steps</b>           | <ul style="list-style-type: none"> <li>● Identify potential partners whose brand values and audience demographics align with those of Comox Valley. Initiate discussions to explore collaborative projects.</li> <li>● Develop a joint marketing plan with Comox Valley Airport focusing on direct flight markets.</li> <li>● Develop joint marketing materials and co-host events or promotions.</li> <li>● Regularly review partnership outcomes and refine collaborative strategies for continuous improvement.</li> <li>● Monitor and analyze campaign effectiveness to refine future strategies.</li> </ul> |
| <b>Potential Partnerships</b> | Comox Valley Airport, DBC consortiums, other DMOs, tourism businesses/stakeholders   |
| <b>Resources</b>              | Marketing team, partnership managers, budget for co-branded marketing initiatives.   |
| <b>Sources of Funding</b>     | MRDT   |
| <b>Timeframe</b>              | Ongoing  |
| <b>Budget</b>                 | \$60,000   |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Track the number of promotional initiatives executed with each consortium or organization.</li> <li>● Track established partnerships and the initiatives that come out of them.</li> <li>● Evaluate the growth in inbound traffic through the airport.</li> </ul>   |

## MARKETING | COLLATERAL PRODUCTION & DISTRIBUTION

In an increasingly digital world, the value of tangible, printed collateral remains undiminished, offering a unique and enduring way for visitors to engage with their surroundings. Experience Comox Valley recognizes the importance of providing printed guides, maps and itineraries that serve as reliable and accessible resources for tourists and residents alike. These materials are heavily used in visitor servicing and complement digital strategies by ensuring that information is readily available without total reliance on smartphones or internet access.

### Tactics

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| <b>Annual Comox Valley Vacation Guide</b> | The annual Experience Comox Valley Guide is used as a primary resource for Visitor Servicing and distributed at Visitor Centres, BC Ferries, Comox Valley & Victoria airports, local accommodators and other stakeholders.   |
| <b>Cultural Heritage Guide</b>            | Produce a detailed guide that explores the cultural heritage of Comox Valley, featuring Indigenous communities, historical sites, and local cultural festivals. This guide can help visitors understand the rich history and cultural diversity of the region.   |
| <b>Sustainable Tourism Resource</b>       | Develop an educational resource that highlights sustainable tourism opportunities within Comox Valley, including eco-friendly accommodations, activities, and local conservation efforts. This could also include tips for responsible tourism, aligning with social good and/or environmental stewardship initiatives. A postcard with QR code, or similar print collateral could be utilized to reduce paper use and direct to online information. |

### Implementation Plan

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| Utilize essential printed collateral such as guides, maps, and themed itineraries to enhance visitor servicing and provide valuable information to tourists and residents alike, facilitating their exploration of Comox Valley. |   |
| <b>Quantifiable Objective</b>  | Increase the distribution reach of printed materials, track engagement through QR code scans leading to website visits.   |
| <b>Rationale</b>   | These additional print materials not only support the strategic objectives by promoting key aspects of Comox Valley but also provide valuable resources that enhance the visitor experience, encourage longer stays and foster a deeper connection with the region. |
| <b>Action Steps</b>  | <ul style="list-style-type: none"> <li>● Work with businesses, stakeholders and the visitor information center to identify which print pieces may provide the most value.</li> </ul>  |

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|                               | <ul style="list-style-type: none"> <li>● Design and produce the annual Experience Comox Valley Guide, themed itineraries and other materials as identified. Collaborate with printers and publications where possible.</li> <li>● Distribute materials through Visitor Centres, BC Ferries, airports, local accommodations, and other stakeholders.</li> <li>● Incorporate QR codes to bridge the gap between print and digital, directing users to further relevant online resources.</li> </ul>             |
| <b>Potential Partnerships</b> | Comox Valley Record, local community groups and cultural organizations, tourism operators, Visitor Centres.   |
| <b>Resources</b>              | Templates and content from previous guides, digital assets from the Experience Comox Valley website, stakeholder input.   |
| <b>Sources of Funding</b>     | MRDT, Destination BC Co-op dollars  |
| <b>Timeframe</b>              | Produced in early 2025 with ongoing distribution.   |
| <b>Budget</b>                 | \$25,000  |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Track the number and location of distributed print materials, such as local guides, maps, itineraries and cultural brochures.</li> <li>● Measure how visitors use the print collateral and gather their feedback on its usefulness and appeal.</li> <li>● Use analytics tools to monitor scans of QR codes, tracking subsequent actions such as website visits, page views, or specific conversions like newsletter sign-ups or contact form submissions.</li> </ul> |

## DEVELOPMENT OF NEW MARKETS | TRAVEL TRADE AND MEDIA RELATIONS

Experience Comox Valley is committed to supporting travel trade initiatives and media relations efforts in collaboration with Destination BC and 4TVI. By providing up-to-date content on local products and experiences, hosting media and trade visits and coordinating local support, this strategy aims to enhance the visibility and attractiveness of Comox Valley as a premier overnight destination and adventure hub.

### Tactics

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| <b>Media and Trade Familiarization Trips</b> | Host tailored familiarization (FAM) trips for media representatives and travel trade professionals to showcase the best of Comox Valley firsthand. These trips are designed to leave a lasting impression, influencing future content and recommendations. |
| <b>Information and Experience Kits</b>       | Develop comprehensive kits that include detailed information about Comox Valley’s attractions, accommodations, and unique experiences. These kits should be tailored to the interests of travel trade professionals and media.                             |
| <b>Tradeshow Participation</b>               | Participate in the Explore VI regional travel trade show to promote Comox Valley to a broad audience of travel professionals and media.  |

### Implementation Plan

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| These tactics are designed to build strong, productive relationships with travel trade and media professionals, creating advocates who will help promote Comox Valley as a premier destination. Each tactic supports the overall strategy of enhancing visibility, improving brand communication, and driving visitor traffic to the region, aligning with the broader marketing goals of Experience Comox Valley. |  |
| <b>Quantifiable Objective</b>  | Enhance travel trade partnerships by expanding the number of travel trade-ready stakeholders in the region.  |
| <b>Rationale</b>   | By engaging with travel trade and media, the initiative seeks to implement marketing strategies that boost overnight stays and strengthen media relations in primary markets. Fostering positive relations with regional and provincial tourism partners enhances the overall tourism ecosystem. |

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| <b>Action Steps</b>           | <ul style="list-style-type: none"> <li>● Identify key influencers and decision-makers in the travel trade and media sectors. Plan and execute itineraries that highlight signature experiences, new and hidden gems in Comox Valley.</li> <li>● Compile and continuously update information packets, digital content, and promotional materials that can be easily distributed during media events, trade shows, or electronically.</li> <li>● Prepare engaging booth displays, interactive presentations, and promotional giveaways that effectively communicate the allure of Comox Valley.</li> </ul> |
| <b>Potential Partnerships</b> | <p>Local tourism businesses and stakeholders, 4TVI (4VI Social Enterprise Group) and Destination BC, media outlets and travel trade organizations.</p>   |
| <b>Resources</b>              | <p>Information and promotional materials about Comox Valley, staff and coordination support from 4TVI and Destination BC, media and travel trade networks.</p>   |
| <b>Sources of Funding</b>     | <p>MRDT</p>  |
| <b>Timeframe</b>              | <p>Ongoing, activities scheduled as required based on opportunities and needs from Destination BC and 4TVI.</p>  |
| <b>Budget</b>                 | <p>\$5,000</p>   |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Track the number and quality of interactions and partnerships developed with travel trade representatives and media personnel.</li> <li>● Monitor the distribution and reception of promotional materials and information shared with partners.</li> <li>● Assess the growth in the number of travel trade-ready stakeholders and the effectiveness of hosted trips in generating positive coverage.</li> </ul>   |

## DESTINATION & PRODUCTION EXPERIENCE DEVELOPMENT | MARKET RESEARCH

Develop visitor personas using a strategic combination of quantitative and qualitative methodologies to gather a clear understanding of potential and current visitors to a destination. This process will leverage existing research and data and may require additional, more current research. These data points can be sourced from various channels such as direct surveys, social media analytics, web usage patterns and transactional data.

### Implementation Plan

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|---|--|
| Developing clear visitor personas is a crucial step in tailoring marketing strategies and enhancing the overall visitor experience. |  |
| <b>Quantifiable Objective</b>   | Utilize insights to understand visitor behaviour, travel patterns, overall satisfaction and local sentiment towards tourism in the region.   |
| <b>Rationale</b>  | The focused collection and analysis of visitor and resident data support strategic objectives to precisely target the most relevant consumer segments.   |
| <b>Action Steps</b>   | <ul style="list-style-type: none"> <li>● Review and analyze the data already collected from various sources such as previous surveys, website analytics, social media interactions and customer feedback. Sorting through this data to identify patterns and trends related to visitors.</li> <li>● Based on the insights gained from the initial data analysis, determine what additional information is needed to develop a comprehensive picture of potential and existing visitors. Additional research might include segmentation research, focus groups or exit surveys.</li> <li>● Execute the additional research needed to gather comprehensive visitor information.</li> <li>● Grouping similar types of data to form coherent profiles that represent different segments of your audience. Each persona should include demographic details, behavioral traits, motivations for visiting, preferences and any particular needs or expectations.</li> <li>● Develop detailed customer journey maps that outline all the touchpoints visitors have with the destination, from initial awareness and consideration through to the travel experience and post-visit engagement.</li> </ul> |

|                               |  |
|-------------------------------|--|
| <b>Potential Partnerships</b> | Research and survey contractors specialized in tourism and community engagement, local community groups and stakeholders including tourism businesses.   |
| <b>Resources</b>              | Professional services for data analysis and survey distribution, established relationships with local stakeholders to facilitate data gathering.   |
| <b>Sources of Funding</b>     | Municipal and Regional District Tax (MRDT)   |
| <b>Timeframe</b>              | Ongoing, with preliminary results reviewed annually and strategies adjusted accordingly.   |
| <b>Budget</b>                 | \$10,000   |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Amount and quality of data collected on visitor demographics, motivations, and satisfaction.</li> <li>● Development of comprehensive visitor and resident profiles that inform marketing strategies and product development.</li> <li>● Identification of key target markets based on collected data, leading to more focused and effective marketing efforts.</li> </ul> |

## DESTINATION & PRODUCTION EXPERIENCE DEVELOPMENT | INDUSTRY DEVELOPMENT & TRAINING

Support industry in the development and enhancement of remarkable tourism experiences that align with Comox Valley’s sustainability and reconciliation goals, and will appeal to a target consumer. Work with local tourism businesses to increase education and awareness of Biosphere and the UN’s Sustainable Development Goals, including initiatives to implement strategic sustainable and regenerative practices into their existing tourism products and experiences that Experience Comox Valley can then promote to consumers. Investigate presence (or lack thereof) of Indigenous-owned tourism operators and Indigenous people working within the Comox Valley tourism economy; collaborate with relevant organizations to identify potential barriers to inclusion and justify additional supports to generate interest, promote involvement in outdoor recreation, and build capacity for future employment in tourism, especially amongst youth.

### Tactics

|                                 |   |
|---------------------------------|---|
| <b>Workshops</b>                | Identify knowledge gaps and priority learning needs and work with partners to deliver tailored workshops to tourism and tourism-related business owners, operators and/or managers. |
| <b>Networking Opportunities</b> | Host networking opportunities, engaging with local businesses, NGOs, and partner organizations to facilitate connections and idea sharing.  |

### Implementation Plan

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|---|---|
| These tactics will encourage and build collaboration amongst stakeholders, businesses and partners, fostering connections and ideas for sustainable and regenerative practices throughout the Comox Valley tourism ecosystem. |   |
| <b>Quantifiable Objective</b>   | Collaborative tourism ecosystem with businesses implementing new sustainable practices, regenerative tourism products, and building innovative partnerships.  |
| <b>Rationale</b>  | Supporting the development of remarkable and sustainable experiences to enhance positioning for Comox Valley’s most appropriate consumer segments and aligning with our communities values.   |
| <b>Action Steps</b>   | <ul style="list-style-type: none"> <li>● Identify priority needs for workshop themes and objectives</li> <li>● Work with partners and program presenters to develop curriculum</li> <li>● Plan and execute workshops and networking events</li> </ul> |

|                               |   |
|-------------------------------|---|
|                               | <ul style="list-style-type: none"> <li>● Survey participants to evaluate effectiveness and outcomes</li> </ul>  |
| <b>Potential Partnerships</b> | Comox Valley Chamber of Commerce, local Business Improvement Associations, Tourism Cafe, NGOs, environmental groups, neighbouring CDMOs and regional DMOs.  |
| <b>Resources</b>              | Professional services for program curriculum development and presentation, and partners organizations and stakeholder collaborations.   |
| <b>Sources of Funding</b>     | MRDT  |
| <b>Timeframe</b>              | Ongoing   |
| <b>Budget</b>                 | \$5,000   |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Number of workshops and networking opportunities hosted</li> <li>● Engaged businesses and partners with Experience Comox Valley</li> <li>● New sustainable and regenerative practices implemented or products offered</li> <li>● Indigenous-owned tourism operators and Indigenous people working within the Comox Valley tourism economy</li> </ul> |

## DESTINATION & PRODUCTION EXPERIENCE DEVELOPMENT | STAKEHOLDER ENGAGEMENT

Ongoing and continuous stakeholder engagement ensures Experience Comox Valley tactics and initiatives are informed and supported by local businesses, partner organizations, and municipal and regional staff and elected officials.

### Tactics

|                                   |   |
|-----------------------------------|---|
| <b>Stakeholder Survey</b>         | An annual stakeholder survey will ask for feedback on marketing programs, effectiveness, satisfaction, and identifying key challenges facing stakeholders.  |
| <b>Tourism Advisory Committee</b> | The Comox Valley Tourism Advisory Committee (TAC) will advise, review and recommend annual destination plans and budget, including MRDT Tactical Plan and Destination BC Co-op Marketing application. |
| <b>Stakeholder Meetings</b>       | Regular meetings throughout the year with stakeholders one-on-one will ensure marketing and development efforts remain relevant to industry, and will keep the community informed and invested.       |
| <b>Stakeholder E-newsletters</b>  | Email newsletters to stakeholders will share news, campaign results and upcoming opportunities and events.  |
| <b>Council Presentations</b>      | Annual presentations to local municipal councils and updates to CVRD Board and CAOs, to provide overview and outcomes of Experience Comox Valley campaigns, initiatives, programs and future plans.   |

### Implementation Plan

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|--|---|
| These tactics will inform robust, inclusive and effective plans for Experience Comox Valley activities and programs. |   |
| <b>Quantifiable Objective</b>  | Highly engaged stakeholders, organizations and partners, working together to support Experience Comox Valley and the tourism ecosystem. |
| <b>Rationale</b>   | Decisions are informed by stakeholder needs and community values to build collaboration and support of tourism in the Comox Valley      |
| <b>Action Steps</b>  | <ul style="list-style-type: none"> <li>● Continued outreach to stakeholders, businesses and partners</li> </ul>                         |

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|                               | <ul style="list-style-type: none"> <li>● Grow list of engaged tourism businesses, providing regular communication through e-Newsletters, and host Tourism Tuesdays for 1:1 meetings</li> <li>● Develop and distribute survey to stakeholders</li> <li>● Meet with TAC to review and discuss strategies, ideas and proposals for inclusion in Experience Comox Valley activities</li> </ul> |
| <b>Potential Partnerships</b> | Tourism and tourism-related businesses, Comox Valley Regional District (CVRD), local municipalities, Community organizations (e.g. Comox Valley Chamber of Commerce, Downtown Courtenay BIA, Comox BIA, Cumberland BA).  |
| <b>Resources</b>              | E-newsletter platform (MailChimp), survey software   |
| <b>Sources of Funding</b>     | MRDT   |
| <b>Timeframe</b>              | Ongoing  |
| <b>Budget</b>                 | \$0 <i>(covered by staff time and Industry Development &amp; Training)</i>   |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Email open rates and click through rates</li> <li>● Tourism Advisory Committee (TAC) members are engaged and feel appreciated and heard</li> <li>● Number of engaged stakeholders and meetings</li> </ul>   |

## DESTINATION & PRODUCTION EXPERIENCE DEVELOPMENT | EVENT AND EXPERIENCE FUND GRANT PROGRAM

The Events & Experiences Fund (EEF) grant program invests in creating or enhancing the supply of experiences, events and festivals that attract visitors to the Comox Valley and improves the Comox Valley’s competitive appeal as a preferred multi-night destination on Vancouver Island. The program encourages new events and experiences that foster interest from new product sectors and new visitor demographics, particularly in the off-peak seasons, and make meaningful contributions to the social, cultural and/or environmental well-being of the Comox Valley.

### Implementation Plan

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| Support the creation and/or enhancement of new events and experiences through event creation/coordination skills development, and funding initiatives that enable community groups to activate tourism relevant experiences in the Comox Valley community. |  |
| <b>Quantifiable Objective</b>  | Support event planners, businesses and organizations in the development and implementation of new and/or enhanced experiences, products and events that attract visitors to the region.  |
| <b>Rationale</b>   | The program supports development, marketing and asset collection for new or enhanced events and experiences to increase awareness and appeal of Comox Valley’s cultural activities, with particular focus in the off-peak season when capacity and vacancy exists. |
| <b>Action Steps</b>  | <ul style="list-style-type: none"> <li>● Review and refine application, program guidelines, and reporting requirements</li> <li>● Develop communication plan to inform community groups, organizations and businesses of the opportunities</li> </ul>              |
| <b>Potential Partnerships</b>  | Tourism Advisory Committee, community groups and membership organizations, media outlets, regional district communications department.   |
| <b>Resources</b>   | Website, e-newsletters, media.   |
| <b>Sources of Funding</b>  | MRDT   |
| <b>Timeframe</b>   | Spring & Fall launch/call-outs for applications.   |
| <b>Budget</b>  | \$50,000   |

|                                    |   |
|------------------------------------|---|
| <p><b>Performance Measures</b></p> | <ul style="list-style-type: none"> <li>● Engagement with program communications and funding applications submitted</li> <li>● Increase in event and experience attendance from target markers</li> <li>● Collaboration amongst community groups, organizations and businesses to create and develop unique tourism products that appeal to right-fit consumers</li> </ul> |
|------------------------------------|---|

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## VISITOR SERVICING | VISITOR CENTRE & VISITOR INFORMATION

Visitor Servicing provides visitors, and potential visitors, with information on things to do, places to see, and experiences to try. Friendly and knowledgeable staff are available to answer visitor inquiries, provide itinerary suggestions, and help visitors to have a great experience during their time in the Comox Valley.

Visitor Servicing also supports local tourism stakeholders through advertising opportunities such as display racking (print brochures & guides), video display screens, and event poster displays. Other partnership opportunities include FAM(familiarization) tours and the retail consignment program which showcases locally made products from the Comox Valley and Vancouver Island.

### Tactics

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| <b>Comox Valley Visitor Centre</b>       | Located on the Courtenay/Cumberland border, the Vancouver Island Visitor Centre (VIVC) is open year-round from Tuesdays to Saturdays and offers brochure racking, gallery, gift shop, washrooms, and a playground. |
| <b>Mobile Visitor Information Kiosks</b> | Mobile Visitor Information Kiosks provide convenient access to visitor information and resources (e.g. guides, maps, etc.) in community hub locations and community events during the peak summer season months.   |

### Implementation Plan

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|---|---|
| Provide customized information and suggestions direct to visitors, and resources for front-of-house staff and tourism operators to improve their experience and satisfaction. |   |
| <b>Quantifiable Objective</b>   | Face to face interactions, email, phone and website inquiries are met with exceptional customer service, valuable information and useful resources.   |
| <b>Rationale</b>  | Connecting with potential visitors and those in market to promote local and unique tourism offerings, encourage geographic dispersion, and help improve overall visitor experience and satisfaction.  |
| <b>Action Steps</b>   | <ul style="list-style-type: none"> <li>● Staff training, resources and familiarization tours to improve customer service skills and local knowledge</li> <li>● Utilize the annual Experience Comox Valley Guide, maps, brochures and other print materials</li> <li>● Work with local BIAs, Chamber and/or municipalities to identify high-traffic areas for the summer mobile kiosk services</li> <li>● Track and record all interactions and inquiries</li> </ul> |

|                               |   |
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|                               | <ul style="list-style-type: none"> <li>● Monitor and evaluate effectiveness of visitor information resources</li> </ul>   |
| <b>Potential Partnerships</b> | CVRD, Chamber, BIAs, local municipalities, and tourism stakeholders   |
| <b>Resources</b>              | The Comox Valley Visitor Centre building (owned and operated by the CVRD), Comox Marine Services building, and mobile kiosk for visitor servicing locations. Experience Comox Valley and Visitor Centre branded materials such as banners, tents, drop cloths and swag to increase recognition and encourage engagements.   |
| <b>Sources of Funding</b>     | MRDT, Comox Valley Regional District  |
| <b>Timeframe</b>              | Ongoing, with increased staffing and visitor information servicing during peak summer travel times.   |
| <b>Budget</b>                 | \$170,000   |
| <b>Performance Measures</b>   | <ul style="list-style-type: none"> <li>● Unique visitors and in-person interactions at Visitor Centre and mobile information kiosks</li> <li>● Phone, email and website inquiries</li> <li>● Visitor origins</li> <li>● Distribution of visitor resources, including the Experience Comox Valley Guide, to local hospitality businesses, airport, and other tourism stakeholders</li> </ul> |

**Section 3: Budget for One-Year Tactical Plan**

| <b>Revenues (MRDT and Non-MRDT)</b>   | <b>Budget \$</b>   |
|---|--------------------|
| Estimated Carry Forward from Previous Year (All Net Assets Restricted and Unrestricted) | \$1,190,000        |
| General MRDT (net of admin fees)  | \$400,000          |
| MRDT from online accommodation platforms (OAP)  | \$95,000           |
| DBC Coop Marketing Grant  | \$200,000          |
| Local government contribution   | \$382,740          |
| Stakeholder contributions (i.e. membership dues)  | \$10,000           |
| Estimated Co-op funding (e.g. CTO; DMO-led projects)                                    |                    |
| Grants - Federal  | \$25,000           |
| Grants - Provincial   | \$25,000           |
| Grants/Fee for Service - Municipal  |                    |
| Retail Sales  | \$10,000           |
| Interest  |                    |
| Other (please describe):  |                    |
| <b>Total Revenues (Excluding Carry Forward)</b>   | <b>\$1,147,740</b> |
| <b>Expenses (MRDT and Non-MRDT)</b>   | <b>Budget \$</b>   |
| <b>Marketing</b>  |                    |
| Marketing staff – wage and benefits   | \$90,000           |
| Media advertising and production  | \$100,000          |
| Website - hosting, development, maintenance   | \$10,000           |
| Social Media organic  | \$35,000           |
| Consumer shows, events  | \$0                |
| Collateral production and distribution  | \$25,000           |
| Travel media relations  | \$5,000            |
| Travel trade  | \$0                |
| Consumer focused asset development (written content, video, photography)                | \$30,000           |
| Other (please describe): Partnership Marketing  | \$60,000           |
| <b>Subtotal *</b>   | <b>\$355,000</b>   |
| <b>Destination &amp; Product Experience Management</b>                                  |                    |
| Destination and product experience management staff – wage and benefits                 | \$50,000           |
| Industry development and training   | \$5,000            |
| Product experience enhancement and training   | \$0                |
| Research and evaluation   | \$10,000           |
| Other (please describe): Events & Experiences Fund                                      | \$50,000           |
| Other (please describe):  |                    |
| <b>Subtotal</b>   | <b>\$115,000</b>   |
| <b>Visitor Services</b>   |                    |
| Visitor Services Wages and Benefits   | \$150,000          |
| Visitor Services Operating Expenses   | \$20,000           |
| Other (please describe): Visitor Centre Building and Maintenance                        | \$168,845          |
| <b>Subtotal</b>   | <b>\$338,845</b>   |
| <b>Meetings, Conventions, Events &amp; Sport</b>  |                    |

**2025 MRDT Tactical Plan Budget**

|   |                    |
|---|--------------------|
| Staff – wages and benefits  | \$0                |
| Meetings, conventions, conferences, events, sport, etc.   | \$0                |
| <b>Subtotal</b>   | <b>\$0</b>         |
| <b>Administration</b>   |                    |
| Management and staff unrelated to program implementation - wages and benefits                           | \$30,000           |
| Finance staff – wages and benefits  |                    |
| Human Resources staff – wages and benefits  |                    |
| Board of Directors costs  |                    |
| Information technology costs – workstation related costs (i.e. computers, telephone, support, networks) |                    |
| Office lease/rent   |                    |
| General office expenses   |                    |
| <b>Subtotal</b>   | <b>\$30,000</b>    |
| <b>Affordable Housing (if applicable)</b>   |                    |
| OAP Revenue   | \$200,000          |
| General MRDT Revenue  |                    |
| <b>Subtotal</b>   | <b>\$200,000</b>   |
| <b>Other</b>  |                    |
| All other wages and benefits not included above (please describe)                                       |                    |
| Other activities not included above (please describe): CVRD Tourism Service Costs                       | \$213,895          |
| <b>Subtotal</b>   | <b>\$213,895</b>   |
| <b>Total Expenses</b>   | <b>\$1,252,740</b> |
|   |                    |
| <b>Total Revenue Less Total Expenses (Surplus or Deficit)</b>   | <b>-\$105,000</b>  |
| <b>Estimated Carry Forward (Previous Year Carry Forward plus Surplus or Deficit)</b>                    | <b>\$1,085,000</b> |
|   |                    |

**Section 3: Projected Spend by Market (broad estimate) for LEISURE activities to draw visitation.**

(Add more rows as needed)

| Geographic Market                    | Total Marketing Budget by Market | % of Total \$ by Market |
|--------------------------------------|----------------------------------|-------------------------|
| BC                                   | \$230,750                        | 65%                     |
| Alberta                              | \$106,500                        | 30%                     |
| Ontario                              |                                  | 0%                      |
| Other Canada (please specify)        |                                  | 0%                      |
| Washington                           | \$17,750                         | 5%                      |
| California                           |                                  | 0%                      |
| Other USA (please specify)           |                                  | 0%                      |
| Mexico                               |                                  | 0%                      |
| China                                |                                  | 0%                      |
| UK                                   |                                  | 0%                      |
| Germany                              |                                  | 0%                      |
| Australia                            |                                  | 0%                      |
| Japan                                |                                  | 0%                      |
| Other International (Please specify) |                                  | 0%                      |
| <b>Total</b>                         | <b>\$355,000</b>                 | <b>100%</b>             |

## Appendix 1.8 Affordable Housing MRDT Plan

The following table **must** be completed if the designated recipient wishes to use MRDT revenues on affordable housing initiatives, regardless of whether revenues are solely from online accommodation platforms or from general MRDT revenues.

| Project Name and Address   |
|--|
| <b>City of Courtenay – Building Courtenay’s Affordable Housing Projects</b>  |
| Project Goals, Rationale and Details   |
| <p>Like many British Columbian communities, the City of Courtenay faces a variety of challenges relating to affordable housing. Although affordable housing has been a growing concern over the past decade, the issue has reached a crisis level in the past three years. The City of Courtenay has worked in partnership with the accommodation and tourism sector to earmark Online Accommodation Platform (OAP) revenue towards affordable housing initiatives, as detailed in the City of Courtenay’s Municipal and Regional District Tax Five Year Strategic Business Plan.</p> <p>In order to ensure the most effective and efficient use of OAP funds, the City of Courtenay will undertake a housing needs assessment to inform the housing action plan that would determine future use of OAP funds. This will provide City staff and Council an opportunity to meaningfully study the challenges relating to affordable housing and the type of housing that will best meet the needs of the community. The housing action plan from the housing needs assessment study will be funded with existing OAP revenues during the 2025 fiscal year.</p> <p>The long-term intent of the City of Courtenay is to leverage OAP funds to support the development of affordable housing based on recommendations from the housing action plan. The City will continue to accrue OAP revenue in a dedicated affordable housing fund until such a time that there are enough funds to launch affordable housing projects.</p> <p>The City has provided funding from the City’s Affordable Housing Reserve towards M’akola Housing Society and Habitat for Humanity affordable housing projects in the past. OAP funds could supplement existing City reserves and bolster the total available funding towards affordable housing projects. The City would continue to look for partners and projects to assist with funding towards the affordable housing projects.</p> <p>The City is actively looking for partnership opportunities to construct purpose built affordable housing. OAP funds would provide additional funding towards affordable housing projects in the community, thus reducing the pressure on local societies funding needs to complete affordable housing projects.</p> |
| MRDT Contribution  |
| 100% of funds used to support affordable housing will be directed from the OAP revenues, rather than general MRDT revenues.  |
| Housing Provider/Project Owners/Project Lead   |
| The City has partnered with M’akola Housing Society and Habitat for Humanity for past projects and would actively look for continued partnerships if available. The City also is looking to work with BC Housing for purpose built affordable housing projects.  |

|  |
|--|
|  |
| <b>Funding Partner(s)</b>  |
| N/A - There are no other funding partners at this time   |
| <b>Contribution from Funding Partner(s)</b>  |
| The City has partnered with M'akola Housing Society and Habitat for Humanity for past projects and would actively look for continued partnerships if available. The City is also looking to partner with BC Housing. |
| <b>Estimated Completion Date</b>   |
| The housing action plan is expected to be completed by the end of 2025.  |
| <b>Estimated Number of Housing Units Completed</b>   |
| Not applicable at this time.   |
| <b>Evidence of Consultation with Local Governments for Affordable Housing (if applicable)</b>  |
| Not applicable at this time.   |





# Welcome - Thank you - Gilakas'la - ʔimot

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*Experience Comox Valley is grateful to live, work and play on the traditional and unceded territories of the K'ómoks First Nation*



# Overview

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- **Vision:** The Comox Valley is recognized as the premier, year-round Vancouver Island destination for outdoor, culinary, and arts and cultural activities.
- **Mission:** Implement fiscally prudent destination marketing initiatives that are informed and tested through stakeholder engagement that are objectively focused on increasing overnight stays in the Comox Valley that drive economic benefit to business owners and residents.
- **Funding sources:**
  - Destination BC, MRDT (general), local government contribution, federal grants





# Brand Strategy

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- The Comox Valley's compelling uniqueness lies in its combination of diverse outdoor activities, rich culinary experiences and a welcoming community atmosphere.
- The strategic focus is on articulating this uniqueness in a cohesive, charming, and organized way, ensuring all marketing activities are aligned with a central theme that resonates with potential visitors.





# Comox Valley Tourism Advisory Committee (TAC)

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- Established in 2022
- 11 members from various sectors
  - Plus CVRD liaison & 4VI staff representatives
- Advise, review and recommend annual marketing and Destination Plan & budgets
- Work collaboratively and represent the best interests of tourism stakeholders in the Comox

Valley

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# 2025 Goals & Objectives



- **Support Sustainable Tourism Initiatives:** Promote and implement sustainable tourism practices that minimize negative impact and contribute positively to the environment and local communities.
- **Increase Revenue from Visitation:** Focus marketing efforts on attracting visitors year-round to boost revenue and stimulate the local economy.
- **Generate Leads for Businesses:** Develop and execute marketing campaigns that create business opportunities for local companies, enhancing their visibility and profitability.
- **Increase Competitiveness of the Comox Valley as a Desired Destination:** Enhance the region's appeal by showcasing its distinct offerings, including its blend of mountain and ocean activities, heritage, arts and vibrant community life.
- **Improve the Visitor Experience:** Continuously seek feedback to ensure visitors have memorable experiences that encourage repeat visits and positive word-of-mouth.
- **Increase Collaboration with Stakeholders:** Foster stronger partnerships with local businesses, Indigenous communities and other stakeholders to create a unified tourism environment.
- **Amplify Local Tourism Messaging:** Work closely with local businesses and tourism operators to amplify local messaging, with particular emphasis on regenerative tourism practices and experiences — those that increase the positive impact of tourism on the economy, community and environment while mitigating any negative effects.



# Key Strategies

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The 2025 Plan for Experience Comox Valley introduces key strategies designed to elevate the region as a destination:

- Position Destination Drivers
- Sustainable Tourism Practices
- Enhanced Brand Communication
- Strategic Growth Management
- Strengthened Stakeholder Collaboration
- Ongoing Market Research and Adaptation





# Target Markets

Affluent, frequent travelers who are focused on touring and exploring new destinations. Individuals who seek to immerse themselves in local culture, nature and unique experiences.

- Explorer Quotient (EQ):
  - Rejuvenators, Authentic Experiencers, and Cultural Explorers
  - Free Spirits
- Geographic Locations:
  - Southern Vancouver Island, Lower Mainland
  - Alberta (Calgary, Edmonton), **Okanagan (Kelowna)**
  - Washington State
- Demographics:
  - Age 30+ couples and small groups
  - Families, particularly multi-generational groups
  - **Younger travelers** (20s & 30s) seeking high-energy travel experiences



# Marketing Always On

---

Year-round engagement with Experience Comox Valley for trip inspiration, local information, leads to businesses and increased click-throughs to [ExperienceComoxValley.ca](https://ExperienceComoxValley.ca).

## Organic Social Media:

- Content strategy & Engagement
- Amplify stakeholder content & events
- Crowdriff subscription

## Website:

- Content & user experience enhancements
- **Events calendar revamp**
- **Itinerary builder integration**

## Google Search Ads & Search Engine Optimization

## Consumer Asset Development

- Written content
- Photography & Video



# Marketing Campaigns

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Encourage geographical and seasonal dispersion, and maximize budget allocation efficiency. Expand partnership network and collaborative promotional efforts to increase brand visibility, consumer engagement and direct bookings for travel to Comox Valley.

## Media Advertising:

- Television
- Email Marketing
- Paid Social Media
- Display & Third Party Advertising

## Partnership Marketing:

- DBC Consortiums (e.g. Golf VI, Ride Island, BC Ale Trail, BC Farmers' Markets, Paddle BC, Ahoy BC)
- Comox Valley Airport
- Other Strategic Partnerships (e.g. Island Taste Trail)



# Marketing Other

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## Print Ads & Collateral Production:

Increase the distribution reach of printed materials, track engagement through QR code scans leading to website visits.

- 1 - 2 page ads/advertorials
- Annual Experience Comox Valley Guide
- **Sustainable Tourism Information Resource**
- **Cultural Heritage Guide**

## Travel Trade & Media Relations:

Enhance travel trade partnerships by expanding the number of travel trade-ready stakeholders in the region.

- Media & trade FAMiliarization trips
- **Information and experience kits**
- **Tradeshow Participation**

## Market Research:

Utilize insights to understand visitor behaviour & travel patterns.

- **Develop visitor personas**



# Industry Development & Engagement

Collaborative tourism ecosystem with businesses implementing new sustainable practices, regenerative tourism products, and building innovative partnerships. Highly engaged owners & operators, organizations, and partners.

## Tactics:

- Workshops
- Networking opportunities
- Tourism Advisory Committee (TAC)
- Local business & partner meetings
- Industry E-newsletters & communications
- Stakeholder survey
- Council presentations



# Destination Development

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Support event planners, businesses and organizations in the development and implementation of new and/or enhanced experiences, products and events that attract visitors to the region.

## Events & Experiences Fund Grant Program

- Analyze 2023 & 2024 pilots
  - 6 recipients in 2023
  - 10 recipients to date in 2024
- Optimize a 2025 grant program



# Visitor Centre & Information Services

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Face to face interactions, email, phone and website inquiries are met with exceptional customer service, valuable information and useful resources.

## Visitor Centre (open year round)

- Guides, maps, brochures, gallery displays, washrooms, consignment gift shop, picnic area & playground

## Mobile Visitor Information Kiosks (Summer)

- Highly visible downtown locations in Courtenay, Comox and Cumberland
- Select events & festivals





**comox  
valley**

**Questions?**



The Corporation of the City of Courtenay

# Staff Report

---

**To:** Council  
**From:** City Manager (CAO)  
**Subject:** Traffic Calming Guide and Policy Report

**File No.:** 5460-00  
**Date:** October 23, 2024

---

## **PURPOSE:**

To seek Council's endorsement of the proposed Traffic Calming Guide and establish policy guidance for its use and implementation across the City's transportation network.

## **BACKGROUND:**

Annually, the City receives numerous inquiries and requests from residents concerning traffic safety, including speeding, noise, and traffic-related safety concerns in residential areas. In response, and through the development of the Council's Strategic Plan, Council prioritized walking, wheeling, cycling, and transit modes of transportation and the integration of them within land use and urban form. This strategic vision also extended to the development of traffic calming plans, related policies, and specific implementation for 'when and where', reduced speed limits, school zone improvements measures, and cycling education & awareness were all a part of the 2023-2026 Strategic Priorities Plan. The proposed Traffic Calming Guide aims to address these issues, by providing a clear and transparent application and review process, including tangible outcomes for implementation 'when and where' based on sound transportation engineering practices.

## **DISCUSSION:**

Developing a comprehensive Traffic Calming Policy is essential to addressing various needs throughout our community while ensuring safety, accessibility, and service efficiency. The traffic calming guide outlines a framework for providing equitable evaluations, a prioritization matrix, and implementation plans for traffic calming measures across the City. The guide also provides a formal and structured framework for staff to systematically evaluate, prioritize, and respond to traffic calming requests, ensuring that decisions are based on impartial criteria, transportation engineering standards and best practices. This section outlines the key considerations in implementing traffic calming measures, including the perspectives of different stakeholders, public engagement processes, and the technical aspects of data collection and project scope. By addressing these factors, the policy aims to provide a clear framework for assessing and prioritizing traffic calming requests, ensuring equitable and practical solutions.

One of the key concerns raised during traffic calming projects is the impact on emergency services. Emergency response teams, including fire, police and ambulance services, have expressed concerns over vertical deflection devices, such as speed humps, which can delay their response times and reduce patient comfort during transit. As a result, it is critical to consult with emergency services early in the planning process to avoid implementing solutions that may hinder their operations. Stakeholder engagement extends

beyond emergency service and includes, goods and commerce, solid waste companies, agricultural groups, transit authorities, and other road users, who must be consulted during the design phase. This will ensure that any proposed solutions will not interfere with these vital and essential services. In some cases, during the 75% design stage, temporary markings may be used to simulate traffic calming devices and ensure that large vehicles, such as fire trucks or buses, can safely navigate these areas.

Public engagement also plays a significant role throughout the review process, including during the initial screening process and implementing neighbourhood-specific traffic calming measures. Given the potential for differing opinions within neighbourhoods, the guide recommends establishing a robust community engagement process from the onset of the review process and that any proposed traffic calming plans achieve at least a 51% majority approval from affected residents before moving forward. This ensures that the community is adequately involved and supportive of the changes being proposed. Public consultations, whether through in-person meetings or digital/paper feedback, provide opportunities for all residents to have their voices heard.

It's also important to note that traffic calming reviews are data-driven, requiring detailed assessments of traffic speed, volume, and any actual or potential safety issues. Understanding the root cause of the problem is essential, as requests for traffic calming may stem from issues like missing pedestrian amenities (e.g., crosswalks, sidewalks, etc.), which create discomfort for road users. Accurate data collection ensures that solutions address traffic concerns rather than perceived issues, leading to more effective outcomes. All projects are proposed to be evaluated using a point assessment system (TABLE 2 in Traffic Calming Guide and Policy Report) that prioritizes streets with the greatest need. Not all streets are eligible for traffic calming as the City's transportation network comprises different road classifications, each differing in their intended use and function. Therefore, only local and collector streets with two lanes and those that have a posted speed limit of 50 km/h or less can be considered for traffic calming measures. Each project must have a defined scope, including the specific road section, length, and surrounding geometries. The process will be terminated if a street does not meet the eligibility criteria, however, if it does meet the criteria, the project proceeds through a detailed analysis and design process.

#### **Summary of Traffic Calming Process:**

1. **Initial Request:**
  - Requests for traffic calming are evaluated based on a standardized procedure to ensure fairness and thorough assessment.
2. **Criteria for Traffic Calming:**
  - Only local and collector streets with a speed limit of 50 km/h or less and two-lane roadways are eligible.
  - Understanding the underlying issues, such as missing amenities, is crucial in developing a point system for prioritizing projects.
3. **Data Collection and Analysis:**
  - Detailed data collection and analysis are required to assess the need for traffic calming and prioritize projects.
4. **Public Involvement:**

- A majority (51%) of public acceptance is required before proceeding.
  - Public meetings and digital/paper feedback are used to gather community input.
5. **Stakeholder Engagement:**
    - Stakeholders, including emergency services, garbage companies, and transit authorities, are consulted to ensure their needs are met.
  6. **Design and Testing:**
    - Draft plans are developed and shared with the public for feedback.
    - At the 75% design stage, temporary markings are used to test turning movements and ensure feasibility.
  7. **Communication:**
    - Ongoing communication with the public through various channels, including the City's website, newspapers, group emails, and community centers.
  8. **Implementation and Review:**
    - After construction, a transition period of at least six months is observed before reviewing the effectiveness of the measures.
    - Post-project reviews inform future traffic calming strategies and tools.

**Additional Considerations:**

- **Emergency Services Feedback:** To avoid conflicts, ensure that emergency services' feedback is collected and thoroughly integrated into the design. Involve them in the early stages of planning to address their concerns proactively.
- **Impact on Residents:** In addition to the immediate feedback, consider implementing a survey or feedback mechanism to capture the long-term effects of the traffic calming measures on residents' quality of life.
- **Monitoring and Evaluation:** Implement a structured post-implementation monitoring plan to evaluate traffic patterns, safety, and community satisfaction. This data can help refine future projects and address unforeseen issues.
- **Flexibility and Adaptation:** Be prepared to adjust the plans based on feedback and real-world performance. Flexibility can be crucial in addressing unforeseen challenges or stakeholder concerns.
- **Public Education:** Alongside implementing traffic calming measures, educate residents about the benefits and objectives of these changes. This can help garner support and ensure compliance.
- **Funding and Resources:** Consider establishing a clear budget and resource plan to manage the costs associated with data collection, public engagement, and implementation. This can prevent delays and ensure that the project remains on track.

By addressing these considerations, the Traffic Calming Policy ensures a comprehensive approach to managing requests, balancing residents' needs, while maintaining public safety. Once a traffic calming project has been implemented, there must be a transition period of at least six months before conducting any reviews. This allows time for traffic patterns to adjust. A post-project evaluation will assess the effectiveness of the traffic calming measures, providing valuable insights for future projects.

### **POLICY ANALYSIS:**

The traffic calming guide advances a formal process for the application, review, and includes a logical framework that accesses which measures are considered acceptable and when they are applicable for installation on City streets. The guide also aims to clearly articulate the areas of staff control and or implementation of scaled measures, all based on the outcome and points afforded to each review. These point not only aid the deployment recommendations but they also serve to prioritize projects.

### **FINANCIAL IMPLICATIONS:**

Each traffic calming request for review that proceeds, based on the warrant criteria as laid out in the guide, will require operational funding for data collection, analysis, and possibly design. The cost will vary widely depending on the length of the road segment or area defined by the project scope. The range for a traffic calming reviews is estimated to costs between \$24,000 - \$32,00 each with capital outcomes or recommended implementation measures ranging from a few thousand dollars i.e. items like speed signage, inclusion in the operational speed data collection program or a community awareness campaign. Extending beyond simple measures, larger projects or areas in need of engineered solutions, will require a capital implementation budget upwards of \$75, 000, where a complete redesign of a road network or the additions of engineered traffic calming measure are required to be designed and constructed to effectively impact the functional use of particular road or segment of road.

### **ADMINISTRATIVE IMPLICATIONS:**

In order to effectively implement a formal traffic calming policy at an operational level, it is recommended that a service level be established, budgeted and endorsed by Council. This service level will provide staff with clear direction and parameters on the number of reviews that will be completed in any one year as well as defining the amount of capital implementation that may be deployed year over year. It is understood that request for review may fluctuate year to year, however, understanding community demands alongside Councils direction to engage will set out a clear and attainable program from the onset. Currently, traffic calming request are typically direction of a resolution of Council for staff to investigate and ultimately proved a report back for Council with finding and a recommendation. As in past and in the future, staff time is required to process traffic calming requests, collect data, analyze the results, and manage the implementation of the projects. Depending on established service level, this may place additional demands on staff resources and, as such, could affect other ongoing initiatives.

To that end, throughout a review process, clear and consistent communication with the public is essential. Updates should be shared through various channels, including the City's website, group emails, and notices at community centres. Neighbourhood associations can also play a valuable role in disseminating information. The public should remain informed and engaged from the initial request to project completion.

All traffic calming outcomes or recommended implementation measures, based on the depth of the recommendation will require either operational planning relative to program inclusion or deployment, while any capital upgrades that require budget approval and future workplan inclusion, including prioritization, will be presented to Council for consideration and direction.

**STRATEGIC PRIORITIES REFERENCE:**

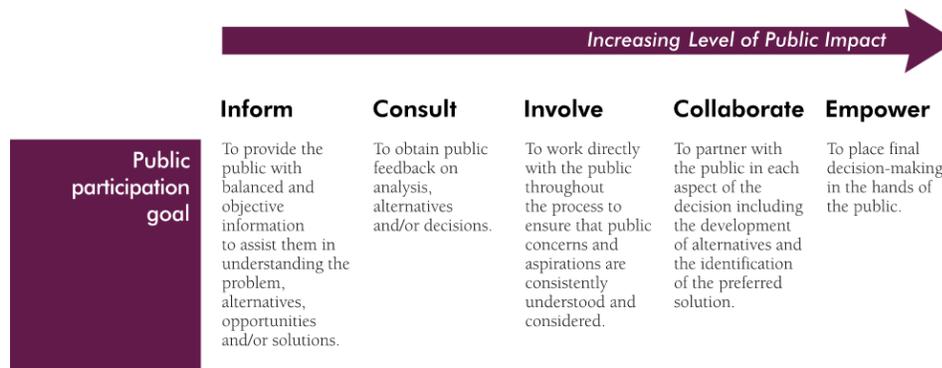
This initiative addresses the following strategic priorities: Under the Counsel Strategic Priorities 2023-2026, Streets and Transportation (Page 7);

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

**PUBLIC ENGAGEMENT:**

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

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



© International Association for Public Participation [www.iap2.org](http://www.iap2.org)

**OPTIONS:**

1. THAT Council receive the traffic calming report and directs staff to implement the Traffic Calming Guide and Policy framework, and; THAT staff be directed to include operating budget implications in the 2025 financial plan for Council review and consideration.
2. THAT Council provide alternative direction to staff.
3. THAT Council receive this report for information only.

**ATTACHMENTS:**

1. 2024-09-20 Traffic Calming Guide and Policy Report

Prepared by: Deva Muthukumaran, EIT, Transportation Technologist  
Reviewed by: Rod Armstrong, Acting Manager of Transportation  
Kyle Shaw, Director of Operational Services  
Concurrence: Geoff Garbutt, M.PI., MCIP, RPP, City Manager (CAO)



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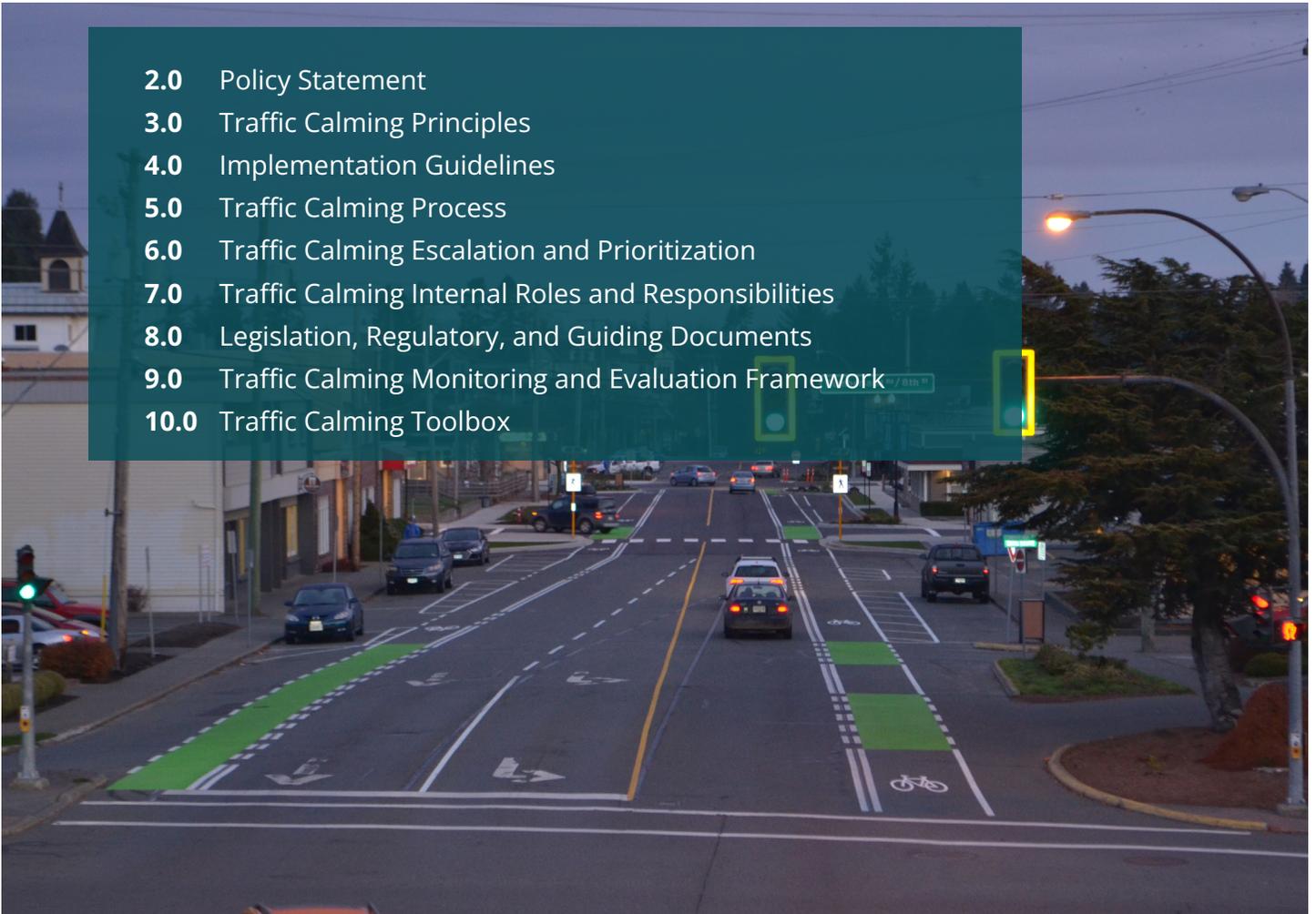
## 1.0 Introduction

According to Transportation Association of Canada (TAC), traffic calming is the broad term used to describe the process and measures applied by road authorities to address concerns about the behaviour of motor vehicle drivers travelling on streets within their jurisdictions. The purpose of traffic calming is to restore streets to their desired function, achieve a balance between creating a secure neighbourhood and fulfilling mobility requirements. In essence, the prevailing belief is that traffic calming installations should give top priority to public safety.

Courtenay is a vibrant and growing city experiencing an increase in motor traffic volumes, leading to traffic challenges and safety concerns in the community, such as speeding and shortcutting. Acknowledging the emerging traffic issues, the City of Courtenay (the City) recognizes the necessity of establishing a comprehensive Traffic Calming Policy. It is essential for the City to establish a transparent and unambiguous process for planning, evaluating, and implementing traffic calming measures.

This Traffic Calming Guide and Policy Report (the Policy) aims to provide guidance to the City in developing and implementing traffic calming plans and measures. The goal is to ensure enhance the safety of all road users and promote secure and accessible streets for Courtenay residents. The policy comprises the following key chapters:

- 2.0 Policy Statement
- 3.0 Traffic Calming Principles
- 4.0 Implementation Guidelines
- 5.0 Traffic Calming Process
- 6.0 Traffic Calming Escalation and Prioritization
- 7.0 Traffic Calming Internal Roles and Responsibilities
- 8.0 Legislation, Regulatory, and Guiding Documents
- 9.0 Traffic Calming Monitoring and Evaluation Framework
- 10.0 Traffic Calming Toolbox





## 2.0 Policy Statement

This traffic calming policy provides combination of physical measures strategically designed to alleviate the adverse impacts of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users. Infrastructure modifications and improvements will strive to reduce vehicle speed, address excessive traffic volume, and foster improvements to neighbourhood safety, equity, and quality of life.

The objectives of the traffic calming policy are to:

- Enhance the safety of neighbourhoods to enable increased confidence and minimized collision risks for all road users when travelling on streets, especially pedestrians, cyclists, as well as young and elderly individuals.
- Support a deeper dive into traffic safety impacts on equity-deserving groups to achieve calm, safe, and environmentally improved conditions on streets.
- Elevate the livability of neighbourhoods to cultivate calm, peaceful, undisturbed, and attractive environment. This encourages community interaction, supports healthier lifestyles, and contributes to the overall well-being of residents.
- Encourage public participation and community support throughout a streamlined traffic calming implementation process.

## 3.0 Traffic Calming Principles

The consideration of requests for the traffic calming and the designation of a study area will be guided by the following **traffic calming principles**:

- **Allow emergency and service access.** Traffic calming should not unduly impede the access of emergency, maintenance, operations, and transit services.
- **Facilitate active transportation modes.** Traffic calming should promote, rather than impede, non-motorized and active modes of transportation and be designed to minimize the negative impacts on pedestrian and cycling traffic.
- **Preserve reasonable road accessibility.** Traffic calming should strive to maintain reasonable automobile access to City roads and preserve reasonable access and egress for the neighbourhood.
- **Address the real problem.** Often there is a vast difference between the perceived problem and the actual neighbourhood traffic issues. It is important to have real data to objectively quantify the problem and to develop the right solutions.





## 4.0 Implementation Guidelines

The following will be taken into consideration when investigating, selecting, and implementing traffic calming measures. This enables a comprehensive evaluation of all alternatives and minimizes potential negative impacts. Adhering to these guidelines not only enhances the effectiveness of traffic calming but also promotes community acceptance and support for the final recommendations.

- Traffic calming will be considered exclusively on local and collector roads. Traffic calming will not be considered for higher classification roads like arterials and highways.
- Traffic calming is limited to two lane roadways or less (one lane of through traffic in each direction) with a posted speed limit not exceeding 50 km/h.
- It is important to evaluate whether an area-wide plan versus a street-specific plan is more suitable. An area wide traffic calming strategy should be considered if a street-specific plan would likely divert traffic onto adjacent streets.
- Prior to implementing traffic calming measures, a thorough examination should be determined whether traffic issues arise from congestion and spill-over effects from adjacent higher-class roadways, such as arterials and highways. If identified as the root cause, addressing and resolving issues on those primary roadways, such as signal timing optimization, should take precedence.
- Traffic calming is not a universal solution to all neighbourhood transportation problems. It should only be considered when there is a demonstrated safety, speed, noise (caused by excessive traffic speed or volume) or short-cutting traffic concern and acceptable alternative measures (e.g., education, enforcement, and other alternative efforts) have been exhausted.

## 5.0 Traffic Calming Process

The following process is recommended to be employed when submitting a request for traffic calming in Courtenay. The process is structured into three major phases, each containing specific procedures under the respective phase:

- **Phase 1:** Traffic Calming Initiation and Assessment.
- **Phase 2:** Traffic Calming Plan Development.
- **Phase 3:** Traffic Calming Approval, Implementation and Evaluation.

This established and formalized process for examining roads guarantees uniformity and fairness in determining traffic calming measures.





## 5.1 Traffic Calming Initiation and Assessment

### 1) Traffic Calming Process Initiation

Residents experiencing traffic-related issues are encouraged to complete a Traffic Calming Request Form (Appendix A) and submit it to the City for an investigation into the need for traffic calming within their neighbourhood. City staff will conduct a primary review to assess whether the identified roadway aligns with the initial screening criteria (Section 6.1, Table 1).

City staff will communicate with residents regarding the alignment of their location with the initial screening criteria. Those whose requests meet these criteria will be provided with details about the traffic calming process. For roadways that do not satisfy the specified criteria, the proponent will be notified that traffic calming is not warranted.

### 2) Traffic Calming Neighborhood Petition

After it has been determined that the requested location meets the initial screening criteria, the proponent is required to complete and submit a Petition Form (Appendix B) to the City. The focus of the petition is assessing whether there is enough neighbourhood support for traffic calming on the requested roadway.

To proceed the traffic calming process, the petition must obtain support from at least 51% of the residential units, in all single-family or multi-family dwellings, with direct frontage or flankage (the frontage of a property is its front or facing side, while the flankage refers to the side boundaries or edges of a property) onto the section of roadway identified for potential implementation of traffic calming measures. Each residential unit is represented by one signature, regardless of the number of people in the unit. Failure to meet the 51% support level will result in the termination of the process, and residents will be notified.

### 3) Data Collection

If the requested location meets the initial screening criteria and petition results indicate that there is at least 51% support, data collection will commence when City staff are reasonably able to accommodate the request. City staff will conduct necessary traffic studies to quantify and qualify the traffic concerns within the subject location. The data collection and summarization will lay the basis for the next point assessment step and pertain to speed profiles, motor traffic volume, collision history, vulnerable road user generators, sidewalks, and other site-specific information, as well as the origin/destination study if shortcutting traffic is a concern.

If the implementation of traffic calming could result in undesirable traffic displacement onto parallel roadways, traffic volume data will also be collected for those roadways as deemed necessary by City staff before works are coordinated. The data will be utilized to determine if corrective action is required on parallel streets after comparing the traffic volume 'before' and 'after' specific traffic calming measure is implemented.

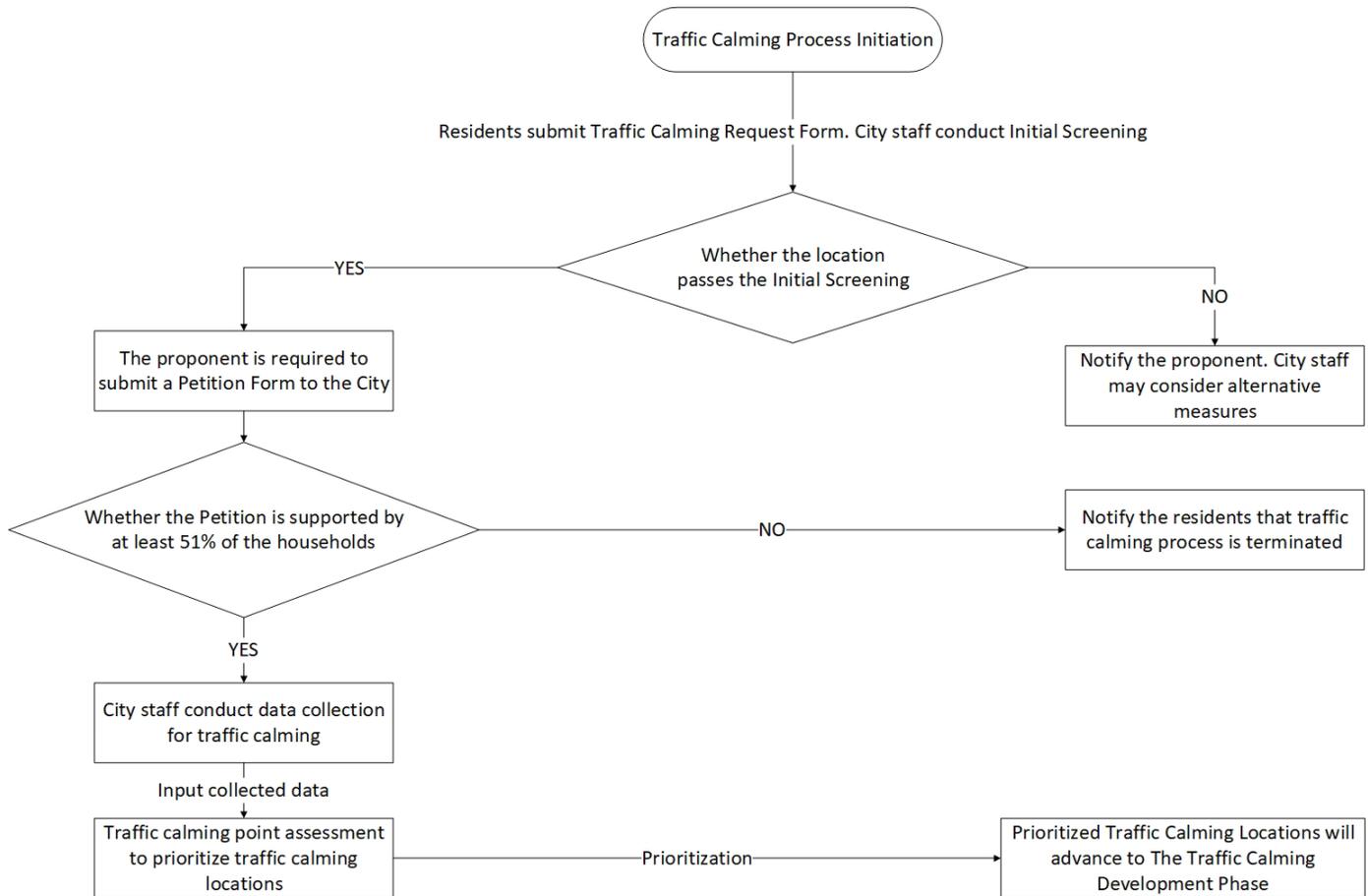




#### 4) Traffic Calming Point Assessment

Point assessment (Section 6.2, Table 2) is a screening process focusing on various attributes of a roadway in order to quantify and prioritize its need for traffic calming. Based on the point assessment score, a location will be categorized into one of five levels, ranging from “no action needed” to “high traffic calming priority”, “behind priority” (Section 6.2, Table 3). Depending on funding availability, traffic calming locations will be selected based on the point system, prioritizing those with higher scores for construction.

**FIGURE 1. TRAFFIC CALMING PROCESS PHASE 1 - TRAFFIC CALMING INITIATION AND ASSESSMENT**





## 5.2 Traffic Calming Development

### 5) Selection and Design of Traffic Calming Plan

Appropriate traffic calming measures will be selected and determined based on the list of traffic calming measures outlined in Section 10 of this policy. The selection of traffic calming measures will comprehensively consider the collected data combined with site visits, historical information, future maintenance and construction plans, as well as resident feedback.

The City's traffic calming design could include one or more different types of traffic calming techniques. The proposed traffic calming measures will be in accordance with the design guidelines outlined in the Canadian Guide to Neighbourhood Traffic Calming and the engineering judgment and experience of City staff.

### 6) Traffic Calming Opinions from Key Stakeholders

The preferred design will be presented to emergency, transit, maintenance services and other key stakeholders. Comments from the potentially affected services will be solicited and their feedback regarding possible impacts of the traffic calming design will be encouraged.

The traffic calming design will be appropriately modified based on key stakeholder inputs. In the case that modifications are not able to remedy concerns, the traffic calming process could be discontinued for the roadway(s) under consideration and residents will be notified.

### 7) Traffic Calming Public Meeting and Public Inputs

Prior to the public meeting, notifications will be appropriately delivered to the public through different means, (e.g., City's website, social media, local newspaper) regarding the meeting date, time, and location.

The public meeting will be hosted by City staff to present the purpose, objectives, and the implementation process of traffic calming in general, as well as the rationale behind the specific traffic calming design.

The meeting will also provide residents and business owners with an important opportunity to get involved in the traffic calming process, learn more about the proposed traffic calming treatments, and to provide their feedback.

Traffic calming contents could also be published online to provide important information and solicit comments from a wider range of residents and business owners.

The City may elect to provide a specific fixed number of public meetings each year where all traffic calming requests would be addressed (e.g., two per year).





## 8) Traffic Calming Community Support Survey

Based on the comments received from key stakeholders and the public, the preferred traffic calming plan will be appropriately modified. The objective of the community support survey is to determine the level of support for the subject traffic calming plan and to provide another opportunity for the most directly affected residents to oppose any modifications to the road.

The survey canvas area will be defined by City staff and as a minimum, includes all residential units, in single-family or multi-family dwellings, with direct frontage onto the roadway to be implemented with traffic calming measures. Residential units on surrounding roads may also be identified as part of the survey.

The survey will be delivered by mail and may contain the following information:

- A brief description of traffic calming, including its advantages and disadvantages with costs.
- The results of the traffic studies undertaken by City staff.
- A survey question asking if residents are in favour, opposed or neutral to the implementation of traffic calming measures in the identified location(s).
- Introduction of the preferred traffic calming plan.
- A request for comments and feedback.
- An indication that this is the final opportunity to modify and improve the traffic calming design to address any outstanding concerns and to incorporate resident input.

## 9) Finalize the Preferred Traffic Calming Plan and a Detailed Design

In accordance with established engineering and technical standards, taking into consideration input from stakeholders and the community, and aligning with the objectives and principles outlined in this policy, City staff will finalize the preferred traffic calming plan with a detailed design

In finalizing the preferred plan and design, key factors will be considered and documented, such as:

- Objectives, specifically outlining the traffic issues or concerns to be addressed through traffic calming.
- Relevant traffic data, including volumes, speeds, and collision records.
- Surround land use context and urban design principles.
- Design details of the layout, placement, specifications, dimensions, and materials of the chosen traffic calming measure(s).
- In addition, considerations will be given to the various aspects of road design such as geometry, utility placement, landscaping, signage requirement, lighting, and drainage needs.



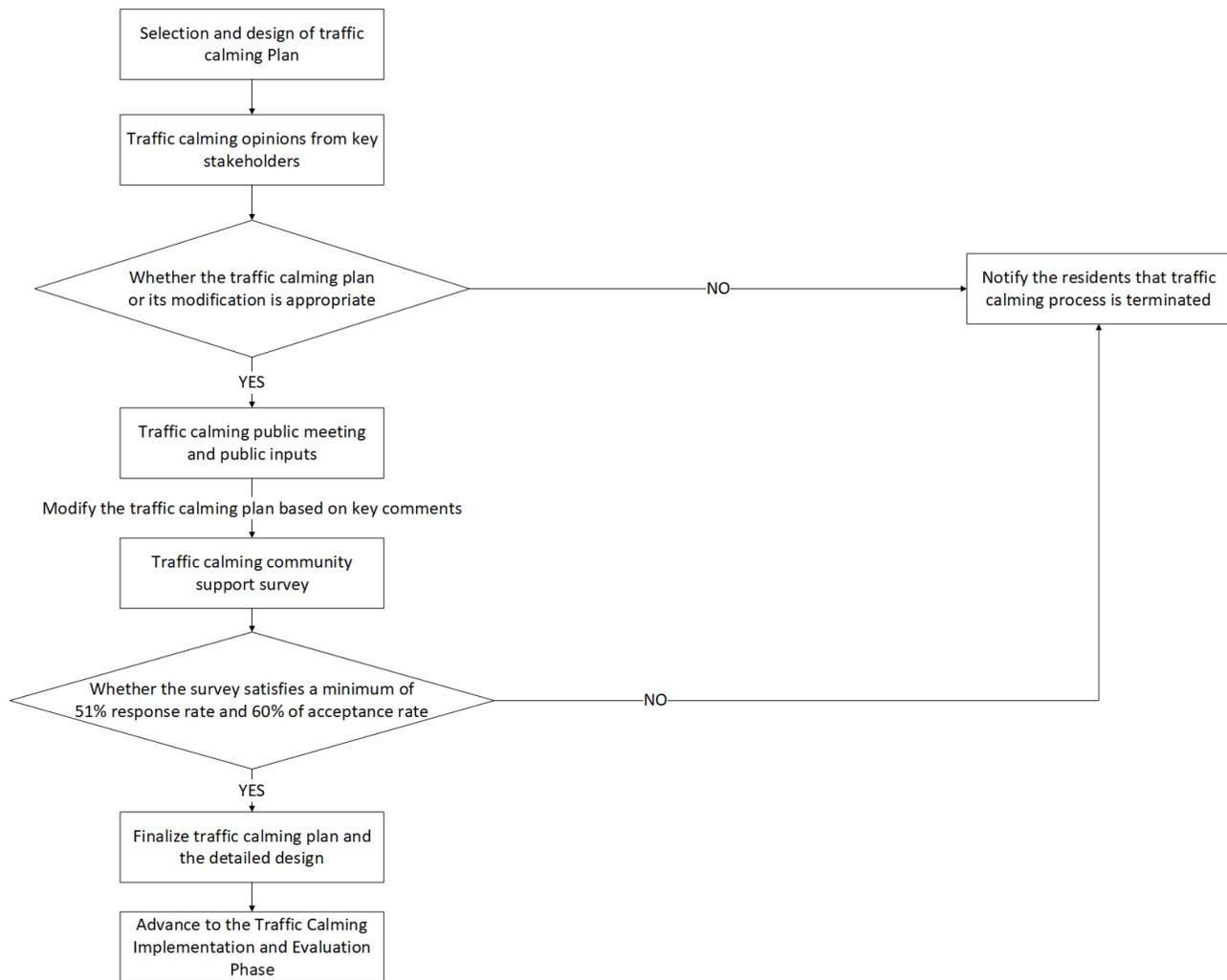


During the detailed design stage, if limitations are identified which challenge the feasibility of the plan, alternatives will need to be considered. This may include alterations or a re-development of the preferred plan. If significant or major changes to the plan are required due to design constraints, agencies and residents on the mailing list will be consulted and notified of any changes.

If City staff finds the required modifications to create the detailed design result in a significantly different final design from that which was presented to residents as part of the survey, City staff may recommend additional agency consultation, another survey and/or public meeting.

Figure 2 illustrates the process of traffic calming plan development.

**FIGURE 2. TRAFFIC CALMING PROCESS PHASE 2 - TRAFFIC CALMING PLAN DEVELOPMENT**





## 5.3 Traffic Calming Approval, Implementation and Evaluation

### 10) Approval of Council and Resident Notification

If the finalized traffic calming design is such that additional budget or changes to bylaws are required to implement, then a report and recommendation will be submitted to City Council for consideration and approval. In this case, City staff will mail notices to the affected residents to inform them that traffic calming has been either approved or not approved by City Council on the subject roadway.

Notification of the upcoming traffic calming implementation will be sent to the same mailing list used to deliver the Traffic Calming Community Support Survey and any other stakeholders having requested the notification. The notice could include information about the traffic calming review and decision process for the subject roadway and the following details:

- Copy of the preferred traffic calming plan showing locations and treatments.
- Information about where residents may review the detailed traffic calming design drawings.
- Implementation timeframe of the traffic calming plan.

### 11) Implementation of Traffic Calming

Upon approval and sufficient funding, traffic calming measures will be implemented. Where feasible, City staff may decide whether it is beneficial to phase in the traffic calming plan through the use of temporary or removable traffic calming measures. This will allow time to examine the impact of the measures and their effectiveness before committing funding to permanent treatments.

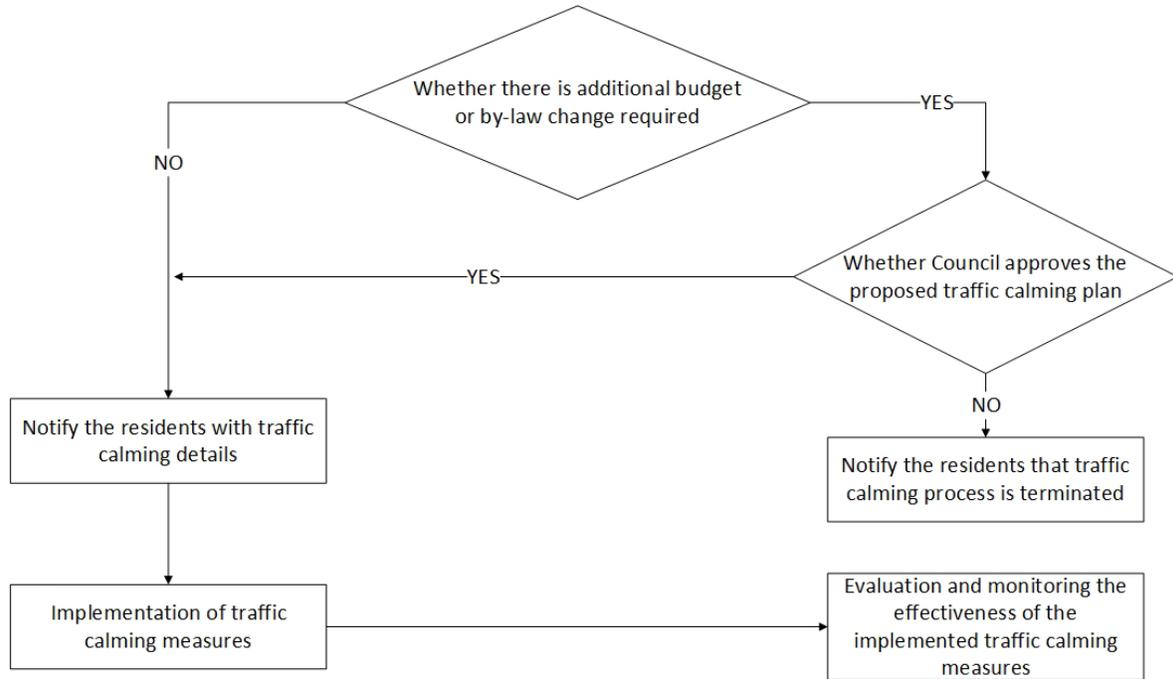
### 12) Evaluation and Monitoring

City staff will monitor and evaluate the effectiveness of the utilized traffic calming measures and their impact on the surrounding road network. The evaluation outcomes will be used in recommending similar measures in the future. In addition to evaluating the impacts of the implemented traffic calming measures on the subject roadway, City staff will also analyze whether the traffic calming plan has led to a notable diversion of traffic to neighboring parallel streets. If so, City staff will explore corrective action opportunities to remedy the situation and/or mitigate the impact.





**FIGURE 3. TRAFFIC CALMING PROCESS PHASE 3 - TRAFFIC CALMING APPROVAL, IMPLEMENTATION AND EVALUATION**





## 6.0 Traffic Calming Escalation and Prioritization

In Courtenay, a two-step framework is utilized for the escalation and prioritization of traffic calming measures, including initial screening and point assessment.

### 6.1 Initial Screening

The initial screening step involves a screening process to assess the eligibility of roadways for traffic calming. To pass the initial screening, the analyzed roadway must satisfy all the specified warrants.

**TABLE 1. CITY OF COURTENAY TRAFFIC CALMING INITIAL SCREENING WARRANT**

**Note:** The assessed roadway must pass all the criteria to clear the traffic calming initial screening.

| Criteria   | Pass / Fail |
|--|-------------|
| Roadway must be a local or collector, featuring no more than two travel lanes (one lane for each direction).   |             |
| Roadway must have a minimum of 500 annual average daily traffic (AADT).  |             |
| The posted speed limit shall not be greater than 50 km/h.  |             |
| 85th percentile speed of the roadway should be greater than the posted speed limit.  |             |
| Roadway section should be longer than 150 metres.  |             |
| Roadway must be assumed and maintained by the City of Courtenay.   |             |
| Zoning should be residential in nature.  |             |
| Traffic calming initiatives must not have already been implemented in the past 36 months, and there are no scheduled capital projects within the next 36 months that would address the traffic issues. |             |
| <b>Overall</b>   |             |

### 6.2 Point Assessment

The second step involves a point assessment to allocate weighted points based on the characteristics of the roadways for traffic calming. The criteria encompass speed, volume, collisions, the presence of generators for vulnerable road users, and the availability of active transportation facilities.





**TABLE 2. CITY OF COURTENAY TRAFFIC CALMING POINT ASSESSMENT SYSTEM**

| Location:  |                                 |  |   | Data Compiled: |              |  |
|--|---------------------------------|--|---|----------------|--------------|--|
| Roadway Type   |                                 | Local Road                                   |   | Collector Road |              |  |
| Feature  |                                 |  | Criteria  | Maximum Points | Total Points |  |
| 1  | Vehicle Speed                   | 85 <sup>th</sup> Percentile Speed            | General speeding - 1 point for every 1 km/h of 85 <sup>th</sup> percentile speed over the posted speed limit*.  | 25             |              |  |
|  |                                 |  | Excessive Speeding - 5 points for 10% of excessive speeding (10km/h over the posted speed limit) and an additional 5 points for every 5% of excessive speeding.   |                |              |  |
| 2  | Volume                          | Annual Average Daily Traffic (AADT)          | 5 points for every 500 AADT on local roads; 5 points for first 1250 AADT and 5 points for every 750 after on collector roads.   | 20             |              |  |
| 3  | Collisions                      | Collision History                            | 5 points for every collision not involving vulnerable road users within the past 3 years or a longer period.  | 25             |              |  |
|  |                                 |  | 20 points for every collision involving vulnerable road users (VRU)** within the past 3 years or a longer period.   |                |              |  |
| 4  | Vulnerable Road User Generators | Pedestrian/ Cyclist Activity                 | 5 points for each pedestrian / cyclist-oriented facility nearby,*** e.g., elderly housing, parks / playgrounds, community or retail centres, churches, libraries, schools, childcare centres, etc.                          | 20             |              |  |
| 5  | Active Transportation           | Presence of Active Transportation Facilities | 10 Points for lacking sidewalks on both sides of the roadway with pedestrians; 5 points for lacking sidewalk on one side of the roadway with pedestrians; 10 points for lacking cycling lane for the roadway with cyclists. | 10             |              |  |
| <b>Total Score</b>   |                                 |  |   |                |              |  |
| <b>Which traffic calming priority category (I to V) does this location belong to? (Refer to Table 3)</b> |                                 |  |   |                | <b>#</b>     |  |

\* For roadways that have recently undergone a speed limit reduction (e.g., from 50 km/h to 40 km/h), it is recommended to use the original posted speed limit prior to the reduction. "Recently" denotes a grace period of 6 to 12 months.

\*\* A vulnerable road user refers to an individual who is at a higher risk of traffic injury when travelling on roadways, typically due to a lack of physical protection in the event of a collision. This includes pedestrians, cyclists, children, seniors, and other individuals relying on active transportation modes.

\*\*\* Nearby means the facility must have direct connection to subject roadway.





Based on the point assessment scores, the traffic calming locations will be classified into five priority levels, as detailed in Table 3 below.

**TABLE 3. City of Courtenay Traffic Calming Point Assessment Priority Categories**

| Traffic Calming Prioritization Category | Traffic Calming Point Assessment Score* | Recommended Traffic Calming Treatment(s)**  |
|---|---|---|
| I                                       | 0-60                                    | No traffic calming action is needed.  |
| II                                      | 61-70                                   | Only simple traffic calming measures without physical alteration of the roadway, i.e., signage and/or pavement markings should be applied.  |
| III                                     | 71-80                                   | Low traffic calming priority - only traffic calming treatments with minimal impact on traffic movement and accessibility should be considered.  |
| IV                                      | 81-90                                   | Medium traffic calming priority - traffic calming treatments that affect traffic movement and accessibility could be considered.  |
| V                                       | 91-100                                  | High traffic calming priority - road safety should take precedence over traffic movement and accessibility. A combination of various traffic calming measures could be explored. Extensive traffic calming measures, such as road closures, could be implemented. |

\* The priority category score threshold may be updated in the future as needed to effectively reflect the traffic calming needs of various locations across Courtenay as more traffic calming candidates are included in the assessment.

\*\* The specific traffic calming measure(s) to be implemented will be based on the case-by-case analysis of the traffic issues, road characteristics, and context of the assessed location.





## 7.0 Traffic Calming Internal Roles and Responsibilities

To facilitate the seamless progression of the traffic calming process, it is essential to establish clarity regarding the internal roles and responsibilities within the City. This entails assigning specific roles and responsibilities to different departments within the City across various stages of the traffic calming process, concerning analysis, decision-making, planning, design, implementation, and monitoring of traffic calming measures.

### City Council will

- Adopt the policy objectives and ensure sufficient resources are applied to manage traffic calming program.

The **Operational Services Department** plays the central role in traffic calming initiatives, carrying out a range of responsibilities, including:

- Receiving, addressing, and responding to traffic calming requests and petitions .
- Conducting Initial Screenings to identify potential traffic calming locations.
- Performing necessary data collection to assess traffic calming locations.
- Developing the point assessment and prioritization for traffic calming locations.
- Engaging with key stakeholders to gather insights and opinions on proposed traffic calming measures.
- Facilitating public communications and meetings to engage the community, share traffic calming knowledge and information, and gather inputs on proposed traffic calming measures\*.
- Conducting surveys to gauge public support for proposed traffic calming measures\*.
- Notifying residents of planned traffic calming measures to be implemented\*.
- Maintaining the implemented traffic calming measures.
- Conducting ongoing evaluation and monitoring of the effectiveness of implemented traffic calming measures.
- Facilitating collaboration among different City departments and internal and external stakeholders to streamline the traffic calming process effectively.
- Overseeing the development and implementation of asset and risk management plans for all asset classes within the study area for integrated capital renewal plans including drainage needs.

Regarding the implementation of specific traffic calming measures, in general, Operational Services Department assumes responsibility for the traffic calming measures characterized by a temporary nature, without demanding extensive engineering work and resources, or involving significant infrastructure modifications. The specific traffic calming measures implemented by Operational Services could include speed tables, speed cushions, on-street parking, signage, pavement markings, etc.

\* It is advisable to establish a Community Working Group, which is led by the Operational Services Department and involving active participation from the Engineering Works Department. This group will be tasked with addressing traffic calming requests and petitions, engaging with the public, conducting and analyzing surveys, and delivering key information to the affected neighborhoods.





The **Infrastructure and Environmental Engineering Services Department** is responsible for the planning, design, and implementation of traffic calming measures:

- Proposing and determining the appropriate traffic calming measures for specific locations.
- Developing and finalizing the traffic calming plan and detailed engineering design for traffic calming locations.
- Constructing and installing the preferred traffic calming measures within neighbourhoods.
- Conducting necessary modifications and renewals to road and drainage facilities on segments where traffic calming measures are to be implemented.

With respect to implementation, in general, Engineering Services Department takes on the responsibility for traffic calming measures characterized by a permanent nature, requiring more extensive engineering work and resources and potentially involving infrastructure modifications. Examples of such traffic calming measures include traffic circles, roundabouts, raised crosswalks, corner extensions, curb bulges, road closures, etc.\*\*

The **Financial Services Department** is responsible for the sound financial management of Courtenay's traffic calming initiatives. This includes formulating the financial plan for traffic calming and related projects, subject to review and approval by the City Council.

The **Courtenay Fire Department** offers informed perspectives on whether the proposed traffic calming measures significantly affect the efficiency and timeliness of their response to emergencies.

The **Legislative and Corporate Services Department** is responsible for the management and administration of City's Traffic Regulation Bylaw enforcement pertaining to matters related to traffic calming.

## 8.0 Legislation, Regulatory, and Guiding Documents

**BC Motor Vehicle Act - [RSBC 1996] CHAPTER 318 (MVA)** is the primary legislation that governs road usage, traffic safety, and vehicle operation in BC. While the MVA sets out general rules and regulations, it also provides the legal authority for municipalities to create additional bylaws and regulations to address specific traffic issues such as speeding and road safety concerns. Traffic calming measures concerns physical modifications to roadways and fall under the scope of the traffic bylaw and policy of municipalities. The design and implementation of traffic calming measures in Courtenay will be in accordance with the powers granted by the MVA and consistent with the broader regulations outlined in the MVA to guarantee legal validity and align with the overarching goals of road safety and traffic management.

\*\* Certain permanent traffic measures may be temporarily implemented to conserve budget and resources.





**City of Courtenay Traffic Regulation Bylaw (No. 1926, 1996)** regulates traffic within the municipality. The Bylaw is divided into different divisions, covering a range of aspects of traffic regulation, encompassing general regulations, traffic control devices, pedestrian traffic, vehicle traffic, bicycle traffic, highway use permits, offence, penalties, and enforcement, etc. The Bylaw also mentions traffic calming and provides a list of devices under the division of traffic calming devices. The implementation of traffic calming in Courtenay will be in accordance with the provisions outlined in the Bylaw to facilitate a harmonized and effective traffic calming strategy and enable a consistent and compliant traffic management within the municipality.

**Canadian Guide to Traffic Calming - Second Edition (2018)** was published by Transportation Association of Canada (TAC). The Guide presents traffic calming as a method to reduce the speed and/or volume of non-local traffic infiltrating into neighbourhoods. This City of Courtenay Traffic Calming Policy conforms to the fundamental principles, traffic calming measures, introduction and implementation processes, engineering designs and other significant guidelines outlined within the Guide. This can guarantee that the municipality adheres to nationally recognized standards and best practices.

**Manual of Uniform Traffic Control Devices for Canada, Sixth Edition (MUTCD)** published in 2021 guides the uses of road signs, traffic signals, pavement markings and other devices that inform travellers about road regulations, hazards, and temporary conditions. The design and placement of traffic calming devices in Courtenay will adhere to the relevant guidance in MUTCD, ensuring conformity with prescribed standards for the design, dimensions, and application of such devices.

**Manual of Standard Traffic Signs & Pavement Markings (2020)** was published by BC Ministry of Transportation and Highways and is in general conformance with the MUTCD and MVA Regulation. The Manual is a document that outlines the policies, specifications, standards, and guidelines for traffic signs utilized in the province. The design and implementation of traffic calming measures in Courtenay will adhere to the Manual guidelines such as design, placement, sign posts and bases, overhead signs, maintenance, sign supply, regulatory signs, warning signs, guide signs, school and pedestrian signs, information signs and pavement markings. This adherence to the Manual enables a standardized and consistent traffic calming policy and strategy in Courtenay.





**BC Active Transportation Design Guide – 2019 Edition** was developed under the direction of BC Ministry of Transportation and Infrastructure. The Guide is a comprehensive set of planning and engineering guidelines offering recommendations for the planning, selection, design, implementation, and maintenance of active transportation facilities across the province, concerning pedestrian facilities, cycling facilities, multi-use facilities, intersections & crossings and amenities, etc. The Guide emphasizes the importance of designing streets that prioritize the safety and comfort of all road users. The guide underscores the significance of traffic calming as a strategy to facilitate active transportation and offers guidance on the implementation of various traffic calming techniques.

**Vision Zero and the Safe System Approach: A Primer for Canada (2023)** was published by TAC to establish clear definitions and principles to promote greater understanding of key concepts, and to support the development, identification and sharing of Canadian best practices. Vision Zero is the philosophy that road fatalities and serious injuries can and should be eliminated while providing safe, healthy, and equitable mobility for all road users. Vision Zero and the Safety System Approach involves safe speeds, safe road users, safe vehicles, safe road design, post-crash care and safe land use planning. In alignment with the Vision Zero and Safe System Approach, implementing traffic calming measures in Courtenay could effectively mitigate the underlying causes of local traffic collisions. By cultivating a road environment that is inherently forgiving and places a paramount emphasis on safety, the implementation of traffic calming in Courtenay will help realize the Vision Zero goal of eliminating fatalities and serious injuries in road traffic for the community.

**Complete Streets: Making Canada’s Roads Safer for All (2009)** was released by Government of Canada at the federal level. A set of guidelines on Complete Streets have been developed by different municipalities. Complete Streets are streets for everyone, designed and operated to enable safe access for all users and create better communities for people to move, live, play, work, and shop. As an important concept tied to traffic calming, Complete Streets incorporate many of the key principles and features of traffic calming such as traffic speed and volume reduction, collision mitigation and overall road safety improvement. The goal of implementing complete streets and traffic calming is to establish a well-balanced and multi-modal transportation environment that caters to various modes of transportation, including pedestrians, cyclists, public transit users, and motorists of all ages and abilities, while promoting safe and convenient mobility for all residents and visitors in Courtenay.





## 9.0 Traffic Calming Monitoring and Evaluation Framework

The City will continue to monitor and examine the traffic calmed area for a few years following implementation of the traffic calming plan by collecting 'before' and 'after' data and information.

The designated Traffic Calming Evaluation Framework (Table 4) serves as a tool for assessing the effectiveness of various traffic calming measures, rather than functioning as a definitive warrant on their success. It is designed to compile records detailing the efficacy of different measures. These evaluation records will serve as important future references, helping to identify which traffic calming measures are more effective in addressing specific traffic calming issues within the context of Courtenay. Meanwhile, the evaluation framework can inform decisions on potential modifications of the implemented traffic calming measures and the need for additional complementary measures or remedies.

In addition, for traffic calming plans that suggest a phased approach with different levels of treatments implemented as required, this monitoring will allow the City to confirm when the volumes and speeds have returned to an acceptable level.

City staff will evaluate the implemented traffic measures based on the following framework as required and as resources allow. It is important to emphasize that the framework offers broad guidance and ought to be tailored and crafted on a case-by-case basis, taking into account the unique characteristics of the traffic calming location and the availability of data.





**TABLE 4. CITY OF COURTENAY TRAFFIC CALMING EVALUATION FRAMEWORK**

| Feature             | Criteria                                 | Measurement   | Preferred Long Term Effects  |
|---------------------|--|---|--|
| Traffic Performance | 85 <sup>th</sup> percentile speed change | Whether there is a reduction in vehicle's 85 <sup>th</sup> percentile speed on the subject traffic calmed roadway and the reduction magnitude calculated from the collected speed data. <ul style="list-style-type: none"> <li>• 'Before' 85<sup>th</sup> percentile speed: ___ km/h.</li> <li>• 'After' 85<sup>th</sup> percentile speed: ___ km/h.</li> <li>• 85<sup>th</sup> percentile speed reduction: ___ km/h ('Before' minus 'After').</li> </ul>   | Reduced and refined speed profiles, characterized by a lower 85 <sup>th</sup> percentile speed, diminished percentages of high-end speeders, and increased compliance with the posted speed limit will lead to enhanced road safety in the traffic calmed neighbourhood.<br>It is expected to result in a decrease in both the frequency and severity of collisions, contributing to improved safety of all road users, especially pedestrians and cyclists.<br>In the long term, the neighbourhood will enjoy a more enjoyable and livable environment and sustained health improvements through traffic speed reduction. |
|                     | High-end speeder percentage change       | Whether there is a reduction in the percentage of high-end speeders (i.e., driving more than 10 km/h over the posted speed limit) on the subject traffic calmed roadway and the reduction magnitude calculated from the collected speed data. <ul style="list-style-type: none"> <li>• 'Before' high-end speeder percentage: ___ %.</li> <li>• 'After' high-end speeder percentage: ___ %.</li> <li>• High-end speeder percentage reduction: ___ % ('Before' minus 'After').</li> </ul>                             |  |
|                     | Speed limit compliance percentage change | Whether there is an increase in the percentage of drivers complying with the posted speed limit (i.e., driving equal to or below the posted speed limit) on the subject traffic calmed roadway and the increase magnitude calculated from the collected speed data. <ul style="list-style-type: none"> <li>• 'Before' speed limit compliance percentage: ___ %.</li> <li>• 'After' speed limit compliance percentage: ___ %.</li> <li>• Speed limit compliance increase: ___ % ('After' minus 'Before').</li> </ul> |  |





| Feature             | Criteria                                | Measurement  | Preferred Long Term Effects   |
|---------------------|---|--|---|
| Traffic Performance | Traffic volume change (subject roadway) | <p>Whether there is a reduction in motor vehicle volume (daily or specific hours of the day) on the subject traffic calmed roadway and the reduction magnitude calculated from the collected volume data.</p> <ul style="list-style-type: none"> <li>• 'Before' traffic volume: ____.</li> <li>• 'After' traffic volume: ____.</li> <li>• Traffic volume reduction: ____ ('Before' minus 'After').</li> </ul>  | <p>Reducing traffic volume and deterring shortcutting can enhance road safety by minimizing motor traffic exposures in the neighborhood.</p> <p>It not only lessens the negative environmental impacts of motor traffic but also promotes active transportation in the long-term, contributing to the improved health and well-being of the community.</p> <p>Furthermore, it makes streets more accessible to people of all ages and abilities, fostering a safer and inclusive community.</p> |
|                     | Traffic volume change (adjacent street) | <p>Whether there is a significant increase in motor vehicle volume (daily or specific hours of the day) on the adjacent roadway. If that is the case, the implemented traffic calming measures may have triggered a traffic displacement effect, leading to an increase in traffic on the surrounding roadways.</p> <ul style="list-style-type: none"> <li>• 'Before' traffic volume: ____.</li> <li>• 'After' traffic volume: ____.</li> <li>• Traffic volume change: ____ ('Before' minus 'After').</li> </ul> |   |
|                     | Shortcutting traffic percentage change  | <p>Whether there is a reduction in shortcutting traffic percentage on the subject traffic calmed roadway and the reduction magnitude calculated from the collected volume data.</p> <ul style="list-style-type: none"> <li>• 'Before' shortcutting traffic percentage: ____ %</li> <li>• 'After' shortcutting traffic percentage: ____ %</li> <li>• Shortcutting traffic percentage reduction: ____ % ('Before' minus 'After').</li> </ul>   |   |





| Feature        | Criteria  | Measurement  | Preferred Long Term Effects   |
|----------------|---|--|---|
| Traffic Safety | Collisions involving motor vehicles only        | <p>Whether there is a reduction in motor vehicle collisions on the subject traffic calmed roadway and the number of collisions reduced in a specific period (e.g., yearly, 3 years, 5 years).</p> <ul style="list-style-type: none"> <li>• 'Before' motor vehicle collision frequency: ____.</li> <li>• 'After' motor vehicle collision frequency: ____.</li> <li>• Motor vehicle collision frequency reduction: ____ ('Before' minus 'After').</li> </ul> | <p>The decrease in road collisions, particularly those involving VRUs, directly correlates with the enhancement of traffic safety in the neighborhood due to traffic calming measures.</p> <p>This, in turn, establishes an environment more friendly to active transportation. These benefits collectively contribute to the long-term well-being and improved quality of life for residents in the community.</p> |
|                | Collisions involving vulnerable road user (VRU) | <p>Whether there is a reduction in vehicle-VRU collisions on the subject traffic calmed roadway and the number of collisions reduced in a specific period (e.g., yearly, 3 years, 5 years).</p> <ul style="list-style-type: none"> <li>• 'Before' vehicle-VRU collision frequency: ____.</li> <li>• 'After' vehicle-VRU collision frequency: ____.</li> <li>• Vehicle-VRU collision frequency reduction: ____ ('Before' minus 'After').</li> </ul>         |   |





| Feature                                       | Criteria   | Measurement   | Preferred Long Term Effects  |
|---|--|---|--|
| <p>People Friendly and Liveable Community</p> | <p>Environmental impacts &amp; public health impacts</p> | <p>Whether the survey residents perceive an overall improvement in community livability and quality of life subsequent to the implementation of traffic calming measures.</p>                                       | <p>The survey results are considered preferable if they indicate a perceived improvement in the neighborhood attributed to traffic calming measures, including:</p> <ul style="list-style-type: none"> <li>• Enhancement in livability and quality of life.</li> <li>• Improvement in traffic safety.</li> <li>• Decrease in traffic noise level.</li> <li>• Improvement in air quality with reduced traffic pollution.</li> <li>• A more friendly environment for active transportation.</li> <li>• A greater preference for alternative transportation modes other than motor vehicles.</li> </ul> |
|   |  | <p>Whether the surveyed residents agree that they feel safer in terms of traffic safety following the implementation of the specified traffic calming measure.</p>  |  |
|   |  | <p>Whether the surveyed residents agree that the implemented traffic calming measure has helped decrease the traffic noise level within the community.</p>  |  |
|   |  | <p>Whether the surveyed residents perceive that the air quality (e.g., less gasoline smells) is improved following the implementation of traffic calming.</p>   |  |
|   |  | <p>Whether the surveyed residents agree that the community has a more friendly environment for active transportation, e.g., walking and cycling, after the implementation of traffic calming measures.</p>          |  |
|   |  | <p>Whether the surveyed residents express a greater preference for alternative transportation modes, such as walking, cycling, and public transportation, after the implementation of traffic calming measures.</p> |  |





## 10.0 Traffic Calming Toolbox

The traffic calming toolbox of the City encompasses a wide range of broadly applied and proven traffic calming measures in five categories, horizontal deflection, vertical deflection, roadway narrowing, obstruction, and signage and pavement markings. The City will carefully assess, choose, and implement appropriate traffic calming measures for specific traffic calming locations. Specifications regarding each traffic calming measure incorporated in the toolbox can be found in Appendix C.

TABLE 5. CITY OF COURTENAY TRAFFIC CALMING TOOLBOX

| TRAFFIC CALMING MEASURES        | POTENTIAL INFLUENCES |                  |                     |                             |                  |
|---------------------------------|----------------------|------------------|---------------------|-----------------------------|------------------|
|                                 | Speed Reduction      | Volume Reduction | Collision Reduction | Traffic Movement Disruption | Cost Per Measure |
| <b>1. HORIZONTAL DEFLECTION</b> |                      |                  |                     |                             |                  |
| Chicane                         | ●                    | ◐                | ○                   | ◑                           | Medium-High      |
| Lateral Shift                   | ●                    | ○                | ○                   | ◑                           | High             |
| Traffic Circle                  | ●                    | ◐                | ●                   | ●                           | Medium-High      |
| Mini Roundabout                 | ●                    | ○                | ●                   | ●                           | High             |
| Corner Extension                | ◐                    | ○                | ○                   | ◑                           | Medium-High      |
| <b>2. VERTICAL DEFLECTION</b>   |                      |                  |                     |                             |                  |
| Speed Table                     | ●                    | ◐                | ●                   | ●                           | Low              |
| Speed Cushion                   | ●                    | ◐                | ●                   | ◑                           | Low              |
| Speed Kidney                    | ●                    | ○                | ○                   | ◑                           | Low-Medium       |
| Raised Crosswalk                | ●                    | ◐                | ●                   | ◑                           | Low-Medium       |
| Raised Intersection             | ◐                    | ○                | ●                   | ◑                           | High             |
| <b>3. ROADWAY NARROWING</b>     |                      |                  |                     |                             |                  |
| Curb Bulge                      | ●                    | ○                | ○                   | ◑                           | Medium-High      |
| Raised Median Island            | ●                    | ○                | ○                   | ◑                           | High             |
| Lane Narrowing                  | ◐                    | ○                | ○                   | ◑                           | Low              |
| On-Street Parking               | ◐                    | ◐                | ○                   | ◑                           | Low              |



| TRAFFIC CALMING MEASURES   | POTENTIAL INFLUENCES |                  |                     |                             |                  |
|--|----------------------|------------------|---------------------|-----------------------------|------------------|
|  | Speed Reduction      | Volume Reduction | Collision Reduction | Traffic Movement Disruption | Cost Per Measure |
| <b>4. OBSTRUCTION</b>  |                      |                  |                     |                             |                  |
| Half Street Closure  | ◐                    | ●                | ●                   | ○                           | Low-High         |
| Diagonal Diverter  | ◐                    | ●                | ●                   | ○                           | Medium           |
| Median Barrier & Forced Right-In/Right-Out Island                                | ○                    | ●                | ●                   | ○                           | Low-High         |
| Intersection   | ○                    | ●                | ●                   | ○                           | High             |
| <b>5. SIGNAGE AND PAVEMENT MARKING (SHOULD BE SUPPLEMENTED WITH ENFORCEMENT)</b> |                      |                  |                     |                             |                  |
| Traffic Calming Sign   | ◐                    | ○                | ○                   | ○                           | Low              |
| Pavement Treatment and Marking   | ◐                    | ○                | ○                   | ○                           | Low              |
| Speed Display Device   | ◐                    | ○                | ○                   | ○                           | Low-Medium       |
|  | ● Major Reduction    |                  |                     | ○ Major Disruption          |                  |
|  | ◐ Minor Reduction    |                  |                     | ◑ Minor Disruption          |                  |
|  | ○ Neglectable Impact |                  |                     |                             |                  |

Note: The effects of traffic calming measures outlined in this table serve as broad guidelines. The actual impact of each traffic calming measure at a particular location may vary based on distinct characteristics and contextual factors. It is advisable to conduct case-specific analyses to assess the influence of traffic calming measures when implementing them. The Traffic Movement Disruption column considers pedestrian and cyclist movement, emergency response, and roadway maintenance.

Road gradient should not exceed 6% for traffic calming measures to be applicable.





# APPENDIX A – Traffic Calming Request Form





# CITY OF COURTENAY TRAFFIC CALMING REQUEST FORM

The goal of traffic calming is to make our streets safer for people to bike, walk and drive. Traffic calming makes physical changes to the roadway, such as horizontal shifts (curb extensions, chicanes) and vertical shifts (raised crosswalks and intersections). It helps reduce speeding and enhances the quality of life by making the street more comfortable for all users. If you would like to get more information about traffic calming in Courtenay, such as a more detailed description of traffic calming and the various tools and techniques available, please visit our website at [www.courtenay.ca](http://www.courtenay.ca). For questions, please call: Tel: 250-338-1525, Fax: 250-338-1526 or email: [operations@courtenay.ca](mailto:operations@courtenay.ca).

Traffic Calming Request Form Directions: Please fill out this form, then mail to the City of Courtenay, Operational Services. This form can also be filled out online by going to the traffic calming section of our website at [operations@courtenay.ca](mailto:operations@courtenay.ca). By using this form, you could help us discover, review, and address the traffic issues or concerns you are having within your neighbourhood. We will then gather necessary data such as speed and volume. If your request passes the City's initial review, we will proceed the traffic calming process for the specific location.

City staff will evaluate the implemented traffic measures based on the following framework as required and as resources allow. It is important to emphasize that the framework offers broad guidance and ought to be tailored and crafted on a case-by-case basis, taking into account the unique characteristics of the traffic calming location and the availability of data.

1. Please provide your contact information. The contact person will be kept informed of the status of the traffic calming.

|                |                                   |
|----------------|-----------------------------------|
| Full Name:     | Street Address:                   |
| Email Address: | Phone:<br>Day:<br>Night:<br>Cell: |

2. Please specify the street location that concerns you most regarding traffic problems.  
( \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_ )



3. At what time of day is your concerns most noticeable?

4. Please check applicable item(s) that aligns with your concerns on the specified street:

Speeding     Traffic Volume     Cut-through Traffic     Oversize Vehicles

Collision Concerns     Aggressive Driver/Driving Behaviour

Bicycle Safety     Pedestrian Safety     Children & Elder Safety

Noise     Air Pollution

Other: \_\_\_\_\_

Brief Description of Concerns:



5. Are you aware of others who live on the same street in your neighbourhood who share your concerns?

6. Any perceived risks and hazards to pedestrians, cyclists, residents or property as the result of the traffic problem?

7. Please use this space to provide additional information that you feel will be helpful. It may be useful to draw a picture (or provide a photo) to more clearly identify the issues you would like to see addressed.

8. Is a petition attached:     Yes             No



Please return completed form to:  
City of Courtenay, Operational Services

Address: 1000 Piercy Avenue,  
Courtenay, BC, V9N 3E6

Phone: 250-338-1525

Fax: 250-338-1526

Email: [operations@courtenay.ca](mailto:operations@courtenay.ca)



# APPENDIX B – Traffic Calming Petition Form





## CITY OF COURTENAY TRAFFIC CALMING PETITION LETTER

Please read before signing petition

The City of Courtenay has supplied this petition to a concerned resident who is interested in initiating a traffic calming review at the following location:

---

street name and extends (from/to)

To initiate a review of whether or not the above-noted street warrants traffic calming, a petition, indicating the community support, is required. The City of Courtenay has provided the attached copy of the traffic calming petition and the City's Traffic Calming Policy to the resident initiating the request for a review. The focus of the petition is to determine if there is enough support from adjacent residents for City staff to proceed the traffic calming process on the above-noted roadway.

By signing this petition,

- You agree to have traffic calming measure(s) installed in front your residence/business if deemed the most appropriate solution for the investigated traffic problems.
- Your signature here counts as a "yes" vote.
- You will have additional opportunities in the future to voice your opinions on the City's proposed traffic calming measure(s) through our Public Meeting & Public Inputs and Community Support Survey process.

| # | Print Name | Sign<br>(agree to statements<br>above) | Address<br>(only one signature is<br>required per unit) | Contact<br>(phone/email<br>address) |
|---|------------|--|---|-------------------------------------|
|   |            |  |   |                                     |
|   |            |  |   |                                     |
|   |            |  |   |                                     |
|   |            |  |   |                                     |
|   |            |  |   |                                     |
|   |            |  |   |                                     |
|   |            |  |   |                                     |
|   |            |  |   |                                     |
|   |            |  |   |                                     |
|   |            |  |   |                                     |

Please return completed form to:  
City of Courtenay, Operational Services

Address: 1000 Piercy Avenue,  
Courtenay, BC, V9N 3E6  
Phone: 250-338-1525  
Fax: 250-338-1526  
Email: operations@courtenay.ca





# APPENDIX C – Traffic Calming Toolbox





## Traffic Calming Toolbox

### 1. Horizontal Deflection

#### ***Chicane***

A chicane is a series of alternating curves or lane shifts that are located in a position to force a motorist to steer back and forth out of a straight travel path. The purpose of a chicane is to discourage shortcutting or through traffic can reduce overall speeds by forcing the lateral shifting of vehicles through the chicane. The chicane curves can be created with a curb extension that alternates from one side of the street to the other.



Figure 1. Sample Application of Chicane<sup>1, 2</sup>

The potential application effects of chicanes include:

- **Vehicle Speed:** Slow traffic by encouraging a motorist to moderate vehicle speed through a series of horizontal deflections; amount of speed reduction (or the final speed) depends on the length of the alignment shift, as well as the volume and distribution of traffic.
- **Traffic Volume:** Minor traffic diversion effect from the street.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** Narrow the travel way and force cyclists and motor vehicles to share travel lane. No impact on the pedestrian movement.
- **Emergency Services:** Minor negative impact on emergency services by slowing down response time.
- **Road Maintenance:** May create minor constraints and challenges for snow plowing and removal, street sweeping, and drainage elements.

#### ***Lateral Shift***

A lateral shift is a realignment of an otherwise straight street that causes travel lanes to shift in one direction. Lateral shifts can be created by pavement markings or curb extensions. This effect can also be achieved with the use of a central island. A lateral shift forces drivers to negotiate the alignment and increase drivers' awareness to reduce vehicle speeds. To be noted, chicanes can be treated as a variation of a lateral shift that shifts alignment more than once.

<sup>1</sup>Traffic Calming Fact Sheets - Chicane (ite.org)

<sup>2</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 1 | FHWA (dot.gov)



Figure 2. Sample Application of Lateral Shift<sup>3</sup>

The potential application effects of lateral shifts include:

- **Vehicle Speed:** Slow traffic by encouraging drivers to reduce speed through the horizontal deflection. The amount of speed reduction (or the final speed) depends on the length of the alignment shift, as well as the volume and distribution of traffic.
- **Traffic Volume:** Negligible traffic diversion effect from the street.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** The shift may have a negative impact on the movement of cyclists. There is no impact on pedestrian movement.
- **Emergency Services:** Minor negative impact on emergency services by slowing down response time.
- **Road Maintenance:** May create minor constraints and challenges for snow plowing and removal, street sweeping, and drainage elements.

### **Traffic Circle**

A traffic circle is a raised island, placed within an unsignalized intersection, around which traffic circulates in a counterclockwise direction. A circle forces a motorist to use reduced speed when entering and passing through an intersection, whether the vehicle path is straight through or involves a turn onto an intersecting street. A traffic circle can have stop signs or yield signs on the intersection approaches. The primary benefit of a traffic circle is an expected reduction in the number of angle and turning collisions. An additional benefit is that it can slow high-speed traffic at the intersection. A traffic circle can simply be a painted area, but it is most effective when it is defined by a raised curb and landscaped to further reduce the open feel of a street. A traffic circle can be landscaped with ground cover, flowers, and street trees.

<sup>3</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 1 | FHWA (dot.gov)





Figure 3. Sample Application of Traffic Circle<sup>4</sup>

The potential application effects of traffic circles include:

- **Vehicle Speed:** Slow traffic entering and passing the traffic circle.
- **Traffic Volume:** Could reduce traffic volume on a street especially when placed in series.
- **Collision Reduction:** Can help reduce vehicle-vehicle conflicts at intersections.
- **Active Transportation:** May force motor vehicle into pedestrian crossing area. Cyclists and motor vehicles may be forced to share travel lane within the traffic circle.
- **Emergency services:** Emergency response could be delayed by the traffic circle when passing through the traffic circle.
- **Road Maintenance:** Can create minor constraints and challenges for snow plowing, snow removal and street sweeping.

### ***Mini Roundabout***

A roundabout is an intersection design that contrasts with designs that require traffic signal control or stop control. A roundabout is often used as a replacement for a signalized intersection. It requires approaching motorists yield to motorists already in the roundabout and slow down to a speed that allows them to comfortably maneuver around.

Roundabouts are also expected to help reduce the number of angle and turning collisions. A mini roundabout, sometimes called traffic button, is appropriate at the intersection of lower classification streets (i.e., collector and local streets) for traffic calming purposes. A traffic button is a raised island, placed within an unsignalized intersection, around which traffic circulates. The center island of a traffic button is usually fully traversable.

<sup>4</sup> City of Courtenay



Figure 4. Sample Application of Mini-Roundabout<sup>5,6</sup>

The potential application effects of mini roundabouts include:

- **Vehicle Speed:** Slow traffic entering and passing the roundabout.
- **Traffic Volume:** Negligible traffic diversion from the street when applied as a single traffic calming treatment.
- **Collision Reduction:** Can help reduce vehicle-vehicle conflicts at intersections.
- **Active Transportation:** May force motor vehicle into pedestrian crossing area. Cyclists and motor vehicles may have to share travel lane within the roundabout.
- **Emergency Services:** Negligible effect on emergency response time as islands are traversable. It is important to design mini roundabouts to accommodate the turning radius of the Fire Department's largest piece of apparatus (Tower 12), as shown on the following page.
- **Road Maintenance:** Can create minor constraints and challenges for snow plowing, snow removal and street sweeping.

### **Corner Extension**

A curb extension is a horizontal extension of the sidewalk into the street resulting in a narrower roadway section and reduced turning radius. This device may be used at intersection corners (a curb extension located midblock is called a curb bulge). Its primary purpose is to "pedestrianize" an intersection and slow down right-turning vehicles.

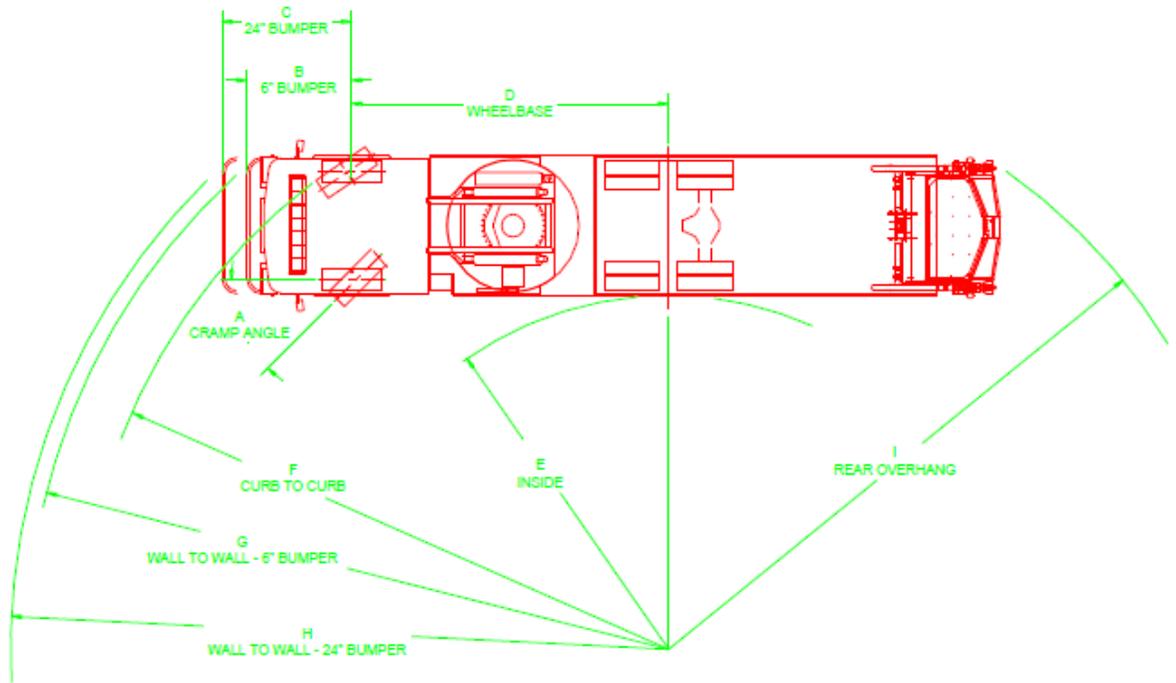
<sup>5</sup> Traffic Calming Fact Sheets - Mini Roundabout / Small Modern Roundabout (ite.org)

<sup>6</sup> City of Courtenay

## Aerial Tower - 236" Wheel Base

### Components

Chassis Sutphen 2011 Aerial Tower



### Parameters

|   |                           |                   |
|---|---------------------------|-------------------|
| A | Cramp Angle (maximum)     | 42 deg. 425 Tires |
| B | Front Overhang 6" Bumper  | 76"               |
| C | Front Overhang 24" Bumper | 94"               |
| D | Wheelbase                 | 236"              |

### Calculated Results

|   |                         |         |
|---|-------------------------|---------|
| E | Inside Turning Radius   | 20'-11" |
| F | Curb to Curb            | 34'-4"  |
| G | Wall to Wall 6" Bumper  | 39'-3"  |
| H | Wall to Wall 24" Bumper | 40'-3"  |
| I | Rear Overhang Swing     | 35'     |

Cramp Angle may vary due to vehicle configuration.  
Curb to Curb based on a 9" curb



Figure 5. Sample Application of Curb Extension<sup>7</sup>

The potential application effects of corner extensions include:

- **Vehicle Speed:** Can slow traffic by funneling through narrower street opening. The shorter curb radius can also help slow turning vehicles.
- **Traffic Volume:** Has negligible effect on traffic volumes.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** Enhance pedestrian mobility and safety by shortening crossing distance, providing additional queuing space, and improving line-of-sight. May impede cyclists and should not extend into a bicycle lane.
- **Emergency Services:** Sufficient width is required to allow for continued easy flow of emergency vehicles. Shortened curb radius may require emergency vehicle turning at intersection to swing across centerline.
- **Road Maintenance:** Can create constraints and challenges for snow plowing, snow removal, and street sweeping. Relocation of curbing and pedestrian queuing area may require relocation of drainage features.

## 2. Vertical Deflection

Traffic calming measures, such as speed humps, speed tables, speed cushions, raised crosswalks, and raised intersections, are designed to reduce vehicle speeds and enhance safety for pedestrians and cyclists in residential and urban areas. These features alter road geometry to encourage drivers to slow down and pay closer attention to their surroundings. However, it is important to note that if a road has a gradient exceeding 6%, vertical deflection measures will not be installed. This condition ensures that emergency response vehicles can navigate the area safely and efficiently, preventing potential delays in critical situations.

### ***Speed Hump / Speed Table***

A speed hump is an elongated mound in the roadway pavement surface extending across the travel way at a right angle to the traffic flow. At typical travel speeds along a residential street or in a small commercial business district, a speed hump produces sufficient discomfort to a motorist driving above the speed hump design speed to discourage speeding. It encourages the motorist to travel at a slow speed both upstream and downstream of as well as over the speed hump. Speed humps should be used for local roads facing excessive short cutting and/or speeding.

<sup>7</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 2 | FHWA (dot.gov)



Figure 6. Sample Application of Speed Hump<sup>8,9</sup>

A speed table is a raised area placed across the roadway designed to physically limit the speed at which a vehicle can traverse it. Like a speed hump, it extends across the travel way. Unlike a speed hump, a speed table has a long enough flat top, typically 3 metres to accommodate the entire wheelbase of most passenger cars. The longer longitudinal depth in the direction of travel enables comfortable and safe vehicle operating speeds that are faster than for a speed hump. It is worth noting that when a speed table is designated as a crosswalk through the use of striping, it is known as a raised crosswalk.



Figure 7. Sample Application of Speed Table<sup>10,11</sup>

The potential application effects of speed humps and tables include:

- **Vehicle Speed:** Speed humps and tables can help reduce vehicle speed effectively.
- **Traffic Volume:** As single installation, there is minor traffic diversion from the street. A series of speed humps and/or speed tables could be more effective in reducing traffic volume.
- **Collision Reduction:** Demonstrated overall effectiveness in reducing collisions.
- **Active Transportation:** Not directly correlated to pedestrian movement. Negative impact on the movement of cyclists especially when travelling at high speeds.
- **Emergency Services:** Negative impact on emergency services by significantly slowing down response time and impacting the comfort of patients being transported. It is important to highlight that speed humps/tables are typically not approved by the City's emergency services.
- **Road Maintenance:** Can create constraints and challenges for street sweeping, snow plowing and snow removal. Drainage elements needs to be properly designed to avoid flooding.

<sup>8</sup>Traffic Calming Fact Sheets - Speed Hump (ite.org)

<sup>9</sup>City of Courtenay

<sup>10</sup>Traffic Calming Fact Sheets - Speed Table/Raised Crosswalks (ite.org)

<sup>11</sup>Module 3: Toolbox of Individual Traffic Calming Measures Part 2 | FHWA (dot.gov)

## **Speed Cushion**

A speed cushion consists of two or more raised areas placed laterally across a roadway. The height and length of the raised areas are comparable to the dimensions of a speed hump. The primary difference is that a speed cushion has gaps (often referred to as “cutouts”) between the raised areas to enable a vehicle with a wide track (e.g., a large emergency vehicle, some trucks, some buses) to pass through the feature without any vertical deflection. A speed cushion is often a preferred alternative to a speed hump on a primary emergency response route or on a transit route with frequent service. The cutouts in the speed cushions are also positioned such that a passenger vehicle cannot pass it without travelling over a portion of the raised pavement. Installation of speed cushions should be limited to commercial areas, parks, and school zones.



Figure 8. Sample Application of Speed Cushion<sup>12</sup>

The potential application effects of speed cushions include:

- **Vehicle Speed:** Speed cushions can help reduce vehicle speeds effectively.
- **Traffic Volume:** As single installation, there is minor traffic diversion from the street. A series of speed cushions could be effective in reducing traffic volume.
- **Collision Reduction:** Demonstrated overall effectiveness in reducing collisions.
- **Active Transportation:** Not directly correlated to pedestrian movement. No significant impact on the movement of cyclists as they can pass through the speed cushion gaps.
- **Emergency Services:** Compared to speed humps, speed cushions are more friendly to firetrucks as larger vehicles can straddle the cushions. Speed cushions can still pose challenges for police cars and ambulances, as their vehicles are narrower and require them to slow down when crossing them.
- **Road Maintenance:** Can create constraints and challenges for street sweeping, snow plowing and snow removal. Drainage elements needs to be properly designed to avoid flooding.

<sup>12</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 2 | FHWA (dot.gov)

## **Raised Crosswalk**

A raised crosswalk is a variation of a flat-topped speed table. A raised crosswalk is marked and signed as a pedestrian crossing. The height of a raised crosswalk is typically 7.5-15.0 cm above the street level, and it is common for a raised crosswalk to be level with the street curb. This height increases the visibility of a pedestrian in a crosswalk to a motorist and it also improves the line of sight for a pedestrian toward an oncoming vehicle. The 3-metre flat top on a typical speed table conforms to a desired crosswalk width. A raised crosswalk can improve pedestrian safety by decreasing motorist speed at the crossing.



Figure 10. Sample Application of Raised Crosswalk<sup>14, 15</sup>

The potential application effects of raised crosswalks include:

- **Vehicle Speed:** Like speed table, raised crosswalks can help reduce vehicle speed effectively.
- **Traffic Volume:** As single installation, there is minor traffic diversion from the street. A series of raised crosswalks could be more effective in reducing traffic volume.
- **Collision Reduction:** Could be effective in reducing vehicle-pedestrian/cyclist collisions.
- **Active Transportation:** Pedestrian movement and safety improved because vehicle speed is lowered at crosswalk, pedestrian in a raised crosswalk is more visible to an oncoming motorist and pedestrian has an elevated view of oncoming traffic. Cyclists are not anticipated to be affected.
- **Emergency Services:** Negative impact on emergency services by slowing down response time and impacting the comfort of patients being transported.
- **Road Maintenance:** Can create constraints and challenges for street sweeping, snow plowing and snow removal. Drainage elements needs to be properly designed to avoid flooding.

<sup>14</sup> City of Courtenay

<sup>15</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 2 | FHWA (dot.gov)

## ***Raised Intersection***

A raised intersection is a flat, raised area covering the entire intersection with ramps on all approaches. A raised intersection reinforces the need for a motorist to drive cautiously and be wary of crossing pedestrians. A raised intersection typically rises to sidewalk level. It is essentially a speed table that covers an entire intersection, including the crosswalks. A raised intersection is especially applicable in a dense urban area, with the advantage of calming two streets at once. A typical installation is at a signal-controlled or all-way stop-controlled intersection with a large volume of street-crossing pedestrians.



Figure 11. Sample Application of Raised Intersection<sup>16,17</sup>

The potential application effects of raised intersections include:

- **Vehicle Speed:** Can help reduce the speed of vehicles driving through intersection.
- **Traffic volume:** There is negligible impact on traffic volume.
- **Collision Reduction:** Could be effective in reducing vehicle-pedestrian/cyclist collisions.
- **Active Transportation:** Crossing pedestrians and cyclists' safety is improved.
- **Emergency Services:** May have a minor negative effect on emergency service response time.
- **Road Maintenance:** Negligible impact on street sweeping, snow plowing or snow removal. But may cause the need to relocate drainage elements.

<sup>16</sup> Traffic Calming Fact Sheets - Raised Intersection (ite.org)

<sup>17</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 2 | FHWA (dot.gov)



### 3. Roadway Narrowing

#### ***Curb Bulge (Choker)***

A curb bulge is the narrowing of a roadway through the use of curb extensions or roadside islands. It can be created by a pair of curb extensions at a midblock location that narrows the street by widening the sidewalk or planting strip at that location. This narrowing is intended to discourage motorist speeding and to reduce vehicle speeds in general.

A curb bulge can be combined with on-street parking to create a protected parking bay. Landscaping on a curb bulge can make the traffic calming feature attractive and can make it more visible to the motorist. In addition, a curb bulge may be a good location to place a midblock crosswalk (either level with the roadway or as a raised crosswalk) because it shortens the distance pedestrian walking on the travel way.



Figure 12. Sample Application of Curb Bulge<sup>18, 19</sup>

The potential application effects of curb bulges include:

- **Vehicle Speed:** Slow traffic by providing a narrower street.
- **Traffic Volume:** Has negligible effect on traffic volumes.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** Shorten crossing distance for pedestrians which could improve pedestrian safety. May reduce travel way width and force cyclists and motor vehicles to share the same travel lane.
- **Emergency Services:** Negligible impact on emergency service response.
- **Road Maintenance:** Can create some constraints and challenges for snow plowing, snow removal, street sweeping and drainage elements.

<sup>18</sup> Traffic Calming Fact Sheets - Choker (ite.org)

<sup>19</sup> City of Courtenay

### ***Raised Median Island***

A median island is a raised island located along the street centerline that narrows the travel lanes to encourage a motorist to slow. A median island is most effective when it is defined by a raised curb and landscaped to further reduce the open feel of a street. A raised median island can often be treated as a pedestrian refuge island if a cut in the island is provided along a marked crosswalk. When placed at or near to the entrance of a neighborhood, a median island provides a visual cue to motorists about the preferred vehicle speed and if a median island has a monument sign or textured pavement on either side, it can serve as a gateway or entry feature.



Figure 13. Sample Application of Median Island (Mid-Block – Left, Neighbourhood Entrance – Middle, With Crosswalk – Right)<sup>20, 21</sup>

The potential application effects of raised median islands include:

- **Vehicle Speed:** Can slow traffic by narrowing roadway width.
- **Traffic Volume:** Has negligible effect on traffic volumes.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** Can shorten crossing distance for pedestrians and serve as pedestrian refuge island. May force cyclists to share travel lane with motor vehicles.
- **Emergency Services:** Sufficient roadway width is required; otherwise, emergency vehicles could be obstructed.
- **Road Maintenance:** Can create some constraints and challenges for snow plowing, snow removal, and street sweeping.

<sup>20</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 3 | FHWA (dot.gov)

<sup>21</sup> City of Courtenay

## ***Lane Narrowing***

Lane narrowing is the process of reducing lane widths using pavement markings or other features, for example, bicycle lanes, street beautification programs, pavement texture, delineators. The intention is for drivers to perceive the roadway to be less comfortable at higher speeds due to the narrowing of the lanes and ultimately reduce operating speeds.



Figure 14. Sample Application of Lane Narrowing<sup>22, 23</sup>

The potential application effects of lane narrowing include:

- **Vehicle Speed:** Can help slow traffic by reducing travel lane width.
- **Traffic Volume:** Has negligible effect on traffic volumes.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** No impact on pedestrians. May force cyclists to share travel lane with motor vehicles.
- **Emergency Services:** Negligible impact on emergency service response.
- **Road Maintenance:** Negligible impact on roadway maintenance operations.

## ***On-Street Parking***

On-street parking can effectively narrow the roadway travel lanes by adding side friction to the traffic flow, which can help reduce speeds and short-cutting traffic. On-street parking can be allowed on one or both sides of a roadway (parking zones can also be strategically located on alternate sides of a roadway to create a chicane effect). Whether on-street parking can be an appropriate traffic calming measure is a direct function of its actual or potential usage (i.e., parking demand). It is worth noting that angled parking is not appropriate as a traffic calming measure, due to the increased potential for conflicts.

<sup>22</sup> Countermeasures | FHWA (dot.gov)

<sup>23</sup> City of Courtenay



Figure 15. Sample Application of On-Street Parking<sup>24</sup>

The potential application effects of on-street parking include:

- **Vehicle Speed:** Slow traffic by reducing effective travel lane width. The speed reduction effect depends on the utilization of on-street parking.
- **Traffic Volume:** Has a minor effect in reducing traffic volumes.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** Overall negative impacts on pedestrians and cyclists. The visibility of pedestrians walking around parked vehicle and crossing the street could be reduced. The hazard of cyclists riding around opened car doors could also be a problem.
- **Emergency Services:** Parked cars, particularly lining both sides of a narrow street, can pose challenges for the fire department when extending the tower from the firetruck's bed.
- **Road Maintenance:** Can create some constraints and challenges for roadway maintenance operations because parked vehicles may obstruct street sweeping, catch basin cleaning, and snow removal.

<sup>24</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 3 | FHWA (dot.gov)

## 4. Obstruction

### ***Half Street Closure (Directional Closure)***

A half street closure is a physical barrier that blocks vehicle travel in one direction (i.e., creates a one-way street) for a short distance on an otherwise two-way street. A half closure can block either traffic entering the side street (i.e., the traffic calmed street) or exiting the side street, depending on its placement. The traffic movement that is obstructed by the half closure is rerouted along an alternative path. A half closure is designed to deter illegal maneuvers around the measure. A typical application has the half closure extend to the street centerline, leaving a relatively tight opening for a wrong-way motorist. In some applications, bicyclist and pedestrian traffic can be accommodated through the closure on a path built behind the vehicle barrier.



Figure 16. Sample Application of Half Street Closure<sup>25, 26</sup>

The potential application effects of half street closures include:

- **Vehicle Speed:** Reduce traffic speed due to the narrowed pavement width through road closure.
- **Traffic Volume:** All traffic in one direction is prevented from using the street and is diverted to parallel streets.
- **Collision Reduction:** Could be effective in reducing vehicle-pedestrian/cyclist collisions by mitigating exposures.
- **Active Transportation:** The safety and mobility of pedestrians and cyclists improves with the restriction of motor vehicle access.
- **Emergency Services:** There could be a minor negative impact on emergency vehicles. Emergency response vehicles can maneuver around a half closure when responding to an emergency providing sufficient road width is maintained.
- **Road Maintenance:** May complicate road maintenance, but in general, maintenance vehicles can maneuver around a half closure.

<sup>25</sup> City of Courtenay

<sup>26</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 3 | FHWA (dot.gov)

### ***Diagonal Diverter***

A diagonal diverter is a physical barrier placed diagonally across a four-legged intersection. The barrier creates two unconnected intersections. Traffic approaching the intersection is restricted to one receiving leg, rather than three. A strategically placed diagonal diverter can reduce traffic volume by preventing straight-through traffic movements at an intersection. A cutout, gap, or channel can be provided in the diagonal diverter to allow at-grade cyclist movement between all four legs of the intersection. Pedestrians can and should be accommodated by pass-throughs or walkways across or through the diverter.



Figure 18. Sample Application of Diagonal Diverter<sup>27, 28</sup>

The potential application effects of diagonal diverters include:

- **Vehicle Speed:** Forces motorist to slow to negotiate the diversion curve.
- **Traffic Volume:** Forces all traffic that otherwise could pass straight through the intersection to divert to another path.
- **Collision Reduction:** Could be effective in reducing collisions by obstruct short-cutting or through traffic.
- **Active Transportation:** Benefit pedestrian and cyclist movements by reducing vehicle volume and speed.
- **Emergency Services:** Emergency vehicles' accessibility and response time are negatively affected.
- **Road Maintenance:** Road maintenance routes could be blocked and subject to change.

### ***Median Barrier / Forced Right-In/Right Out Island***

Median barrier and forced turn island are two variations of physical turn restrictions at an intersection that can be used to eliminate specific traffic flows (in particular, cut-through traffic) from entering or exiting a side (minor) street.

<sup>27</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 3 | FHWA (dot.gov)

<sup>28</sup> Traffic Calming Fact Sheets - Diagonal Diverter (ite.org)

- A median barrier is a raised island placed through an intersection, along the centerline of a roadway (often the higher-order roadway), preventing a motorist from traveling straight through the intersection on the side street. A median barrier can be designed to allow turns to and from the main street, while preventing through traffic from the side street from crossing the main roadway. Depending on its design, a median barrier can also reduce vehicle speed on the main street through lane narrowing. Gaps between median barriers may be used to accommodate pedestrians and cyclists.



Figure 19. Sample Application of Median Barrier<sup>29</sup>

- A forced turn island is a raised island that blocks certain movements on approaches to an intersection. It can force a motorist to turn right from the side street (by blocking left-turn and through movements). A forced turn island is a raised traffic island, typically triangular in shape, placed at the mouth of an intersection. It channels traffic to the right and blocks left and through movements.



Figure 20. Sample Application of Forced Turn Island<sup>30, 31</sup>

<sup>29</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 3 | FHWA (dot.gov)

<sup>30</sup> Module 3: Toolbox of Individual Traffic Calming Measures Part 3 | FHWA (dot.gov)

<sup>31</sup> Forced Turn Islands (sanantonio.gov)

The potential application effects of median barriers and forced turn islands include:

- **Vehicle Speed:** Not expected to reduce vehicle speed directly.
- **Traffic Volume:** Can help reduce short-cutting and through traffic volume onto the minor street.
- **Collision Reduction:** Could be effective in reducing vehicle-pedestrian/cyclist collisions by obstructing shortcutting and through traffic and reducing conflict points.
- **Active Transportation:** Benefit pedestrian and cyclist movements by reducing vehicle volume.
- **Emergency Services:** Restricts emergency vehicles from passing straight through or turning left from the minor street and from turning left into the minor street. Emergency vehicles' accessibility and response time is negatively affected.
- **Road Maintenance:** Road maintenance routes could be blocked and subject to change.

### **Intersection**

Intersection channelization is the use of raised islands or bollards located in an intersection to obstruct specific traffic movements and physically direct traffic through an intersection. Intersection channelization can improve pedestrian crossing safety by reducing crossing distances and providing refuge areas. Bicycles are typically permitted to make all movements, including those which motor vehicles are prevented from making.



Figure 21. Sample Application of Intersection Channelization<sup>32, 33</sup>

The potential application effects of intersection channelization include:

- **Vehicle speed:** Not expected to reduce vehicle speed directly.
- **Traffic Volume:** Can help reduce short-cutting and through traffic volume onto the minor street.
- **Collision Reduction:** Could be effective in reducing vehicle-pedestrian/cyclist collisions by obstructing shortcutting and through traffic and reducing conflict points.
- **Active Transportation:** Benefit pedestrian and cyclist movements by reducing vehicle volume. Reduce the crossing distance and provide refuge areas for pedestrians.
- **Emergency Services:** Restricts emergency vehicles from proceeding in the closed direction at an intersection. Emergency vehicles' accessibility and response time is negatively affected.
- **Road Maintenance:** Road maintenance routes could be blocked and subject to change.

<sup>32</sup> Neighbourhood Traffic Concerns | City of Edmonton

<sup>33</sup> Traffic-calming Measures (nacto.org)

## 5. Signage & Pavement Marking

It should be noted that signage and pavement markings are not physical measures and are not considered traffic calming measures. However, they can be used in conjunction with physical measures to help drivers understand the purpose of the measures and to encourage them to drive more slowly.

### Traffic Calming Neighbourhood Sign

Signs delivering the information of entering the neighbourhood and driving slowly is intended to serve as a reminder to motorists that they are entering a residential area where the residents are concerned about the safety and integrity of their neighbourhood. Motorists are advised to disengage the highway driving mode and exercise caution as they approach a residential area and should be mindful of the potential presence of pedestrians and other active transportation users.



Figure 22. Sample Application of Traffic Calming Neighbourhood Signs<sup>34, 35</sup>

The potential application effects of neighbourhood signs include:

- **Vehicle Speed:** The impact of neighbourhood signs on speed reduction may be limited without being used in conjunction with other physical traffic calming measures.
- **Traffic Volume:** Negligible effect on traffic volumes.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** Not directly correlated to pedestrian and cyclist movements.
- **Emergency Services:** Minimal impact on emergency vehicle response.
- **Road Maintenance:** Minimal impact on road maintenance.

<sup>34</sup>A91jv0dnl\_1ocb1x5\_4po.tmp (midland.ca)

<sup>35</sup>Microsoft Word - 2005-10-17-Final Nanaimo TC Guidelines.doc

## ***Pavement Treatment and Marking***

The on-road pavement markings often provide information that would typically be communicated to drivers through posted signage but are instead painted on the roadway to provide a larger image directly in the driver's line of sight. These markings may be used as a gateway to alert drivers they are entering a school zone, school crossing, or traffic calmed neighbourhood. The pavement markings can be in various forms, including:

- Transverse lane markings. Transverse pavement markings usually consist of transverse bars or chevrons. The transverse bars are typically spaced to give drivers the perception that they are speeding up. This perception encourages drivers to be aware of their speeds and to slow down. Lane markings can also be used as a way to alert drivers that they are entering a different area such as a community. The most common lane markings include:
  - **Dragon's Teeth.** Dragon's teeth are a series of triangular pavement markings along the edge of the travelled lanes. They may be painted with increasing size to give the impression of roadway narrowing. They provide a visual change of the roadway.
  - **Transverse Bars.** Transverse bars are a series of parallel pavement markings which extend across the majority of the travelled lane width or only appear along the edge of the lane. The series of markings may be placed closer together with distance to create the illusion that a vehicle's speed is increasing, to alert the driver of the need to reduce speed.
  - **Converging Chevrons.** The converging chevron pavement marking pattern involves installing a series of white chevrons on the road surface. The spacing width of the chevrons and the space between them decreases as the driver travels through the pattern. This pattern creates the illusion that the vehicle is traveling faster than the vehicle's actual speed and that the road is narrowing, which causes the driver to slow down.





Figure 23. Sample Application of Transverse Lane Markings (Dragon Teeth – Left<sup>36</sup>, Transverse Bars<sup>37</sup> – Middle, Converging Chevrons<sup>38</sup> – Right)

- **Surface Treatments.** Coloured surface dressings or textured surfaces are common speed management treatments and are often used in conjunction with other traffic-calming measures to emphasize the presence of traffic-calming features. Surface treatments can be done with pavement markings or textured pavement. Figure 24.



Figure 24. Sample Application of Surface Treatments<sup>39, 40, 41</sup>

- **Rumble Strips.** Rumble strips are grooves placed in the roadway surface that transmit sound and vibration to alert drivers to changing conditions. Many municipalities have used temporary rumble strips, which consist of strips of durable tape, rather than permanent installation. Traverse rumble strips can be placed perpendicular to the direction of traffic and used to alert drivers of a change in upcoming conditions and the need for stopping or reducing speed. Rumble strips are particularly used in rural roads as opposed to urban roads as they can cause a noise issue.

<sup>36</sup> Dragon teeth | Pavement graffiti (meganix.net)

<sup>37</sup> Pavement Markings: Transverse Lane Markings | Center for Transportation Research and Education (iastate.edu)

<sup>38</sup> Ruidoso Traffic Calming Guide (bhinc.com)

<sup>39</sup> European-style traffic-calming treatment used in Dexter, Iowa | Download Scientific Diagram (researchgate.net)

<sup>40</sup> Traffic Calming Devices | Pavement Surface Coatings

<sup>41</sup> Bringing Awareness To 30 km/hr Speed Limit With: SCHOOL ZONE SYMBOLS AND TEXTS - Sutton Road Marking



Figure 25. Sample Application of Rumble Strips<sup>42, 43</sup>

The potential application effects of pavement treatment and markings include:

- **Vehicle Speed:** The impact of pavement treatment and marking on speed reduction may be limited without being used in conjunction with other physical traffic calming measures.
- **Traffic Volume:** Negligible effect on traffic volumes.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** Not directly correlated to pedestrian and cyclist movements.
- **Emergency Services:** Minimal impact on emergency vehicle response.
- **Road Maintenance:** Minimal impact on road maintenance. But road treatment and markings need regular maintenance and could be less effective in winter months due to snow/ice cover.

### ***Speed Display Device***

A speed display device is a pole-mounted device equipped with radar speed detector and an LED display. The devices can detect the speed of an approaching vehicle and display it back to the driver. The objective of the speed display device is to improve road safety by making drivers aware of their speed, evoking voluntary speed compliance.

Speed display devices are most effective on single lane roads and can be used upstream of staffed speed enforcement.

<sup>42</sup> Transverse Rumble Strips: Another Tool for Rural Road Safety? | Crossroads (mntransportationresearch.org)

<sup>43</sup> Rumble Strips: safety-enhancing and winter-proof | SWARCO



Figure 26. Sample Application of Speed Display Devices<sup>44, 45</sup>

The potential application effects of speed display devices include:

- **Vehicle Speed:** Can be considered as an effective way of reducing vehicle speed. But the efficacy may diminish over time without being used in conjunction with other physical traffic calming measures.
- **Traffic volume:** Negligible effect of traffic volumes.
- **Collision Reduction:** Not directly contribute to collision reduction.
- **Active Transportation:** Not directly correlated to pedestrian and cyclist movements.
- **Emergency Services:** Little effect on emergency vehicle response.
- **Road Maintenance:** No impact on road maintenance.

<sup>44</sup> Radar Speed Signs - Kalitec

<sup>45</sup> Smile for the speed board: New additions to calm traffic in Fernie - The Free Press



# City of Courtenay





City of  
Courtenay

City of Courtenay

# Traffic Calming Guide and Policy

Presented by:  
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Chao Qi, M.Sc., EIT  
Morrison Hershfield now Stantec  
2024/10/23, Council Presentation



# 1 . Introduction of Traffic Calming

- Process and measures to address concerns about the behaviour of motor vehicle drivers travelling.
- Restore streets to their desired function, achieve a balance between creating a secure neighbourhood and fulfilling mobility requirements.
- In essence, the prevailing belief is that traffic calming installations should give top priority to public safety.



## 2. Policy Statement

- This policy provides the combination of physical measures to alleviate the adverse impacts of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users.
- Strive to reduce vehicle speed, address excessive traffic volume, and foster improvements to neighbourhood safety, equity, and quality of life.



# 2. Policy Statement – Con't

## Objectives

- Enhance the safety of neighbourhoods.
- Support a deeper dive into traffic safety impacts on equity-deserving groups.
- Elevate the livability of neighbourhoods.
- Encourage public participation and community support.



# 3. Traffic Calming Principles

- Allow emergency and service access.
- Facilitate active transportation modes.
- Preserve reasonable road accessibility.
- Address the real problem.

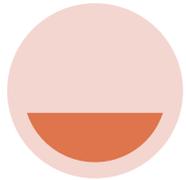


# 4. Guidelines of Traffic Calming Implementation

- Considered exclusively for local and collector roads.
- Limited to two lane roadways or less.
- Evaluate whether an area-wide plan versus a street-specific plan is more suitable.
- Identify whether traffic issues arise from congestion and spill-over effects from adjacent higher-class roadways.
- Traffic calming is not a universal solution to all neighbourhood transportation problems

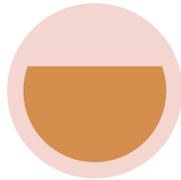


# 5. Traffic Calming Process



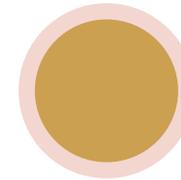
Phase 1

Initiation and  
Assessment



Phase 2

Plan Development



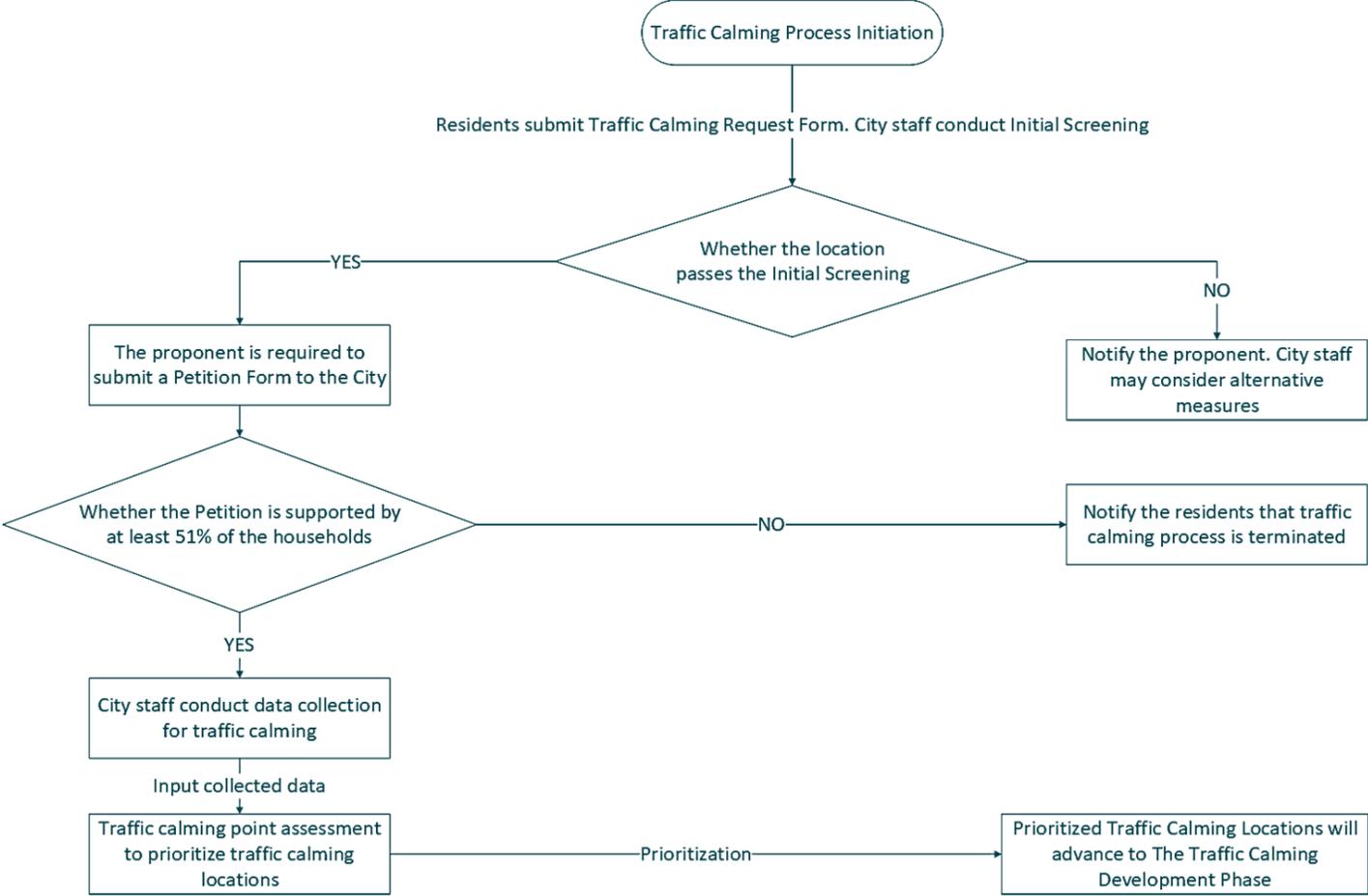
Phase 3

Approval,  
Implementation  
and Evaluation

# 6. Traffic Calming Process

## Phase 1: Initiation and Assessment

- 1) Process Initiation
- 2) Neighborhood Petition
- 3) Data Collection
- 4) Point Assessment



# 6. Traffic Calming Process

## Phase 1: Initiation and Assessment – Con't

### Initial Screening

The analyzed roadway must satisfy all the specified criteria

| Criteria   | Pass / Fail |
|--|-------------|
| Roadway must be a local or collector, featuring no more than two travel lanes (one lane for each direction).   |             |
| Roadway must have a minimum of 500 annual average daily traffic (AADT).  |             |
| The posted speed limit shall not be greater than 50 km/h.  |             |
| 85 <sup>th</sup> percentile speed of the roadway should be greater than the posted speed limit.  |             |
| Roadway section should be longer than 150 metres.  |             |
| Roadway must be assumed and maintained by the City of Courtenay.   |             |
| Zoning should be residential in nature.  |             |
| No traffic calming initiatives have been implemented in the past 36 months, and there are no scheduled capital projects within the next 36 months that would address the traffic issues. |             |
| Overall  |             |

# 6. Traffic Calming Process

## Phase 1: Initiation and Assessment – Con't

### Point Assessment

Assign **weighted points** based on the characteristics of the roadways for traffic calming.

| Location:  |                                 |  |   | Data Compiled:                          |              |
|--|---------------------------------|--|---|---|--------------|
| Roadway Type   |                                 | <input type="checkbox"/> Local Road          |   | <input type="checkbox"/> Collector Road |              |
| Feature  |                                 |  | Criteria  | Maximum Points                          | Total Points |
| 1  | Vehicle Speed                   | 85 <sup>th</sup> Percentile Speed            | General speeding - 1 point for every 1 km/h of 85th percentile speed over the posted speed limit*.<br>Excessive Speeding - 5 points for 10% of excessive speeding (10km/h over the posted speed limit) and an additional 5 points for every 5% of excessive speeding. | 25                                      |              |
| 2  | Volume                          | Annual Average Daily Traffic (AADT)          | 5 points for every 500 AADT on local roads; 5 points for first 1250 AADT and 5 points for every 750 after on collector roads..  | 20                                      |              |
| 3  | Collisions                      | Collision History                            | 5 points for every collision not involving vulnerable road users within the past 3 years or a longer period.<br>20 points for every collision involving vulnerable road users (VRU)** within the past 3 years or a longer period.                                     | 25                                      |              |
| 4  | Vulnerable Road User Generators | Pedestrian/Cyclist Activity                  | 5 points for each pedestrian / cyclist-oriented facility nearby, e.g., elderly housing, parks / playgrounds, community or retail centres, churches, libraries, schools, childcare centres, etc..  | 20                                      |              |
| 5  | Active Transportation           | Presence of Active Transportation Facilities | 10 Points for lacking sidewalks on both sides of the roadway with pedestrians; 5 points for lacking sidewalk on one side of the roadway with pedestrians; 10 points for lacking cycling lane for the roadway with cyclists.   | 10                                      |              |
| <b>Total score</b>   |                                 |  |   |   |              |
| <b>Which traffic calming priority category (I to V) does this location belong to? (Refer to Table 3)</b> |                                 |  |   |   |              |

# 6. Traffic Calming Process

## Phase 1: Initiation and Assessment – Con't

### Point Assessment

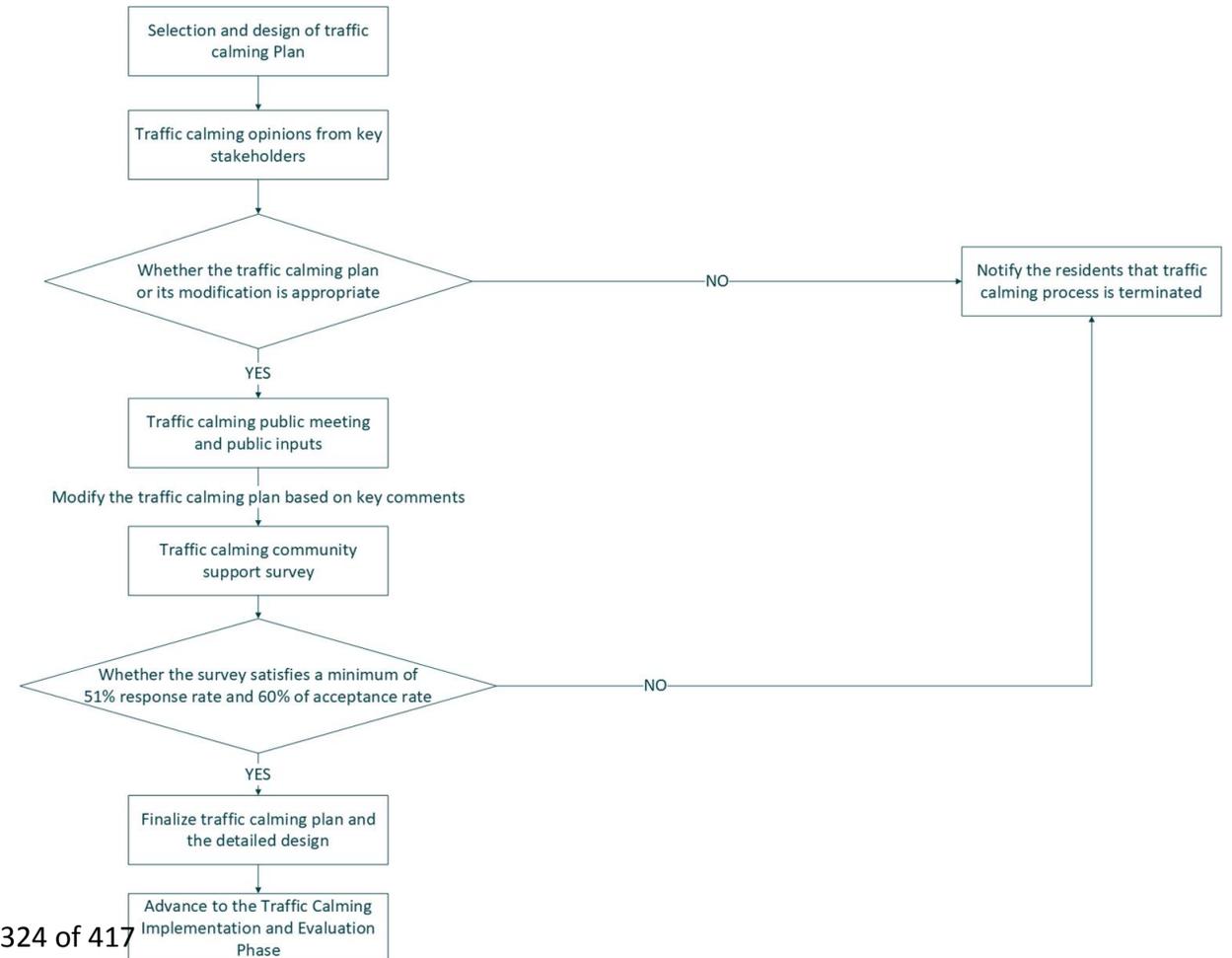
Based on the point assessment scores, the traffic calming locations will be classified into **five** priority levels.

| Traffic Calming Prioritization Category | Traffic Calming Point Assessment Score* | Recommended Traffic Calming Treatment(s)**  |
|---|---|---|
| I                                       | 0-60                                    | No traffic calming action is needed.  |
| II                                      | 61-70                                   | Only simple traffic calming measures without physical alternation of the roadway, i.e., signage and/or pavement markings should be applied.   |
| III                                     | 71-80                                   | Low traffic calming priority - only traffic calming treatments with minimal impact on traffic movement and accessibility should be considered.  |
| IV                                      | 81-90                                   | Medium traffic calming priority - traffic calming treatments that affect traffic movement and accessibility could be considered.  |
| V                                       | 91-100                                  | High traffic calming priority - road safety should take precedence over traffic movement and accessibility. A combination of various traffic calming measures could be explored. Extensive traffic calming measures, such as road closures, could be implemented. |

# 7. Traffic Calming Process

## Phase 2: Plan Development

- 5) Selection and Design of Traffic Calming Plan
- 6) Opinions from Key Stakeholders
- 7) Public Meeting and Public Inputs
- 8) Community Support Survey
- 9) Finalize the Preferred Plan and Detailed Design



# 7. Traffic Calming Process

## Phase 2: Plan Development – Con't

### Traffic Calming Toolbox

The traffic calming toolbox of the City encompasses a wide range of broadly applied and proven traffic calming measures in **five categories**:

- Horizontal deflection
- Vertical deflection
- Roadway narrowing
- Obstruction
- Signage & pavement markings



# 7. Traffic Calming Process

## Phase 2: Plan Development – Con't

### Traffic Calming Toolbox - Horizontal Deflection

| Traffic Calming Measures        | Potential Influences |                  |                     |                             | Cost Per Measure |
|---------------------------------|----------------------|------------------|---------------------|-----------------------------|------------------|
|                                 | Speed Reduction      | Volume Reduction | Collision Reduction | Traffic Movement Disruption |                  |
| <b>1. Horizontal Deflection</b> |                      |                  |                     |                             |                  |
| Chicane                         | ●                    | ◐                | ○                   | ◑                           | Medium-High      |
| Lateral Shift                   | ●                    | ○                | ○                   | ◑                           | High             |
| Traffic Circle                  | ●                    | ◐                | ●                   | ◑                           | Medium-High      |
| Mini Roundabout                 | ●                    | ○                | ●                   | ◑                           | High             |
| Corner Extension                | ◐                    | ○                | ○                   | ◑                           | Medium-High      |

● Major Reduction

◑ Major Disruption

◐ Minor Reduction

◑ Minor Disruption

○ Neglectable Impact

# 7. Traffic Calming Process

## Phase 2: Plan Development – Con't

### Traffic Calming Toolbox - Vertical deflection

| Traffic Calming Measures      | Potential Influences |                  |                     |                             |                  |
|-------------------------------|----------------------|------------------|---------------------|-----------------------------|------------------|
|                               | Speed Reduction      | Volume Reduction | Collision Reduction | Traffic Movement Disruption | Cost Per Measure |
| <b>2. Vertical Deflection</b> |                      |                  |                     |                             |                  |
| Speed Hump / Table            | ●                    | ◐                | ●                   | ●                           | Low              |
| Speed Cushion                 | ●                    | ◐                | ●                   | ●                           | Low              |
| Speed Kidney                  | ●                    | ○                | ○                   | ●                           | Low-Medium       |
| Raised Crosswalk              | ●                    | ◐                | ●                   | ●                           | Low-Medium       |
| Raised Intersection           | ◐                    | ○                | ●                   | ●                           | High             |

● Major Reduction

● Major Disruption

◐ Minor Reduction

◐ Minor Disruption

○ Neglectable Impact

# 7. Traffic Calming Process

## Phase 2: Plan Development – Con't

### Traffic Calming Toolbox - Roadway narrowing

| Traffic Calming Measures    | Potential Influences |                  |                     |                             | Cost Per Measure |
|-----------------------------|----------------------|------------------|---------------------|-----------------------------|------------------|
|                             | Speed Reduction      | Volume Reduction | Collision Reduction | Traffic Movement Disruption |                  |
| <b>3. Roadway Narrowing</b> |                      |                  |                     |                             |                  |
| Curb Bulge                  | ●                    | ○                | ○                   | ■                           | Medium-High      |
| Raised Median Island        | ●                    | ○                | ○                   | ■                           | High             |
| Lane Narrowing              | ■                    | ○                | ○                   | ■                           | Low              |
| On-Street Parking           | ■                    | ■                | ○                   | ■                           | Low              |

- Major Reduction
- Minor Reduction
- Neglectable Impact
- Major Disruption
- Minor Disruption

# 7. Traffic Calming Process

## Phase 2: Plan Development – Con't

### Traffic Calming Toolbox - Obstruction

| Traffic Calming Measures                          | Potential Influences   |   |   |   |                  |
|---|--|---|---|---|------------------|
|   | Speed Reduction  | Volume Reduction  | Collision Reduction   | Traffic Movement Disruption   | Cost Per Measure |
| <b>4. Obstruction</b>                             |  |   |   |   |                  |
| Half Street Closure                               |  |  |  |  | Low-High         |
| Full Street Closure                               |  |  |  |  | Medium-High      |
| Diagonal Diverter                                 |  |  |  |  | Medium           |
| Median Barrier & Forced Right-In/Right-Out Island |  |  |  |  | Low-High         |
| Intersection Channelization                       |  |  |  |  | High             |

-  Major Reduction
-  Minor Reduction
-  Neglectable Impact
-  Major Disruption
-  Minor Disruption

# 7. Traffic Calming Process

## Phase 2: Plan Development – Con't

### Traffic Calming Toolbox - Signage & pavement markings

| Traffic Calming Measures  | Potential Influences |                  |                     |                             |                  |
|---|----------------------|------------------|---------------------|-----------------------------|------------------|
|   | Speed Reduction      | Volume Reduction | Collision Reduction | Traffic Movement Disruption | Cost Per Measure |
| <b>5. Signage and Pavement Marking (not recommended to be used as a standalone measure)</b> |                      |                  |                     |                             |                  |
| Traffic Calming Neighbourhood Sign  | ●                    | ○                | ○                   | ○                           | Low              |
| Pavement Treatment and Marking  | ●                    | ○                | ○                   | ○                           | Low              |
| Speed Display Device  | ●                    | ○                | ○                   | ○                           | Low-Medium       |

- Major Reduction
- Minor Reduction
- Neglectable Impact
- Major Disruption
- Minor Disruption

# 8. Traffic Calming Process

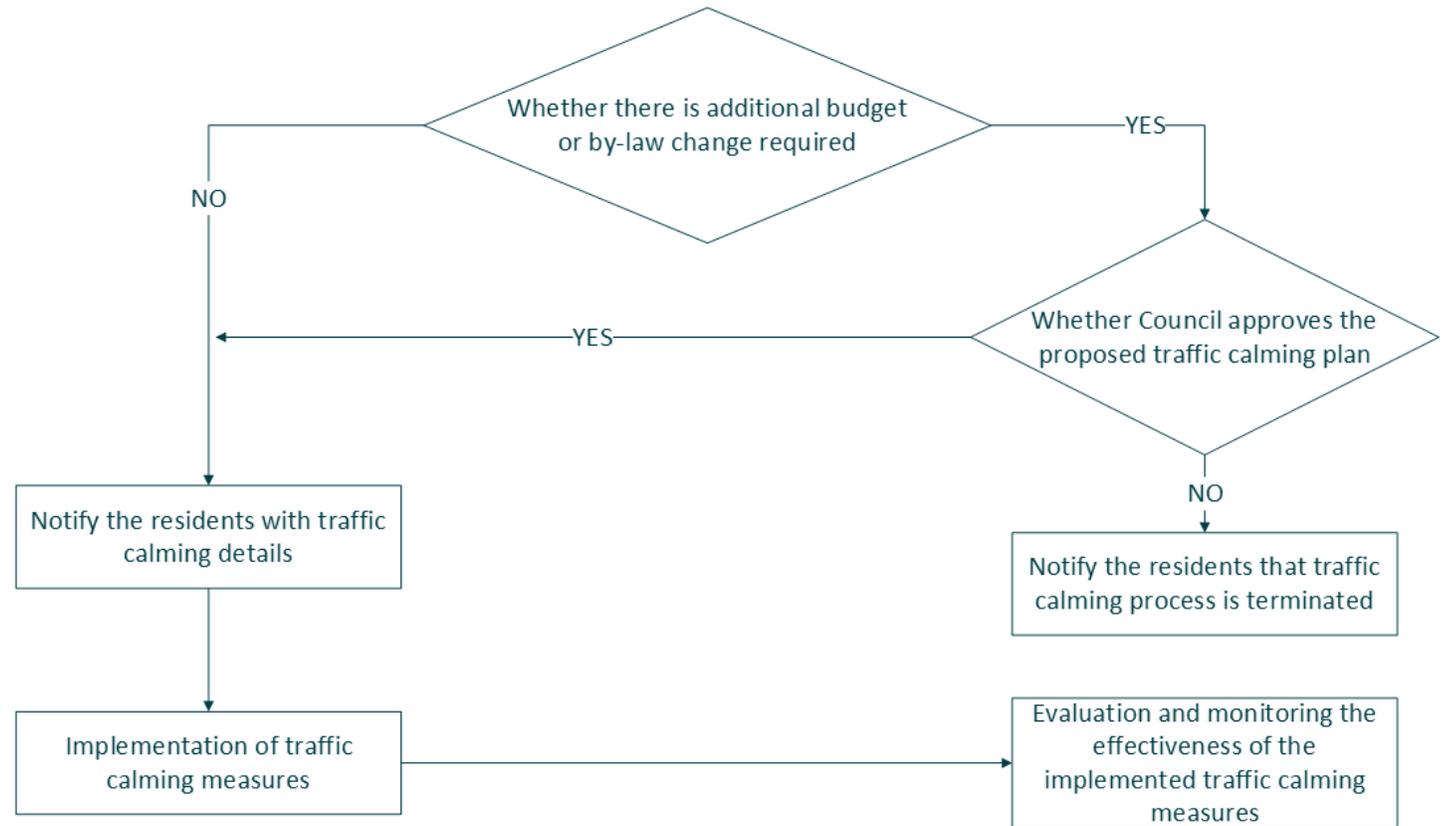
## Phase 3: Approval, Implementation and Evaluation

10) Approval of Council and Resident Notification

Resident Notification

11) Implementation

12) Evaluation and Monitoring



# 8. Traffic Calming Process

## Phase 3: Approval, Implementation and Evaluation – Con't

Monitor and examine the traffic calmed area following the implementation of the traffic calming

- Traffic Performance
- Traffic Safety
- People Friendly and Livable Community



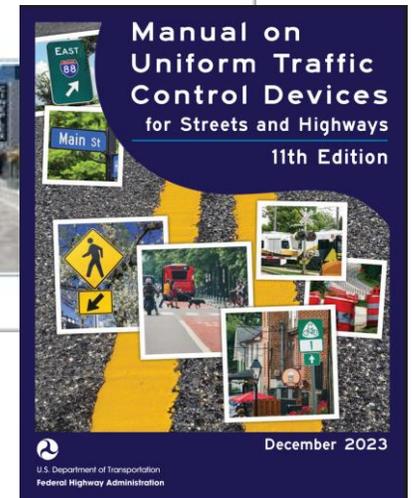
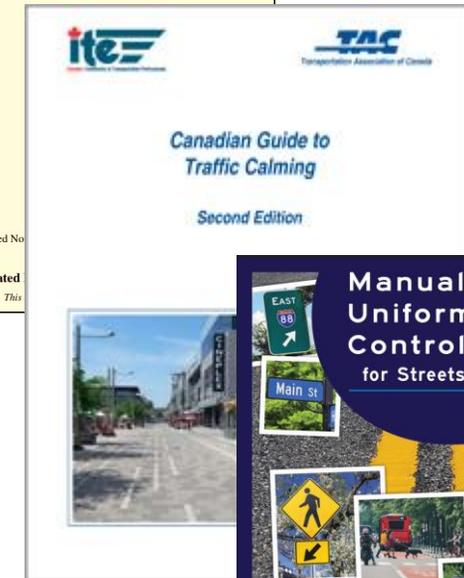
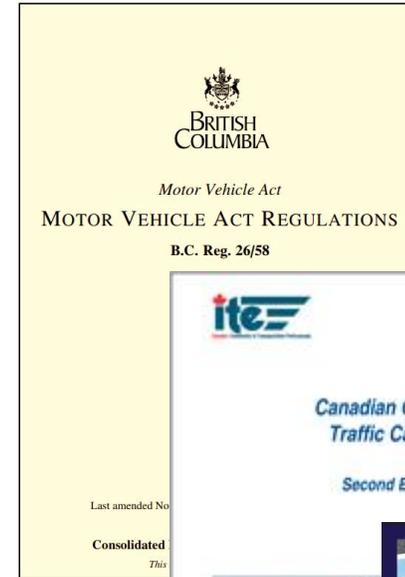
# 9. Traffic Calming Internal Roles and Responsibilities

- City Council
- Operational Services
- Engineering Services
- Financial Services
- Fire Department
- Legislative and Corporate Services



# 10. Legislative, Regulatory, and Document References

- BC Motor Vehicle Act
- City of Courtenay Traffic Regulation Bylaw
- Canadian Guide to Traffic Calming - Second Edition
- Manual of Uniform Traffic Control Devices for Canada, Sixth Edition (MUTCD)
- Manual of Standard Traffic Signs & Pavement Markings
- BC Active Transportation Design Guide
- Vision Zero and the Safe System Approach: A Primer for Canada
- Complete Streets: Making Canada's Roads Safer for All



Thank you!  
Questions?





The Corporation of the City of Courtenay

# Staff Report

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**To:** Council

**File No.:** 5460-06

**From:** City Manager (CAO)

**Date:** October 23, 2024

**Subject:** Traffic Calming Request – Back Road

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## PURPOSE:

To provide Council with an overview of the traffic calming needs and concerns raised by residents of Back Road, specifically related to speeding, noise, and safety issues, and to present recommendations for addressing these concerns through targeted traffic calming measures adopted from the Traffic Calming Guide and Policy Report.

## BACKGROUND:

At the January 24, 2024 Council Meeting, the City received a formal petition and presentation by Carolyn Rice, endorsed by residents of Back Road and those living near Farquharson Drive. This petition recommended several strategies to deal with the issues.

At the February 14, 2024 Council Meeting, Council resolved the following:

*“THAT Council direct staff to prepare a report on the requests from the January 24, 2024 Back Road delegation including speed reduction, noise, and safety concerns, and the request to prioritize Back Road in the first phase of reducing the speed limit for all collector roads to 40 km/h.”*

## DISCUSSION:

In response to direction by Council, Morrison Hershfield now Stantec (MHnS) was retained by the City to conduct a review of traffic calming needs on Back Road from the Ryan Road to the City boundary. The Back Road traffic calming review builds on the recently finalized City of Courtenay Traffic Calming Guide and Policy (the Policy). This review uses the initial screening and point assessment framework introduced in the Policy to evaluate and score various locations along Back Road, prioritizing their traffic calming needs. Based on the traffic calming toolkit proposed in the policy, corresponding measures are also recommended for Back Road.

### Location Description

The area along Back Road from Ryan Road to the City border is generally residential in nature, comprised of rural properties with single family dwellings in a low-density environment. Back Road will be considered to run north - south in this report.

Beyond the City’s border, Back Road intersects with McDonald Road, which is where the City has a right-of-way to drive the snow plow trucks in the Town of Comox. **Attachment 1**, Back Road Map, illustrates the extent of Back Road from Ryan Road to McDonald Road.

The cross-section of Back Road, beyond 10<sup>th</sup> Street East rises steeply to the East and falls sharply to the west, as shown in **Figure 1**.



*Figure 1: Back Road Cross-Section*

Back Road begins at Ryan Road with full facilities for pedestrians, cyclists and motorists but quickly transitions to a road with only vehicle lanes by 10<sup>th</sup> Street East, as illustrated in **Figure 2**.

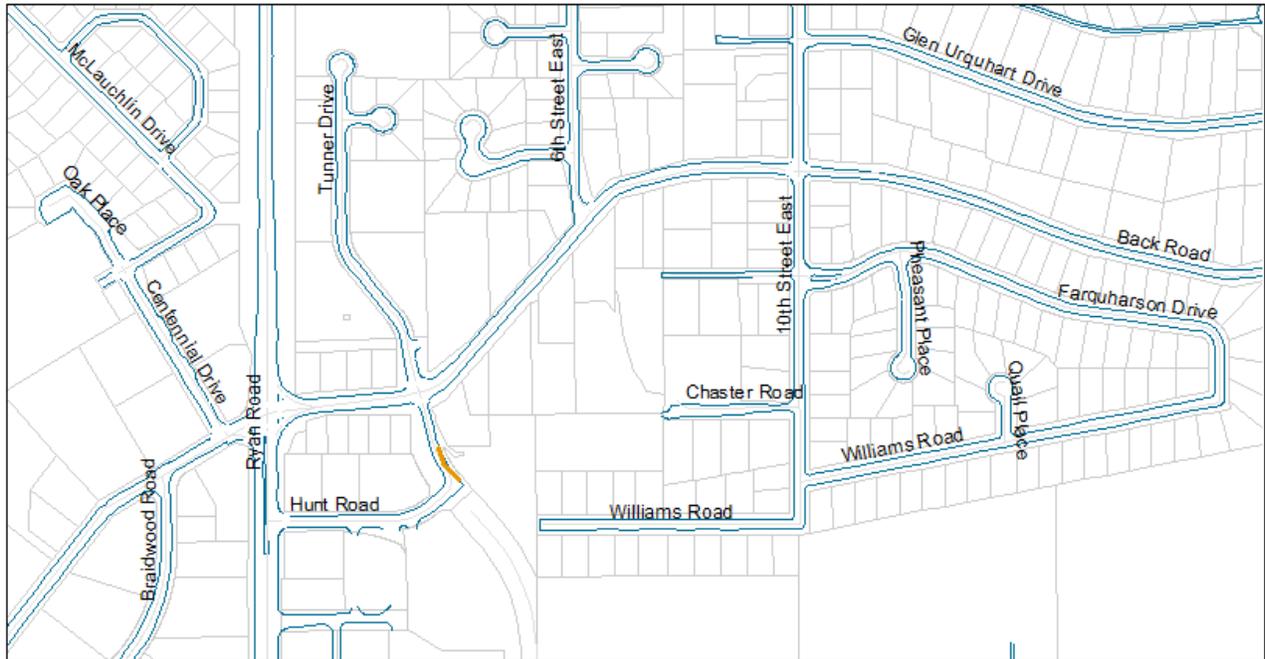


Figure 2: Back Road – Ryan Road to 10<sup>th</sup> Street East

Beyond 10<sup>th</sup> Street East, there are only vehicle lanes and limited to no shoulder to the Town of Comox border, as illustrated by **Figure 3**, for a total length of 2.6km within the City.

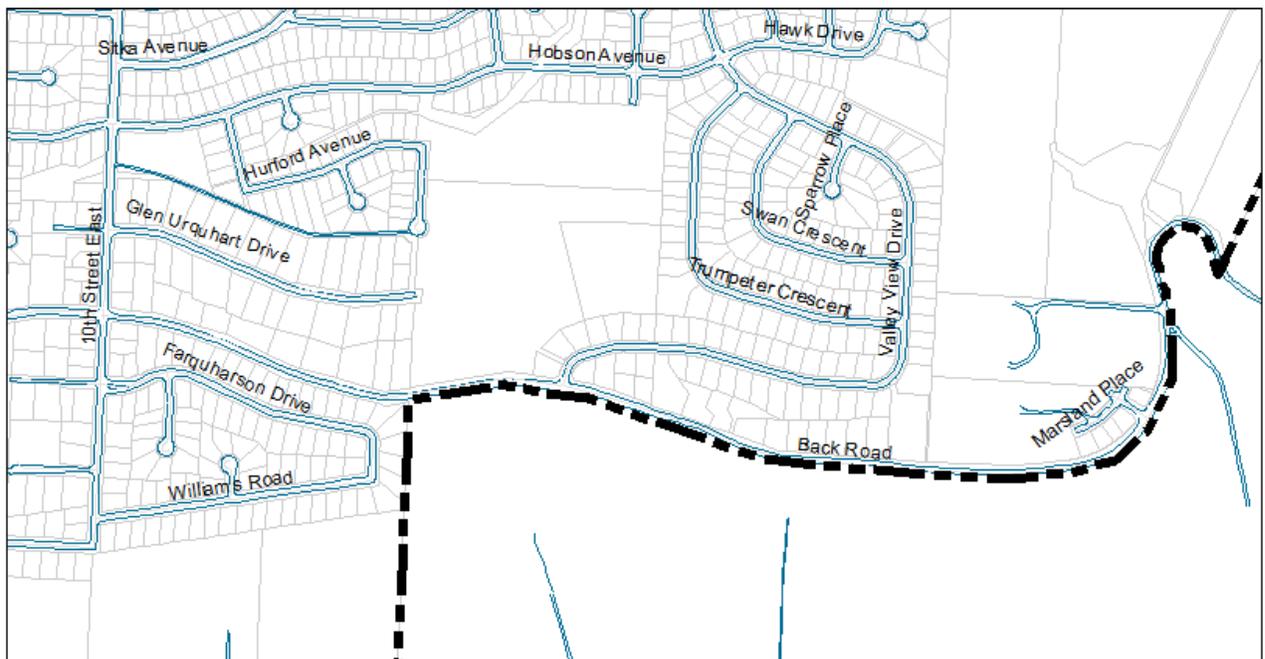


Figure 3: Back Road – 10<sup>th</sup> Street East to border

The Study area consists of eight intersections within the City limits, listed north to south:

1. Ryan Road (signalised intersection)
2. Tunner Drive (4-leg intersection with stops on Tunner and an RRFB crosswalk on the south side)

3. 6<sup>th</sup> Street East (T-intersection to east)
4. 10<sup>th</sup> Street East 4-leg intersection, 4-way stop)
5. Valley View Drive (T-intersection to east)
6. Marsland Place (T-intersection to east)
7. Morrison Road (T-intersection to west)
8. Marsland Drive (T-intersection to east)

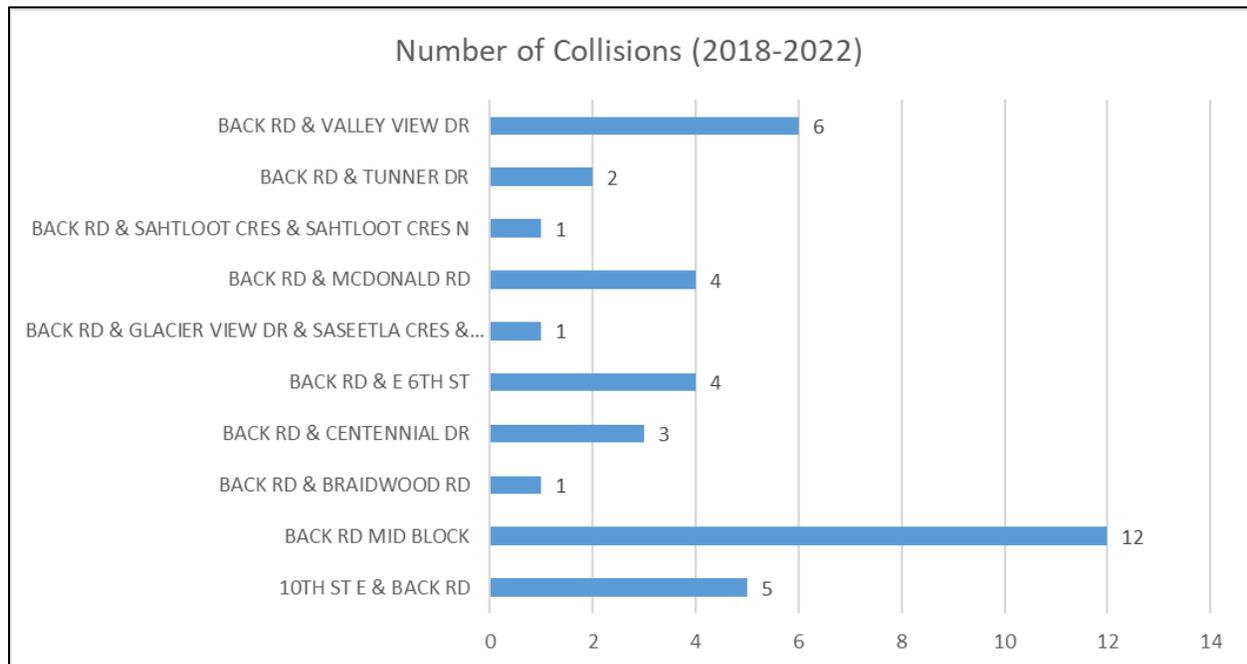
**Existing Conditions**

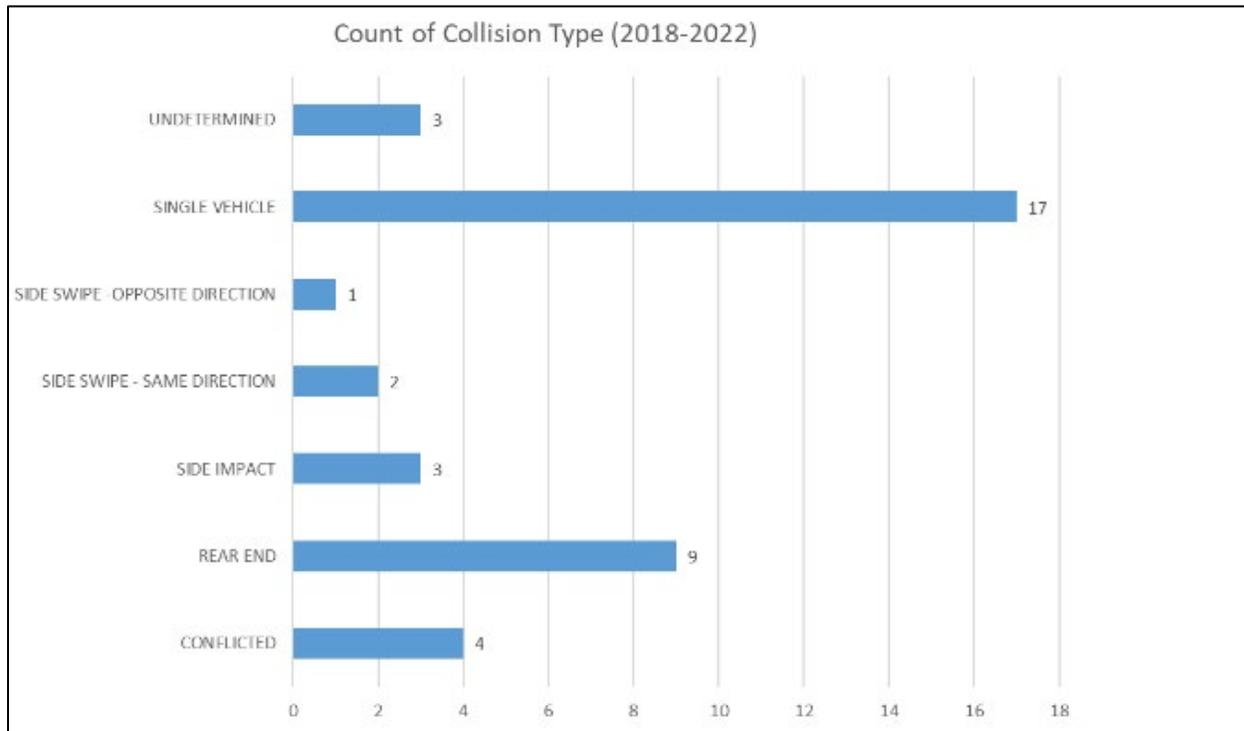
|   |  |
|---|--|
| <b>Road Classification:</b>                     | Arterial Road from Ryan Road to 6th Street East;<br>Collector Road from 6th Street East to city boarder. |
| <b>Cycling Network Plan (CNP) Implications:</b> | NA   |
| <b>Transit Route:</b>                           | On demand transit service is provided along the corridor.  |
| <b>Traffic Volume:</b>                          | Most segments of Back Road have an AADT ranging from 2,000 to 2,500 vehicles approximately.              |
| <b>Posted Speed Limit:</b>                      | 50 km/h  |
| <b>Alternate use:</b>                           | NA   |
| <b>Pedestrian Access:</b>                       | No dedicated pedestrian facility from 10 <sup>th</sup> Street East to city border.                       |

**Collision Data:**

Collision data is recorded by ICBC and provided to municipalities annually. Due to the time needed to review and redact personal information, the data is typically about a year behind when it reaches the municipality.

For this study, collision data for the five-year period from 2018 to 2022 was reviewed. The results of this review are summarized in **Figure 4** below showing the distribution of collision locations





Note: Collisions at Ryan Road & Back Road are not included in this summary.

Figure 4: 2018-2022 Collision Summary - Back Road by Collision Location

### Review Matrix

MHnS conducted a detailed field and desktop review on Back Road between Ryan Road and the City’s boundary. This review included all aspects of the road's operation. The results are summarized below.

**Signage:** The signage within the study area was generally found to be in good condition and was visible to road users. The existing street name signs are also visible. The current signage conforms to Transportation Association of Canada (TAC) standards with regard to location and placement.

**Pavement markings:** The pavement markings within the study area were in good condition and will be refreshed as part of the Operational Services annual painting program, as required.

**Sightlines:** Sightlines on Back Road at intersections with side streets within the study area were reviewed and there were no impediments identified for road users.

**Sidewalks:** Sidewalks along Back Road within the study area were inspected and found to be in various states of condition ranging from excellent and available on both sides to very poor and missing on either side. The existing sidewalks generally comply with the City’s specifications.

Despite the lack of sidewalks on Back Road from 10th Street East to the city boundary, minimal pedestrian activity was observed during the field review, indicating that new sidewalks may not be immediately necessary. On the other hand, the observed cycling activity along the entire Back Road corridor highlights an opportunity to enhance safety for cyclists through traffic calming measures.

**Street Lighting:** There is limited street lighting on Back Road from Ryan Road to the City’s border. Existing street lighting is installed sporadically along the corridor on BC Hydro poles.

**Parking Regulations:** Parking is permitted on Back Road where the shoulder is wide enough to accommodate a parked vehicle. No changes to the existing parking regulations are recommended at this time.

**Traffic Control Devices:** All traffic control devices meet current Transportation Association of Canada standards.

**Speed and Volume Data:** Speed and volume data were collected along 5 different locations of Back Road corridor, including:

1. Back Road & Valley View Drive
2. Back Road & Snowbird Lane
3. Back Road & Marsland Drive
4. Back Road & 6<sup>th</sup> Street East
5. Back Road & 10<sup>th</sup> Street East

### Feasibility of Safety Improvements

MHNs has conducted a detailed traffic calming analysis using the initial screening warrant and the point assessment and prioritization system outlined in the Policy. Traffic calming measures, as referred to the Policy’s traffic calming toolbox, are selected based on identified safety risks, road characteristics, and other contextual factors.

#### A. Initial Screening

Back Road meets the initial screening warrant criteria for traffic calming measures (see **Table 1** below).

*Table 1. City of Courtenay Back Road Traffic Calming Initial Screening*

| Criteria   | Conditions  | Pass / Fail |
|--|---|-------------|
| Roadway must be a local or collector, featuring no more than two travel lanes (one lane for each direction).   | Back Road is a collector road in general.   | Pass        |
| Roadway must have a minimum of 500 annual average daily traffic (AADT).  | ADT data is obtained from the following traffic speed/count locations:<br>1. Back Road @ Snowbird Lane NB: 1108<br>2. Back Road @ Valley View SB: 1284<br>3. Back Road @ Marsland Drive NB: 1105<br>4. Back Road @ 6th Street East / 10th Street East approximately 5000<br>All locations pass this criterion.            | Pass        |
| The posted speed limit shall not be greater than 50 km/h.  | Posted speed limit along Back Road is 50 km/h   | Pass        |
| 85 <sup>th</sup> percentile speed of the roadway should be greater than the posted speed limit   | 85 <sup>th</sup> percentile speed data is estimated from the following traffic speed/count locations:<br>1. Back Road @ Snowbird Lane NB: 61 km/h<br>2. Back Road @ Valley View SB: 60 km/h<br>3. Back Road @ Marsland Drive NB: 57 km/h<br>4. Back Road @ 6th Street East: 56 km/h<br>All locations pass this criterion. | Pass        |
| Roadway section should be longer than 150 metres.  | Back Road (from Ryan Road to Strathcona Crescent under the jurisdiction of the City of Courtenay) is about 4 km in length.  | Pass        |
| Roadway must be assumed and maintained by the City of Courtenay.   | Back Road (from Ryan Road to City Boundary) is under the jurisdiction of the City of Courtenay.   | Pass        |
| Zoning should be primarily residential in nature.  | Back Road corridor is predominantly lined with residential units, mainly single-family homes.   | Pass        |
| No traffic calming initiatives have been implemented in the past 36 months, and there are no scheduled capital projects within the next 36 months that would address the traffic issues. | No traffic calming measures have been implemented previously, and there are currently no capital projects planned for traffic calming.  | Pass        |
| <b>Overall</b>   |   | <b>Pass</b> |

**B. Point Assessment and Prioritization**

Point assessment and prioritization have been conducted for the five locations with speed and volume data. The objective is to rank these locations regarding the need for traffic calming, identify specific safety issues, and inspire the selection of appropriate traffic calming treatments.



Figure 5: Point Assessment and Prioritization Locations along Back Road

The point assessment allocates weighted points based on key factors including speed, volume, collisions, the presence of generators for vulnerable road users, and the availability of active transportation facilities. **Table 2** below summarizes the scoring results of the five assessed locations, and scoring details and rationales can be found in **Attachment 2**.

| Location                                 | Point Assessment Score | Traffic Calming Priority | Traffic calming requirement   |
|--|------------------------|--------------------------|---|
| Back Road & Valley View Drive            | 78                     | III                      | Only traffic calming treatments with minimal impact on traffic movement and accessibility should be considered.                             |
| Back Road & Snowbird Lane                | 71                     | III                      | Only traffic calming treatments with minimal impact on traffic movement and accessibility should be considered.                             |
| Back Road & Marsland Drive               | 61                     | II                       | Only simple traffic calming measures without physical alternation of the roadway, i.e., signage and/or pavement markings should be applied. |
| Back Road & 6 <sup>th</sup> Street East  | 61                     | II                       | Only simple traffic calming measures without physical alternation of the roadway, i.e., signage and/or pavement markings should be applied. |
| Back Road & 10 <sup>th</sup> Street East | 55                     | I                        | No traffic calming action is needed   |

Note: The traffic calming priority is classified into 5 categories (I to V) from the lowest to the highest based on the scoring result.

Based on the point assessment result:

- ✓ Back Road at Valley View Drive is prioritized as a high-need location, receiving a relatively high score and even though categorized under Priority III in the point assessment system. According to the table, only traffic calming treatments with minimal impact on traffic movement and accessibility would typically be recommended for this priority category.
  - However, when considering Back Road as one continuous segment and factoring in the 85th percentile speed, it becomes clear that a more impactful traffic calming measure is necessary to address the speeding issues effectively. The decision to proceed with a mini-roundabout at this location is based on the need for a robust solution that aligns with the observed traffic patterns and speeds while also considering the broader context of Back Road as a whole.
- ✓ Back Road at Snowbird Lane is scored and categorized as Priority III. This location is near Valley View Drive, therefore it can also benefit from treatments implemented at Valley View Drive. Currently, only speed reduction is recommended at this location.
- ✓ All the other three locations at Marsland Drive, 6<sup>th</sup> Street East and 10<sup>th</sup> Street East are scored relatively lower and no traffic calming measures are recommended to be implemented at current.

### C. Traffic Calming Design

MHnS has carefully selected the appropriate measures from the traffic calming toolbox (**Attachment 3**) and proposed the following treatment at Back Road & Valley View Drive.

**Mini Roundabout:** A mini roundabout is proposed at the intersection of Back Road & Valley View Drive to replace the current stop control. A mini roundabout is a raised island, placed within an unsignalized intersection, around which traffic circulates. It requires approaching motorists yield to motorists already in the roundabout and slow down to a speed that allows them to comfortably manoeuvre around. The reasons for choosing a mini roundabout include:

- Speed Reduction: Speeding is prevalent at this location, with the 85th percentile speed being 10 km/h higher than the posted limit and 45% of vehicles traveling over 60 km/h. A mini roundabout will effectively reduce vehicle speed.
- Collision Reduction: Collision data indicates issues related to speeding and turning/yielding at this intersection. A mini roundabout can help mitigate these types of collisions.

**Raised Medians:** Raised medians will be provided at both approaches of Back Road to the new roundabout. Raised median is a raised island located along the street centreline that narrows the travel lanes to encourage a motorist to slow. The reasons for choosing raised medians include:

- Speed Reduction: Raised medians will further encourage vehicles to slow down before entering the mini roundabout.
- Raised medians can help mitigate collisions caused by speeding or overtaking, which have been reported at this location.

**Signage:** It is suggested to install 40 km/h speed limit signs at all segments of Back Road, conforming to TAC standards. Meanwhile, animal crossing warning signs are recommended close to this location as collisions with animals have been recorded.

**Guardrail:** In addition, guardrail is recommended for construction along the west side of Back Road segment to the north of Valley View Drive. Currently, there is no guardrail or shoulder. Run-off-road collisions have been reported along Back Road, and such collision could cause serious injuries and property damages. A

guardrail is an important measure to keep vehicles on the road and can help significantly mitigate the consequences of run-off-road collisions.



Figure 6: Example of a Back Road Segment without Guardrail Installed

Figure 7 below shows the layout of the suggested traffic calming measures. Refer Attachment 4 for a detailed conceptual design.



Figure 7: Conceptual Layout of the Proposed Traffic Calming Measures

## Conclusion

The City engaged MHnS to conduct a safety review and traffic calming analysis for Back Road. Several locations along Back Road were assessed based on factors such as vehicle speed, traffic volume, collision history, vulnerable road users, and available active transportation facilities. Using a point-based assessment system, the intersection of Back Road & Valley View Drive emerged as the highest priority for traffic calming interventions.

Based on this review, the following phased traffic calming measures are recommended to address the identified risks and concerns:

- **Phase 1:** Install a mini roundabout at the intersection of Back Road & Valley View Drive to replace the current stop control. This will be accompanied by raised medians at both approaches and appropriate signage, including "roundabout ahead" and 40km/h speed limit signs, as well as animal crossing warning signs near Valley View Drive.
- **Phase 2:** Install guardrails along the west side of Back Road, north of Valley View Drive, and adjacent to the roundabout. The presence of residential units near the Valley View segment makes this area particularly vulnerable to run-off-road collisions. Installing guardrails will enhance safety at both locations by reducing the risks associated with these types of incidents.

## POLICY ANALYSIS:

Traffic calming policy developments are proposed to include a logical framework that addresses which measures are considered acceptable and when they are applicable for installation on City streets.

The Back Road traffic calming design is based on the recommendations made in the Traffic Calming Guide and Policy Report. Once the Traffic Calming Policy is successfully adopted by the Council, any traffic calming request would need to be initiated by the requesting neighbourhood, and City staff would process these requests following the guidelines outlined in the Traffic Calming Policy. Post policy review, all traffic calming measures that will require an Operational increase in current service level commitments or a capital venture project/commitment as to successfully implement; items will return to open Council for consideration and direction.

## FINANCIAL IMPLICATIONS:

Based on the warrant part of the policy, the Back Road traffic calming request will require operational funding for data collection, analysis, design, construction and maintenance. In general, overall project costs will depend based on the policy scoring matrix and implementation strategy that is approved for each length of a road, or combined of road segments, as defined by the traffic calming review outcome. In the case of Back Road, the recommended traffic calming initiatives are estimated to costs between \$200,000 - \$250,000, based on a class 'D' cost estimate.

## ADMINISTRATIVE IMPLICATIONS:

The addition or adjustment of traffic control devices are part of Operations Services core duties. City staff will be required to allocate time to process, analyse, design, review, implement and maintain the new infrastructure. This may place additional demands on staff resources and potentially impact other projects. Clear and consistent communication with the public throughout this process is crucial. Information should be regularly shared through the City's website, group emails, and community centre notices. Neighbourhood associations can assist in keeping residents informed and engaged from the initial request to project completion.

**STRATEGIC PRIORITIES REFERENCE:**

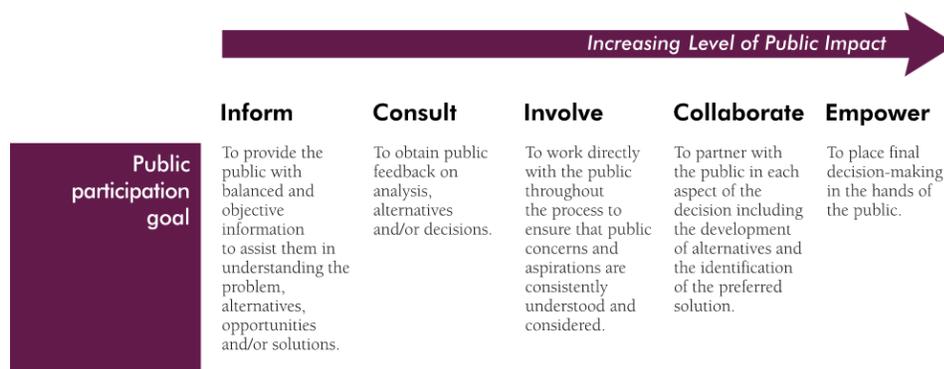
This initiative addresses the following strategic priorities: Under the Counsel Strategic Priorities 2023-2026, Streets and Transportation (Page 7);

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

**PUBLIC ENGAGEMENT:**

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

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



© International Association for Public Participation [www.iap2.org](http://www.iap2.org)

**OPTIONS:**

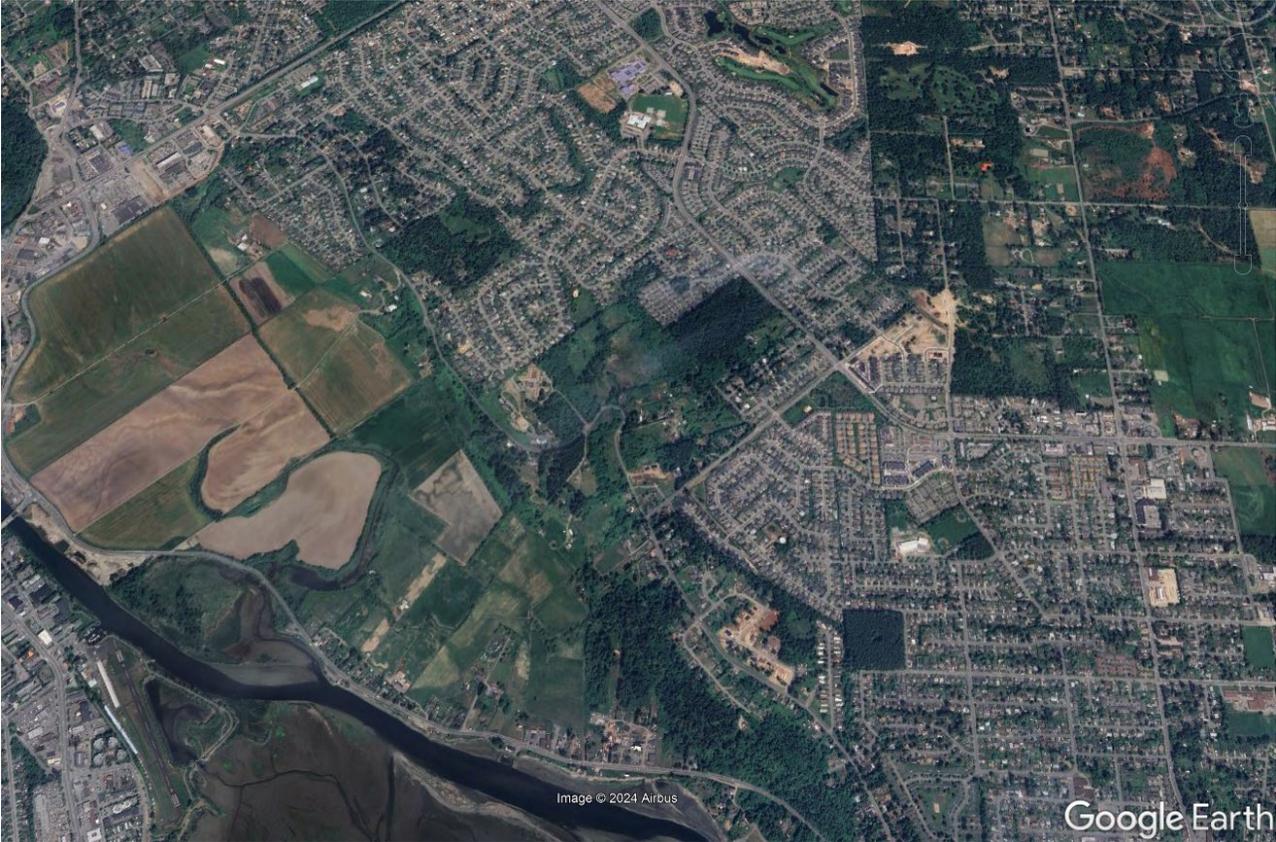
1. THAT Council receives the Back Road Traffic calming report and directs staff to implement **both Phase 1**, Mini roundabout and Raised Medians and **Phase 2**, Guardrail Installation as outlined in the report, and; THAT Staff be directed to include the associated funding requirements for the projects in the 2025 financial plan.
2. THAT Council receives the Back Road Traffic Calming Report and direct staff to implement **Phase 2 only**, based available funding.
3. THAT Council provide alternative direction to staff.
4. THAT Council receives this report for information only.

**ATTACHMENTS:**

1. Back Road Alignment Map.
2. Back Road Traffic Calming Point Assessment Scoring Details.
3. Traffic Calming Toolbox.
4. Back Road Traffic Calming Concept Plan.

**ATTACHMENTS:**

**1. Back Road Alignment Map**



## 2. Back Road Traffic Calming Point Assessment Scoring Details

### (i) Back Road at Valley View Drive

| Back Road & Valley View SB |                                 |  |   |                  |            | Scoring Rationale |   |
|----------------------------|---------------------------------|--|---|------------------|------------|-------------------|---|
| Location:                  |                                 | Back Road, Courtenay                         |   | Data Compiled:   |            |                   |   |
| Roadway Type               |                                 | □ Local Road                                 |   | ✓ Collector Road |            |                   |   |
| Feature                    |                                 |  | Criteria  | Max Points       | Sub Points | Total Points      |   |
| 1                          | Vehicle Speed                   | 85 <sup>th</sup> percentile speed            | General speeding - 1 point for every 1 km/h of 85 <sup>th</sup> percentile speed over the posted speed limit*   | 25               | 10         | 25                | The 85 <sup>th</sup> percentile speeds at Back Road & Valley View SB is 60 km/h, which is 10 km/h above the posted limit of 50 km/h.<br><br>According to the speed records, around 45% of all vehicles travelled at a speed over 60 km/h.   |
|                            |                                 |  | Excessive speeding - 5 points for 10% of excessive speeding (10 km/h over the posted speed limit) and an additional 5 points for every 5% of excessive speeding.  |                  | 40         |                   |   |
| 2                          | Volume                          | Annual Average Daily Traffic (AADT)          | 5 points for every 500 AADT on local roads; 5 points for first 1250 AADT and 5 points for every 750 after on collector roads.   | 20               | -          | 13.78             | The road segment functions as a collector. At Back Road & Valley View SB, the southbound traffic count is 1,284. To estimate the total traffic flow for both directions, the NB volume is doubled, resulting in 2,568, as SB traffic data is not collected.   |
| 3                          | Collisions                      | Collision History                            | 5 points for every collision not involving vulnerable road users within the past 3 years or a longer period.  | 25               | 30         | 25                | Collisions are categorized based on their proximity to a specific location along Back Road:<br>- Within 150 meters: Collisions occurring within 150 meters (measured along the road) of the location are counted as one full collision.<br>- Between 150 and 500 meters: Collisions occurring between 150 and 500 meters from the location are counted as half a collision.<br>- Beyond 500 meters: Collisions occurring outside the 500-meter range are not counted.<br>Overall, 6 collisions were recorded within the 150 meter range, which account for a total of 6 collisions. |
|                            |                                 |  | 20 points for every collision involving vulnerable road users (VRU)** within the past 3 years or a longer period.   |                  | 0          |                   |   |
| 4                          | Vulnerable Road User Generators | Pedestrian/Cyclist Activity                  | 5 points for each pedestrian/cyclist-oriented facility nearby, e.g., elderly housing, parks/playgrounds, community or retail centres, churches, libraries, schools, childcare centres, transit stops without sidewalk, etc. ("nearby" means the facility must have direct connection to subject roadway). | 20               | -          | 5                 | Elderly housing - Glacier View Lodge (5 Points)   |
| 5                          | Active Transportation           | Presence of Active Transportation Facilities | 10 Points for lacking sidewalks on both sides of the roadway with pedestrians; 5 points for lacking sidewalk on one side of the roadway with pedestrians; 10 points for lacking cycling lane for the roadway with cyclists.   | 10               | -          | 10                | Cycling activities have been observed but there is no cycling lane provided.  |
| <b>Total score</b>         |                                 |  |   |                  | -          | <b>78.78</b>      |   |

(ii) Back Road at Snowbird lane

| Back Road & Snowbird Lane NB |                                 |  |   |                  |            | Scoring Rationale |
|------------------------------|---------------------------------|--|---|------------------|------------|-------------------|
| Location:                    |                                 | Back Road, Courtenay                         |   | Data Compiled:   |            |                   |
| Roadway Type                 |                                 | □ Local Road                                 |   | √ Collector Road |            |                   |
| Feature                      |                                 |  | Criteria  | Max Points       | Sub Points | Total Points      |
| 1                            | Vehicle Speed                   | 85 <sup>th</sup> percentile speed            | General speeding - 1 point for every 1 km/h of 85 <sup>th</sup> percentile speed over the posted speed limit*   | 25               | 11         | 25                |
|                              |                                 |  | Excessive speeding - 5 points for 10% of excessive speeding (10 km/h over the posted speed limit) and an additional 5 points for every 5% of excessive speeding.  |                  | 45         |                   |
| 2                            | Volume                          | Annual Average Daily Traffic (AADT)          | 5 points for every 500 AADT on local roads; 5 points for first 1250 AADT and 5 points for every 750 after on collector roads.   | 20               | -          | 11.14             |
| 3                            | Collisions                      | Collision History                            | 5 points for every collision not involving vulnerable road users within the past 3 years or a longer period.  | 25               | 20         | 20                |
|                              |                                 |  | 20 points for every collision involving vulnerable road users (VRU)** within the past 3 years or a longer period.   |                  | 0          |                   |
| 4                            | Vulnerable Road User Generators | Pedestrian/Cyclist Activity                  | 5 points for each pedestrian/cyclist-oriented facility nearby, e.g., elderly housing, parks/playgrounds, community or retail centres, churches, libraries, schools, childcare centres, transit stops without sidewalk, etc. ("nearby" means the facility must have direct connection to subject roadway). | 20               | -          | 5                 |
| 5                            | Active Transportation           | Presence of Active Transportation Facilities | 10 Points for lacking sidewalks on both sides of the roadway with pedestrians; 5 points for lacking sidewalk on one side of the roadway with pedestrians; 10 points for lacking cycling lane for the roadway with cyclists.   | 10               | -          | 10                |
| <b>Total score</b>           |                                 |  |   |                  | -          | <b>71.14</b>      |

(iii) Back Road at Marsland Drive

| Back Road & Marsland Drive NB |                                 |  |   |                  |            | Scoring Rationale |   |
|-------------------------------|---------------------------------|--|---|------------------|------------|-------------------|---|
| Location:                     |                                 | Back Road, Courtenay                         |   | Data Compiled:   |            |                   |   |
| Roadway Type                  |                                 | □ Local Road                                 |   | ✓ Collector Road |            |                   |   |
| Feature                       |                                 |  | Criteria  | Max Points       | Sub Points | Total Points      |   |
| 1                             | Vehicle Speed                   | 85 <sup>th</sup> percentile speed            | General speeding - 1 point for every 1 km/h of 85 <sup>th</sup> percentile speed over the posted speed limit*   | 25               | 7          | 25                | The 85 <sup>th</sup> percentile speeds at Back Road & Marsland Drive NB is 57 km/h, which is 7 km/h above the posted limit of 50 km/h.<br><br>According to the speed records, around 54% of all vehicles travelled at a speed over 60 km/h.   |
|                               |                                 |  | Excessive speeding - 5 points for 10% of excessive speeding (10 km/h over the posted speed limit) and an additional 5 points for every 5% of excessive speeding.  |                  | 50         |                   |   |
| 2                             | Volume                          | Annual Average Daily Traffic (AADT)          | 5 points for every 500 AADT on local roads; 5 points for first 1250 AADT and 5 points for every 750 after on collector roads.   | 20               | -          | 11.13             | The road segment functions as a collector. At Back Road & Marsland Drive NB, the southbound traffic count is 1,105. To estimate the total traffic flow for both directions, the NB volume is doubled, resulting in 2,210, as SB traffic data is not   |
| 3                             | Collisions                      | Collision History                            | 5 points for every collision not involving vulnerable road users within the past 3 years or a longer period.  | 25               | 10         | 10                | Collisions are categorized based on their proximity to a specific location along Back Road:<br>- Within 150 meters: Collisions occurring within 150 meters (measured along the road) of the location are counted as one full collision.<br>- Between 150 and 500 meters: Collisions occurring between 150 and 500 meters from the location are counted as half a collision.<br>- Beyond 500 meters: Collisions occurring outside the 500-meter range are not counted.<br>Overall, 1 collision was recorded within the 150 meter range and 1 collision was within the 150-500 m range, which rounds up to a total of 2 collisions. |
|                               |                                 |  | 20 points for every collision involving vulnerable road users (VRU)** within the past 3 years or a longer period.   |                  | 0          |                   |   |
| 4                             | Vulnerable Road User Generators | Pedestrian/Cyclist Activity                  | 5 points for each pedestrian/cyclist-oriented facility nearby, e.g., elderly housing, parks/playgrounds, community or retail centres, churches, libraries, schools, childcare centres, transit stops without sidewalk, etc. ("nearby" means the facility must have direct connection to subject roadway). | 20               | -          | 5                 | Elderly housing - Glacier View Lodge (5 Points)   |
| 5                             | Active Transportation           | Presence of Active Transportation Facilities | 10 Points for lacking sidewalks on both sides of the roadway with pedestrians; 5 points for lacking sidewalk on one side of the roadway with pedestrians; 10 points for lacking cycling lane for the roadway with cyclists.   | 10               | -          | 10                | Cycling activities have been observed but there is no cycling lane provided.  |
| <b>Total score</b>            |                                 |  |   |                  | -          | <b>61.13</b>      |   |

(iv) Back Road at 6<sup>th</sup> Street East

| Back Road & 6th Street |                                 |  |   |                  |            | Scoring Rationale |  |
|------------------------|---------------------------------|--|---|------------------|------------|-------------------|--|
| Location:              |                                 | Back Road, Courtenay                         |   | Data Compiled:   |            |                   |  |
| Roadway Type           |                                 | □ Local Road                                 |   | √ Collector Road |            |                   |  |
| Feature                |                                 |  | Criteria  | Max Points       | Sub Points | Total Points      |  |
| 1                      | Vehicle Speed                   | 85 <sup>th</sup> percentile speed            | General speeding - 1 point for every 1 km/h of 85 <sup>th</sup> percentile speed over the posted speed limit*   | 25               | 6          | 6                 | The 85 <sup>th</sup> percentile speed at Back Road & 6 Street is 56 km/h, which is 6 km/h above the posted limit of 50 km/h. The 85 <sup>th</sup> percentile data is obtained and calculated from the field speed survey.<br><br>According to the speed records, around 5% of all vehicles travelled at a speed over 60 km/h.  |
|                        |                                 |  | Excessive speeding - 5 points for 10% of excessive speeding (10 km/h over the posted speed limit) and an additional 5 points for every 5% of excessive speeding.  |                  | 0          |                   |  |
| 2                      | Volume                          | Annual Average Daily Traffic (AADT)          | 5 points for every 500 AADT on local roads; 5 points for first 1250 AADT and 5 points for every 750 after on collector roads.   | 20               | -          | 20                | At Back Road & 6th Street, the estimated ADT, based on our collected PM peak hour traffic data, is approximately 5,000.  |
| 3                      | Collisions                      | Collision History                            | 5 points for every collision not involving vulnerable road users within the past 3 years or a longer period.  | 25               | 40         | 25                | Collisions are categorized based on their proximity to a specific location along Back Road:<br>- Within 150 meters: Collisions occurring within 150 meters (measured along the road) of the location are counted as one full collision.<br>- Between 150 and 500 meters: Collisions occurring between 150 and 500 meters from the location are counted as half a collision.<br>- Beyond 500 meters: Collisions occurring outside the 500-meter range are not counted.<br>Overall, 4 collision were recorded within the 150 meter range and 7 collisions were within the 150-500 m range (south of Ryan Rd) , which rounds up to a total of 7.5 collisions. |
|                        |                                 |  | 20 points for every collision involving vulnerable road users (VRU)** within the past 3 years or a longer period.   |                  | 0          |                   |  |
| 4                      | Vulnerable Road User Generators | Pedestrian/Cyclist Activity                  | 5 points for each pedestrian/cyclist-oriented facility nearby, e.g., elderly housing, parks/playgrounds, community or retail centres, churches, libraries, schools, childcare centres, transit stops without sidewalk, etc. ("nearby" means the facility must have direct connection to subject roadway). | 20               | -          | 5                 | Bus Stop - Back Rd at 6th St E (5 Points)  |
| 5                      | Active Transportation           | Presence of Active Transportation Facilities | 10 Points for lacking sidewalks on both sides of the roadway with pedestrians; 5 points for lacking sidewalk on one side of the roadway with pedestrians; 10 points for lacking cycling lane for the roadway with cyclists.   | 10               | -          | 5                 | Lack of sidewalk on the southside of the roadway. Pedestrians have been observed.  |
| Total score            |                                 |  |   |                  | -          | 61                |  |

(iv) Back Road at 10<sup>th</sup> Street East

| Back Road & 10th Street |                                 |  |   |                  |            |              |  |
|-------------------------|---------------------------------|--|---|------------------|------------|--------------|--|
| Location:               |                                 | Back Road, Courtenay                         |   | Data Compiled:   |            |              |  |
| Roadway Type            |                                 | □ Local Road                                 |   | ✓ Collector Road |            |              |  |
| Feature                 |                                 |  | Criteria  | Max Points       | Sub Points | Total Points |  |
| 1                       | Vehicle Speed                   | 85 <sup>th</sup> percentile speed            | General speeding - 1 point for every 1 km/h of 85 <sup>th</sup> percentile speed over the posted speed limit*   | 25               | 0          | 0            |  |
|                         |                                 |  | Excessive speeding - 5 points for 10% of excessive speeding (10 km/h over the posted speed limit) and an additional 5 points for every 5% of excessive speeding.  |                  | 0          |              |  |
| 2                       | Volume                          | Annual Average Daily Traffic (AADT)          | 5 points for every 500 AADT on local roads; 5 points for first 1250 AADT and 5 points for every 750 after on collector roads.   | 20               | -          | 20           |  |
| 3                       | Collisions                      | Collision History                            | 5 points for every collision not involving vulnerable road users within the past 3 years or a longer period.  | 25               | 40         | 25           |  |
|                         |                                 |  | 20 points for every collision involving vulnerable road users (VRU)** within the past 3 years or a longer period.   |                  | 0          |              |  |
| 4                       | Vulnerable Road User Generators | Pedestrian/Cyclist Activity                  | 5 points for each pedestrian/cyclist-oriented facility nearby, e.g., elderly housing, parks/playgrounds, community or retail centres, churches, libraries, schools, childcare centres, transit stops without sidewalk, etc. ("nearby" means the facility must have direct connection to subject roadway). | 20               | -          | 5            |  |
| 5                       | Active Transportation           | Presence of Active Transportation Facilities | 10 Points for lacking sidewalks on both sides of the roadway with pedestrians; 5 points for lacking sidewalk on one side of the roadway with pedestrians; 10 points for lacking cycling lane for the roadway with cyclists.   | 10               | -          | 5            |  |
| <b>Total score</b>      |                                 |  |   |                  | -          | <b>55</b>    |  |

**Scoring Rationale**

Due to the all-way stop sign, speeding is not expected to be an issue at this location.

At Back Road & 10th Street, the estimated ADT, based on our collected PM peak hour traffic data, is approximately 5,000.

Collisions are categorized based on their proximity to a specific location along Back Road:  
 - Within 150 meters: Collisions occurring within 150 meters (measured along the road) of the location are counted as one full collision.  
 - Between 150 and 500 meters: Collisions occurring between 150 and 500 meters from the location are counted as half a collision.  
 - Beyond 500 meters: Collisions occurring outside the 500-meter range are not counted.  
 Overall, 5 collision were recorded within the 150 meter range and 6 collisions were within the 150-500 m range, which rounds up to a total of 8 collisions.

Bus Stop - Back Rd at 10th St E (5 Points)

Lack of sidewalk on the southside of the roadway. Pedestrians have been observed.

### 3. Traffic Calming Toolbox

| TRAFFIC CALMING MEASURES        | POTENTIAL INFLUENCES |                  |                     |                             |                  |
|---------------------------------|----------------------|------------------|---------------------|-----------------------------|------------------|
|                                 | Speed Reduction      | Volume Reduction | Collision Reduction | Traffic Movement Disruption | Cost Per Measure |
| <b>1. HORIZONTAL DEFLECTION</b> |                      |                  |                     |                             |                  |
| Chicane                         | ●                    | ◐                | ○                   | ◑                           | Medium-High      |
| Lateral Shift                   | ●                    | ○                | ○                   | ◑                           | High             |
| Traffic Circle                  | ●                    | ◐                | ●                   | ◑                           | Medium-High      |
| Mini Roundabout                 | ●                    | ○                | ●                   | ◑                           | High             |
| Corner Extension                | ◐                    | ○                | ○                   | ◑                           | Medium-High      |
| <b>2. VERTICAL DEFLECTION</b>   |                      |                  |                     |                             |                  |
| Speed Table                     | ●                    | ◐                | ●                   | ◑                           | Low              |
| Speed Cushion                   | ●                    | ◐                | ●                   | ◑                           | Low              |
| Speed Kidney                    | ●                    | ○                | ○                   | ◑                           | Low-Medium       |
| Raised Crosswalk                | ●                    | ◐                | ●                   | ◑                           | Low-Medium       |
| Raised Intersection             | ◐                    | ○                | ●                   | ◑                           | High             |
| <b>3. ROADWAY NARROWING</b>     |                      |                  |                     |                             |                  |
| Curb Bulge                      | ●                    | ○                | ○                   | ◑                           | Medium-High      |
| Raised Median Island            | ●                    | ○                | ○                   | ◑                           | High             |
| Lane Narrowing                  | ◐                    | ○                | ○                   | ◑                           | Low              |
| On-Street Parking               | ◐                    | ◐                | ○                   | ◑                           | Low              |

Prepared by: Deva Muthukumaran, Transportation Technologist

Reviewed by: Kyle Shaw, Director of Operational Services

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



PLOT DATE: August 20, 2024

| REV NO | REVISIONS          | DATE      | DRAWN | APPRD |
|--------|--------------------|-----------|-------|-------|
| 1      | DRAFT CONCEPT PLAN | 8/24/2020 | APK   | SL    |
|        |                    |           |       |       |
|        |                    |           |       |       |

**CITY OF COURTENAY**  
**BACK ROAD TRAFFIC CALMING CONCEPT**



| SCALE      | 1:250   | DATE        | 20 / 08 / 24 | DWG. NO. |
|------------|---------|-------------|--------------|----------|
| DRAWN BY   | A. KWOK | DESIGN BY   | A. KWOK      | 1 of 1   |
| CHECKED BY | S. LI   | APPROVED BY | S. LI        | REV. A   |



City of  
Courtenay

City of Courtenay

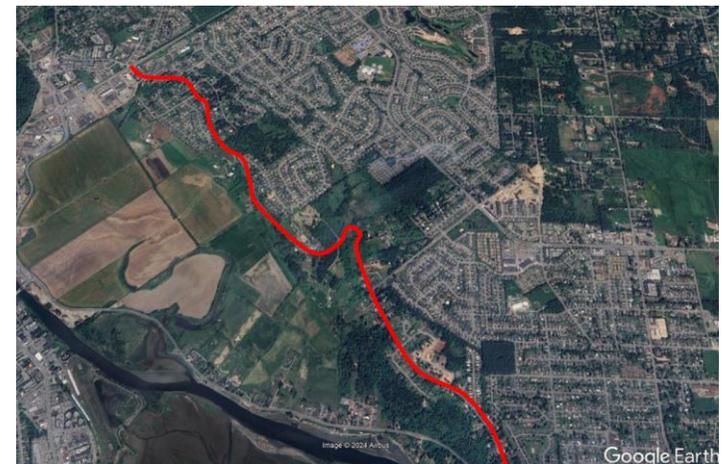
# Back Road Traffic Calming Study

Presented by:  
Stanley Li, M.Sc., P.Eng., PTOE  
Chao Qi, M.Sc., EIT  
Morrison Hershfield now Stantec  
2024/10/23, Council Presentation



# 1 . Introduction of the Traffic Calming Study

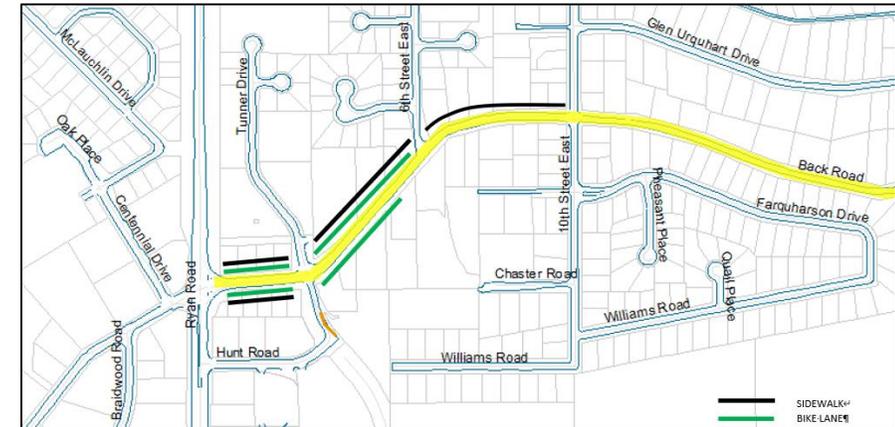
- In early 2024, the City received a formal petition to **address speed, noise, and safety concerns on Back Road.**
- Morrison Hershfield now Stantec (MHnS) was retained to conduct a review of traffic calming needs on Back Road.
- The study is based on the Traffic Calming Guide and Policy developed by MHnS.



# 2. Back Road Conditions

- The area along Back Road from Ryan Road to the City border is **generally residential** in nature, comprised of rural properties with single family dwellings in a low-density environment.

|   |   |
|---|---|
| <b>Road Classification:</b>                     | Arterial Road from Ryan Road to 10th Street East; Collector Road from 10th Street East to city boarder. |
| <b>Cycling Network Plan (CNP) Implications:</b> | NA  |
| <b>Transit Route:</b>                           | On demand transit service is provided along the corridor.   |
| <b>Traffic Volume:</b>                          | Most segments of Back Road have an AADT ranging from 2,000 to 2,500 vehicles approximately.             |
| <b>Posted Speed Limit:</b>                      | 50 km/h   |
| <b>Alternate use:</b>                           | NA  |
| <b>Pedestrian Access:</b>                       | No dedicated pedestrian facility from 10 <sup>th</sup> Street East to city border.                      |



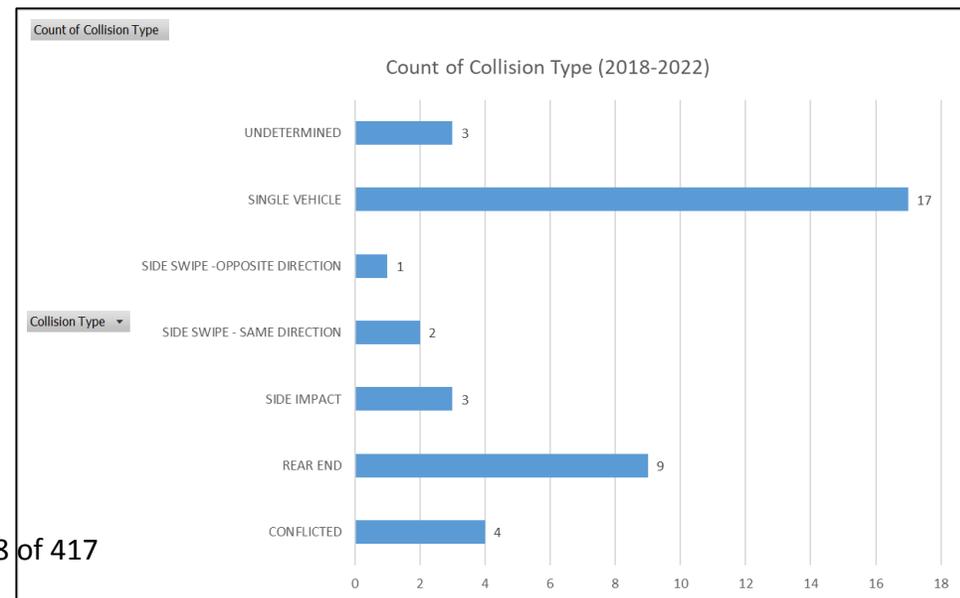
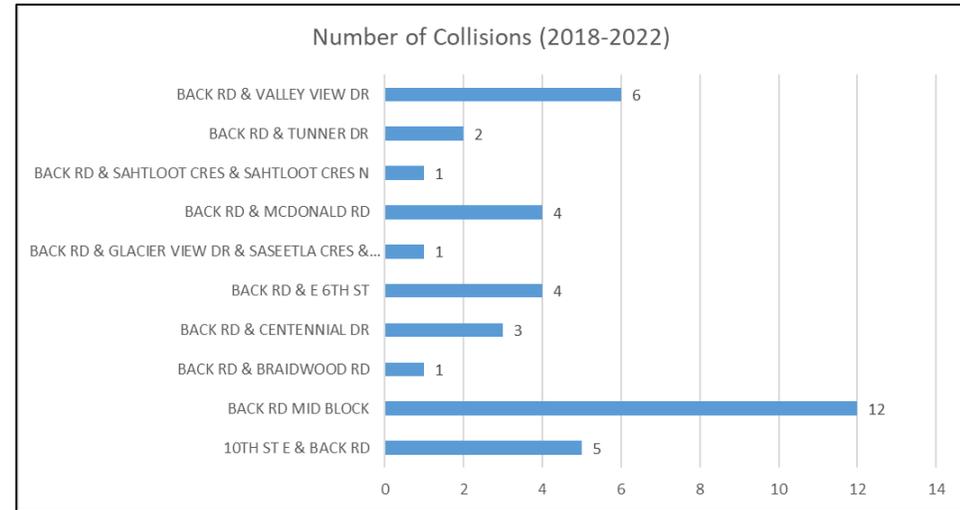
Back Road – Ryan Road to 10<sup>th</sup> Street East



Back Road – 10<sup>th</sup> Street East to border

# 3. Back Road Collision Analysis

- A review of the ICBC collision data within the study area was undertaken for the latest five-years (2018-2022).



# 4. Back Road Speed & Volume Data Collection and Analysis

- Back Road & Valley View Drive
- Back Road & Snowbird Lane
- Back Road & Marsland Drive
- Back Road & 6th Street East
- Back Road & 10th Street East



# 5. Back Road Traffic Calming Analysis – Step 1: Initial Screening

Back Road meets the **initial screening warrant criteria** for traffic calming treatments

| Criteria   | Conditions  | Pass / Fail |
|--|---|-------------|
| Roadway must be a local or collector, featuring no more than two travel lanes (one lane for each direction).   | Back Road is a collector road in general.   | Pass        |
| Roadway must have a minimum of 500 annual average daily traffic (AADT).  | ADT data is obtained from the following traffic speed/count locations:<br>1. Back Road @ Snowbird Lane NB: 1108<br>2. Back Road @ Valley View SB: 1284<br>3. Back Road @ Marsland Drive NB: 1105<br>4. Back Road @ 6th Street East / 10th Street East approximately 5000<br>All locations pass this criterion.            | Pass        |
| The posted speed limit shall not be greater than 50 km/h.  | Posted speed limit along Back Road is 50 km/h   | Pass        |
| 85 <sup>th</sup> percentile speed of the roadway should be greater than the posted speed limit   | 85 <sup>th</sup> percentile speed data is estimated from the following traffic speed/count locations:<br>1. Back Road @ Snowbird Lane NB: 61 km/h<br>2. Back Road @ Valley View SB: 60 km/h<br>3. Back Road @ Marsland Drive NB: 57 km/h<br>4. Back Road @ 6th Street East: 56 km/h<br>All locations pass this criterion. | Pass        |
| Roadway section should be longer than 150 metres.  | Back Road (from Ryan Road to Strathcona Crescent under the jurisdiction of the City of Courtenay) is about 4 km in length.  | Pass        |
| Roadway must be assumed and maintained by the City of Courtenay.   | Back Road (from Ryan Road to City Boundary) is under the jurisdiction of the City of Courtenay.   | Pass        |
| Zoning should be primarily residential in nature.  | Back Road corridor is predominantly lined with residential units, mainly single-family homes.   | Pass        |
| No traffic calming initiatives have been implemented in the past 36 months, and there are no scheduled capital projects within the next 36 months that would address the traffic issues. | No traffic calming measures have been implemented previously, and there are currently no capital projects planned for traffic calming.  | Pass        |
| <b>Overall</b>   |   | <b>Pass</b> |

# 5. Back Road Traffic Calming Analysis – Step 2: Pint Assessment and Prioritization

- **Point assessment** and prioritization have been conducted for five locations.
- **Weighted points** are assigned based on speed, volume, collisions, vulnerable road users, and active transportation facilities

| Location                                 | Point Assessment Score | Traffic Calming Priority | Traffic Calming Requirement  |
|--|------------------------|--------------------------|--|
| Back Road & Valley View Drive            | 79                     | III                      | Only traffic calming treatments with physical minimal impact on traffic movement and accessibility should be considered.                   |
| Back Road & Snowbird Lane                | 71                     | III                      | Only traffic calming treatments with physical minimal impact on traffic movement and accessibility should be considered.                   |
| Back Road & Marsland Drive               | 61                     | II                       | Only simple traffic calming measures without physical alteration of the roadway, i.e., signage and/or pavement markings should be applied. |
| Back Road & 6 <sup>th</sup> Street East  | 61                     | II                       | Only simple traffic calming measures without physical alteration of the roadway, i.e., signage and/or pavement markings should be applied. |
| Back Road & 10 <sup>th</sup> Street East | 55                     | I                        | No traffic calming action is needed  |

Note: The traffic calming priority is classified into 5 categories (I to V) from the lowest to the highest based on the scoring result.

# 5. Back Road Traffic Calming Analysis – Step 2: Pint Assessment and Prioritization – Cont’d

- **Back Road at Valley View Drive** is prioritized first with a relatively high score under Category (III). However, staff advise considering Category IV actions to effectively address speeding concerns.



# 6. Back Road Traffic Calming Analysis – Traffic Calming Design

## Mini Roundabout

- Speeding is prevalent at this location, with the 85th percentile speed being 10 km/h higher than the posted limit and 45% of vehicles traveling over 60 km/h. **A mini roundabout will effectively reduce vehicle speed.**
- Collision data indicates issues related to speeding and turning/yielding at this intersection. **A mini roundabout can help mitigate these types of collisions.**



# 6. Back Road Traffic Calming Analysis – Traffic Calming Design – Cont'd

## Raised Median

- Raised medians will further **encourage vehicles to slow down** before entering the mini roundabout.
- Raised medians can help **mitigate collisions caused by speeding or overtaking**, which have been reported at this location.



# 6. Back Road Traffic Calming Analysis – Traffic Calming Design – Cont'd

## Signage

- It is suggested to install roundabout ahead , 30 km/h advisory speed limit and yield signs at all legs of the new roundabout.
- **Animal crossing warning signs** are recommended close to this location as collisions with animals have been recorded..



# 6. Back Road Traffic Calming Analysis – Traffic Calming Design – Cont'd

## Guardrail

- Guardrail is recommended near the mini roundabout and east of 10th Street E, along the south side of Back Road.
- Currently, there is no guardrail or shoulder in place. Installing a guardrail is crucial for keeping vehicles on the road and can significantly **reduce the severity of run-off-road collisions.**



# 6. Back Road Traffic Calming Analysis – Traffic Calming Design – Cont'd



Thank you!  
Questions?





The Corporation of the City of Courtenay

# Staff Report

**To:** Council

**File No.:** 2380-20

**From:** Director of Recreation, Culture, and Community Services

**Date:** October 23, 2024

**Subject:** 685 Cliffe Avenue – Lease Renewal and Temporary Washroom and Storage Update

**PURPOSE:** To Seek Council approval of a one-year lease renewal for the Connect Community Access Centre in accordance with the 2021 Lease Agreement, for the property located at 685 Cliffe Avenue and to provide Council with an update regarding the addition of temporary washroom facilities and improving the storage area beside Connect.

## **BACKGROUND:**

The Comox Valley Transition Society (CVTS) has operated the Connect Centre at 685 Cliffe Avenue since 2019 first via Occupancy Agreement and more recently via Lease Agreement. Since 2019, the property has been used to provide day centre services for individuals experiencing homelessness, extreme weather shelter or temporary shelter as authorized by Council.

On November 1, 2021 Council entered into a Lease Agreement with the CVTS for a portion of the property located at 685 Cliffe Avenue. In 2022 CVTS requested an amendment to the 2021 Lease Agreement to expand the lease area to incorporate the entire building. With Council's approval of the lease, renovations were completed that facilitated the combination of the original and expanded lease space. This renovation enabled CVTS to enter into an operating agreement with BC Housing for the provision of a temporary year-round overnight shelter and increased the available shelter beds at the Connect Centre to 33 per night.

The 2021 Lease Agreement can be found in attachment 1. The Lease Agreement includes lease term renewal options in one year increments up to a total of five years – each renewal is subject to Council approval. CVTS has exercised three renewal options to date, including the current one, therefore one one-year renewal option remains. The third year of the term will expire on October 31, 2024. CVTS has requested a one-year renewal of their lease from November 1, 2024 to October 31, 2025 as per the attached letter (Attachment 2) and as such staff are seeking Council's approval of a one-year lease renewal (Attachment 3).

Per council resolution on July 31, 2024, staff, CVTS, BC Housing, and the surrounding community have been engaged in preliminary discussions about locating a temporary washroom facility and improved storage facilities next to Connect in order to address the a) insufficient washroom and storage facilities available inside the facility and b) address concerns related to the impacts of public urination and defecation.

## **DISCUSSION:**

The results of the 2023 Homeless Count for the Comox Valley show that the number of people experiencing homelessness has more than doubled since 2020, increasing from 132 to 272. Of the total number of individuals experiencing homelessness, 35% (n=95) were unsheltered meaning they stayed outside or were temporarily staying at someone else's place and / or using homelessness services. The remaining 65% were sheltered and stayed overnight in homeless shelters, including transition houses, youth safe houses, people

with no fixed address staying temporarily at hospitals, jails, or detox facilities; this number also included those temporarily living in what was previously the Travelodge.

The results of the 2023 Homeless Count demonstrate the increasing need for shelter and supports for those who are unhoused. Any decrease in the current level of shelter beds available and or support services would increase the numbers of individuals who are unsheltered and have significant impacts on the health and well-being of people experiencing homelessness in the community.

### ***Connect Access Centre***

The Connect Community Access Centre provides critical services to individuals who are unhoused or experiencing the traumatic impacts of mental illness and the unregulated toxic drug supply. The day program at Connect operates six days a week and provides individuals experiencing homelessness with access to: survival gear (tents, meals, snack, tarps and clothing), washroom and shower services (located at the Lewis Centre), hygiene supplies and PPE, primary health care and addiction medicine through the physician outreach team, connection to Integrated Case Management, social connections and decreased isolation, personal belonging storage, criminal justice system navigation support, and administrative support (e.g. housing applications, tax filings, income assistance etc.).

Overnight shelter services, in accordance with Section 4.3 of the agreement, are provided seven days a week from 7:00pm to 9:00am. Following facility renovations to expand Connect, CVTS entered into a temporary shelter operating agreement with BC Housing for the provision of these services throughout the year as the services were previously only available in winter months as an Extreme Weather Response (EWR) shelter or as supported by grant funding.

CVTS was a recipient of funding through the UBCM Strengthening Communities' Services Grant (SCG) administered by the City on behalf of the region, to provide supports for people experiencing homelessness. Between January 1, 2021 and August 31, 2024, CVTS received funding to support services and wrap around supports that are not funded through the shelter Operating Agreement with BC Housing. Services included referrals to medical care, social, legal, and housing services; provision of survival and harm reduction supplies; additional daytime staffing; and security; peer work, and other critical services as outlined in the terms of the grant.

Final metrics from CVTS illuminate the significant impact the Connect Centre has had on the health and safety of populations made vulnerable by homelessness. In the 2024 year alone, Connect staff assisted on average 100-150 people daily, recording 34,250 service interactions, including 25,391 meals, 821 showers, distribution of 8,390 harm reduction and 356 survival gear items, and responding to 491 overdoses. One of the most impactful aspects of the project, was the hiring of people with lived experience to build relationships with those living on the street as well as the surrounding businesses and community who resided in the area. Peers conducted clean sweeps of the street three times daily collecting 426 needles. Peers also assisted with rousing and moving their peers from business alcoves and other locations on 1437 occasions and responded to 61 overdoses.

With the conclusion of Strengthening Communities' Grant funding, CVTS has been able to secure a limited amount of additional funds from BC Housing to boost staffing in order to continue to operate, six days per

week, with some reductions in services such as reduced food and supply provision, reduced access to storage, and reduced security.

While Connect has demonstrated a significant impact on health and safety of people without shelter, it is important to acknowledge that the location of Connect and the services it provides are associated with rising community concerns with homelessness and related impacts of mental illness and substance use harms. Concerns have been raised about a number of issues from increased congregation of people in the area to discarded belongings, needles, and biohazards.

As the 2023 Homeless Count for the Comox Valley demonstrates, the Comox Valley has seen an overall increase in homelessness since 2020 due to housing unaffordability, substance use harms, and mental health concerns. Without the services of Connect, the City would see a greater number of individuals unsheltered in the community as well as individuals without access to critical services. Exacerbating concerns, the physical facility of the Connect location is not purpose-built and poses significant limitations on CVTS's ability to accommodate the full level of service needs within the facility itself including capacity constraints, only one publicly accessible washroom, lack of storage, and inadequate facility design for the current temporary use.

CVTS continues to demonstrate its willingness and desire to be a good tenant and to fulfil the duties and responsibilities of the Lease Agreement. The externalities associated with the services of Connect, while mitigated by community engagement strategies and peer led clean-up crews, cannot be placed solely on the responsibility of Connect as the 2023 Homeless Count clearly demonstrates an increase in the number of individuals experiencing homelessness in the community and who require access to essential health, social, and nutritional services.

To address some specific concerns with the use of 685 Cliffe Avenue for the purposes describe above, the 2021 Lease Agreement stipulates:

- Article 5.15: The Tenant ... will ensure that no garbage, waste, biohazardous materials, or other debris accumulates on the Lease Area or the Perimeter by ensuring that all ... materials or other debris are removed ... at a minimum of two times per day with one of these checks occurring by 11:00am each day.
  
- Article 5.2: Community Advisory Committee [CAC] - ... the Tenant will establish a Community Advisory Committee
  - o CVTS has recently established a CAC whose members include City staff (Bylaw and RCCS), RCMP, VIHA, and Connect Staff.
  - o The purpose of the CAC is to assist in identifying and resolving issues, opportunities and concerns related to building operations; building positive relationships in the community; facilitating information sharing; and supporting the success of Connect.
  - o The aim is to expand membership to include a member of the DCBIA, a representative of the Arts Community, and people who live in the downtown core.
  - o The Executive Director for CVTS sits on the DCBIA Board of Directors, as well as the DCBIA Safety and Security Committee, where they regularly respond to and address concerns raised by DCBIA members.

The third Lease Renewal Agreement includes a change to section F.3.(b) regarding the minimum notice required for CVTS to request a one-year lease renewal. Previous Lease Renewal Agreements required a minimum of 180 days' notice to the City by CVTS of a renewal request, however the third Lease Renewal Agreement has amended this notice period to not less than 60 days prior to expiration to better reflect the realities of both parties' situations as it relates to requesting and approving a one-year lease renewal term.

BC Housing's purchase of 925 Braidwood for the purpose of developing purpose-built shelter and supportive housing will provide much needed additional shelter and housing capacity for those experiencing homelessness. It is expected that its opening will assist in alleviating many community concerns related to congregation, substance use, and mental illness through the provision of day services, shelter, and housing that are intentionally designed and built and include wrap around services to support individuals experiencing homelessness.

The provision of access to 685 Cliffe Avenue is intended as a temporary measure until such time as a purpose-built shelter facility is available. As per Council's direction, staff continue to work with BC Housing to support their plans for a purpose-built shelter and to ensure that a new facility will adequately meet the needs of individuals who are unhoused in the community.

### ***Temporary Washroom and Storage Facilities***

Staff, CVTS, BC Housing, and representatives from the community surrounding Connect continue to engage in discussions about locating and operationalizing temporary washroom facilities and improving the storage area next to Connect. A consultant has been hired to develop a site plan and oversee the installation of utility services (hydro, water, and sanitary) while coordinating with the operator, City staff and addressing concerns of the surrounding business owners. Operational funds are still required for the washroom trailer and as per Council's resolution from July 31, 2024 staff will report back at a future meeting of Council on the status of the operational funds for the washroom trailer.

The design of storage areas needs to consider fire safety and operational requirements which the consultant is engaged with CVTS on and working through to develop a safe, viable location and design. The funds for this will come from the \$150,000 that Council passed a resolution for on July 31, 2024. Visual aesthetics will be considered in this design. Costs for this storage area are being identified with the Consultant and CVTS with the assistance of staff. An application to the Comox Valley Community Foundation was made in partnership with CVTS and the Coalition to End Homelessness to support implementation and operations of improved day storage at Connect.

Staff is focused on supporting CVTS by breaking this initiative into two phases. The first being a staff trailer (funded by CVTS) and the storage with appropriate fencing. While undertaking this staff is identifying the budget for the installation of the washroom trailer and working on operating funding for this washroom trailer for clients of Connect. This will form a future report to Council.

### **FINANCIAL IMPLICATIONS:**

CVTS as the tenant will bear the financial responsibilities as outlined in the November 1<sup>st</sup> 2022 Lease Agreement. Council has previously approved a rental subsidy for Connect and renewal of the lease agreement would continue this subsidy. The annual rent due from CVTS for use of the building is \$24,000

per year. If approved, the City would be providing \$48,000 per year in assistance via a rent subsidy (based on current market rental rates).

Staff will return with an update on financial implications for the temporary washroom facility and storage area improvements adjacent to the Connect Centre.

**ADMINISTRATIVE IMPLICATIONS:**

Recreation, Culture, and Community Services (RCCS) provide support and relationship management to CVTS through the lease agreement, with the support of Civic Properties and Corporate Services. This work includes lease management, repairs, renovations, and other administrative tasks. Development Services is leading the work regarding locating a temporary washroom facility, and to improve the outdoor storage facility at the site.

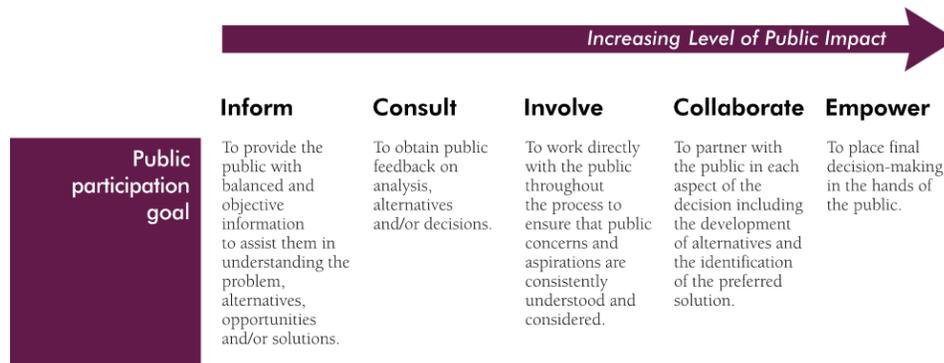
**STRATEGIC PRIORITIES REFERENCE:**

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](http://www.iap2.org)

Staff will provide public notice to satisfy the statutory advertising requirements for the provision of assistance and disposition of City land related to the one-year lease renewal per Section 24, 26 and 94 of the *Community Charter*.

When details regarding the lease area expansion to accommodate the temporary washrooms and storage area are known, staff will publish notice as required through the Community Charter before an amendment is executed.

**OPTIONS:**

Option 1:

1. THAT Council approve a one-year lease extension between the City of Courtenay and the Comox Valley Transition Society for the continued use of the property located at 685 Cliffe Avenue, PID: 006-102-930, Lot 3, Section 61 Comox District Plan VIP3817, as authorized and in accordance with Section 2.1(e) of the November 1, 2021 Lease Agreement; and, THAT Council authorize the Director of Recreation, Culture, and Community Services to execute the attached third Lease Renewal Amendment agreement between the City of Courtenay and Comox Valley Transition Society to continue to provide day centre services for individuals experiencing homelessness and temporary shelter (Attachment 3) .

Option 2:

1. THAT Council provide alternative direction to staff.

Option 3:

1. THAT Council give notice to the Comox Valley Transition Society of its intent to terminate the Lease Agreement in accordance with Section 2.1(a) “Demise and Term” .

**ATTACHMENTS:**

1. 2021 Lease Agreement
2. CVTS Letter to the City of Courtenay
3. Third Lease Renewal and Amendment Agreement

Prepared by: Joanne Bays, Community Development Coordinator, Recreation, Culture, and Community Services

Reviewed by: Susie Saunders, Director of Recreation, Culture, and Community Services  
Marianne Wade, Director of Development Services  
Kate O’Connell, Director of Corporate Services (CO)

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

## LEASE AGREEMENT

THIS LEASE dated for reference the 1<sup>st</sup> day of November, 2021 is

BETWEEN

**CITY OF COURTENAY**, a municipal corporation incorporated under the *Local Government Act* (British Columbia) and having offices at 830 Cliff Avenue, Courtenay, BC, V9N 2J7

(the “City”)

AND

**COMOX VALLEY TRANSITION SOCIETY (INC. NO. S0022797)**, a non-profit society under the *Society Act* (British Columbia) and having offices at 625 England Avenue, Courtenay, BC, V9N 2N5

(the “Tenant”)

WHEREAS:

- A. The City is the registered owner in fee simple of the lands and premises located at 685 Cliffe Avenue in the City of Courtenay, British Columbia, and legally described as:

PID: 006-102-930, LOT 3, SECTION 61 COMOX DISTRICT PLAN VIP3817

(the “Lands”);

- B. The City and the Tenant entered into a License of Occupation Agreement (the “Licence”) on January 6, 2020 for the operation of a Warming Centre on the Lands, and this Licence has been extended through multiple addendums to the Licence;
- C. The Tenant now wishes to lease the Lands from the City for the continued operation of the Connect warming shelter;
- D. The City agrees to lease the Lands to the Tenant on the terms and subject to the conditions set out herein;

NOW THEREFORE THIS AGREEMENT is evidence that in consideration of the mutual promises contained in this Lease and other good and valuable consideration paid by each of the parties to the other (the receipt and sufficiency of which each party acknowledges), the parties covenant and agree as follows:

### ARTICLE 1 – DEFINITIONS AND INTERPRETATION

1.1 In this Lease, words and phrases shall be defined as follows:

- (a) “**Building**” means the building located on the Lease Area;

- (b) “**Building Code**” means the *British Columbia Building Code 2018*, as amended or re-enacted from time to time;
- (c) “**Building Department**” means the Building Services Division of the City of Courtenay;
- (d) “**CAO**” means the Chief Administrative Officer for the City of Courtenay;
- (e) “**Commencement Date**” has the meaning defined in section 2.1 of this Lease;
- (f) “**Common Costs**” means all costs for the maintenance, snow removal, cleaning, lighting, signs, liability insurance, property taxes, replacing light fixtures, repaving, restriping, public access ways and common areas of the Lands;
- (g) “**Community Charter**” means the *Community Charter, SBC 2003, c 26*, as amended or re-enacted from time to time;
- (h) “**City**” means the corporation of the City of Courtenay and where the context applies, includes its elected officials, employees, agents and contractors;
- (i) “**Extreme Weather**” includes sleet, freezing rain, snow accumulation, sustained high winds, temperatures at or below zero degrees Celsius, temperatures near zero degrees Celsius with rainfall that makes it difficult or impossible for homeless people to remain dry, or weather that poses a substantial threat to life or health of homeless persons;
- (j) “**Extreme Weather Response Shelter**” has the meaning defined in section 4.2 of this Lease;
- (k) “**Fire Code**” means the *British Columbia Fire Code 2018*, as amended or re-enacted from time to time;
- (l) “**Fire Department**” means the City of Courtenay Fire Department;
- (m) “**Fire Safety Patrol**” means a patrol of the Lands to ensure compliance with fire safety codes and regulations, including but not limited to the City’s *Fire Protective Services Bylaw No. 2556, 2008* and the *Fire Code*;
- (n) “**Force Majeure**” means an event or significant threat of an event beyond a party’s reasonable control, whether or not foreseeable, including, but not limited to, strikes, labour trouble, lock-outs, extreme weather, flooding, earthquakes, mud slides, riots, imposition of laws or governmental orders that prohibit or restrict the delivery of the Services, pandemics, epidemics, quarantines, fires, acts of war or terrorism, or acts of God;
- (o) “**Lands**” means the lands described in paragraph A above;

- (p) “**Lease Area**” means that part of the Lands used by the Tenant under this Lease, identified in Schedule A attached to and forming a part of this Lease;
  - (q) “**Log Book**” has the meaning defined in section 5.16 of this Lease;
  - (r) “**Perimeter**” means the perimeter area of the Building as identified in Schedule B attached to and forming part of this Lease;
  - (s) “**Rent**” has the meaning defined in section 3.1 of this Lease;
  - (t) “**Renewal Term**” has the meaning defined in section 2.1(b) of this Lease;
  - (u) “**Sign Bylaw**” means the City of Courtenay *Sign Bylaw*, No. 2760, 2013, as amended or re-enacted from time to time;
  - (v) “**Societies Act**” means the *Societies Act*, SBC 2015, c. 18, as amended or re-enacted from time to time;
  - (w) “**Tenant**” means the Comox Valley Transition Society (Inc. No. S0022797);
  - (x) “**Term**” means the period from the Commencement Date until the Termination Date as defined in section 2.1 of this Lease;
  - (y) “**Termination Date**” has the meaning defined in section 2.1 of this Lease; and
  - (z) “**Warming Centre**” means a centre providing shelter for those experiencing homelessness, mental health and addiction during inclement weather.
- 1.2 **Interpretation** – Wherever the singular or masculine or neuter is used in this Lease, the same shall be construed as meaning the plural, the feminine or body corporate where the context so requires.
- 1.3 **References to Tenant** – Any reference to the “Tenant” includes, where the context allows, subtenants and occupants of the Tenant and employees, agents, licensees and invitees of the Tenant and all others over whom the Tenant may reasonably be expected to exercise control and any default in observing or performing the Tenant’s obligation by such person, will be deemed to be defaults of the Tenant.
- 1.4 **Captions** – The captions appearing in this Lease have been inserted for reference and as a matter of convenience and do not define, limit or enlarge the scope or meaning of this Lease.
- 1.5 **Schedules** – The following schedule is attached to and forms part of this Lease:
- (a) Schedule A – Lease Area.
  - (b) Schedule B – Perimeter Area
  - (c) Schedule C – Operation and Maintenance Cost Responsibility

- (d) Schedule D – Log Book

**ARTICLE 2 – DEMISE AND TERM**

- 2.1 **Demise and Term** – The City hereby demises and leases to the Tenant the Lease Area for a one-year term commencing November 1st, 2021 (the “**Commencement Date**”) until and including October 31st, 2022 or such earlier or later date as may be determined in accordance with this Lease (the “**Termination Date**“), to have and to hold for the Term as the Tenant, and the Tenant does hereby accept the demise and lease of the Lease Area, all subject to the covenants, conditions and agreements herein contained and subject to the following:
- (a) Subject to section 8.4, the parties acknowledge and agree that this Lease may be terminated prior to the end of the Term by:
    - (i) Either party providing written notice to the other party of termination of this Lease with the date of termination to be not less than 60 days after the date that notice is provided; or
    - (ii) Alternatively, at any time by the mutual written agreement of the parties.
  - (e) If the Tenant is not in default under this Lease and subject to the approval of the City’s municipal council, the Tenant shall have the option to renew this Lease on the same terms and conditions contained herein (except for the amount of Rent payable and except for this right of renewal, which is amended accordingly) for up to four additional one-year terms (the “**Renewal Term**“), such renewal effective on the day immediately following the Termination Date. This option must be exercised by the Tenant giving notice in writing to the City in the manner provided herein not less than 180 days and not more than 365 days prior to the expiry of the Term and
  - (f) If this Lease is renewed under subsection 2.1(b), the rental rate that will apply during the Renewal Term shall be that rent agreed to by the parties and failing agreement, shall be determined by application of the dispute resolution provisions under section 8.9.
- 2.2 **Quiet Enjoyment** – Subject to this Lease, the Tenant will and may peaceably hold and enjoy the Lease Area during the Term without interruption or disturbance by the City or any person lawfully claiming under the City.
- 2.3 **Holding Over** – If the Tenant should hold over after the expiration of the Term and the City should accept rent, the new tenancy thereby created shall be a tenancy from month to month and not a tenancy from year to year, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to a tenancy from month to month.

**ARTICLE 3 – RENT**

- 3.1 **Rent** – The Tenant shall pay to the City the following amounts (the “Rent”):
- (a) Equal monthly installments of \$1,000.00, with the first payment occurring on the Commencement Date, and subsequent payments occurring on the first day of every month of the Term;
  - (b) Such other amounts in accordance with the terms and conditions of this Lease.
- 3.2 **Interest on Amounts in Arrears** – The Tenant will pay to the City, interest at a rate of five percent (5%) at the start of each month, calculated and compounded monthly, upon all Rent or other expenses required to be paid under this Lease, from the due date for payment until paid. This stipulation for interest will not prejudice any other right or remedy of the City under this Lease or at law or at equity.
- 3.3 **Lease Area Accepted “As Is”** – The Tenant accepts the Lease Area “as is” and acknowledges that the City has made no representations or warranties respecting the Lease Area.
- 3.4 **Net Lease** – Expenses, costs and payments incurred in respect of the Lease Area and any other improvement to the Lease Area or anything affecting the Lease Area shall be borne solely by the Tenant, in addition to the Tenant’s obligation to pay Rent and otherwise abide by the terms of this Lease.
- 3.5 **Taxes and Fees** – The Tenant shall pay to the City all taxes, charges, levies and other fees, including Goods and Services Tax, or any replacement tax, which may be payable in respect of this Lease.
- 3.6 **Utilities** – The Tenant and the City shall each assume responsibility for operations and maintenance and associated costs in respect of the Lease Area as detailed in Schedule B, attached to and forming a part of this Lease.

**ARTICLE 4 – USE OF LEASE AREA**

- 4.1 **Use of Lease Area** - The Tenant will use the Lease Area for the sole purpose of operating a Warming Centre, overnight shelter and Extreme Weather Response Shelter, subject to the conditions set out in this Lease.
- 4.2 **Extreme Weather Response Shelter** – The Tenant may operate an Extreme Weather Response Shelter during an occurrence of Extreme Weather, but unless the conditions set out in section 5.3 of this Lease are fulfilled, the Tenant will only operate Extreme Weather Response Shelter in compliance with the following conditions:
- (a) No more than ten beds may be occupied in the Extreme Weather Response Shelter;
  - (b) The Tenant must designate at least one staff member to conduct Fire Safety Patrols for the duration of the operation of the Extreme Weather Response Shelter, and

ensure that staff conducting Fire Safety Patrols are not assigned any other duties or functions for the duration of their patrol; and

- (c) The Tenant will ensure that all staff working during the operation of an Emergency Weather Response Shelter have received training by the Fire Department on fire safety and appropriate emergency procedures.
- 4.3 **Overnight Shelter** – If the Building Department in its sole discretion deems that the Building satisfies *Building Code* requirements for the operation of an overnight shelter in accordance with section 5.3, then the Tenant may operate an overnight shelter with hours of operation between 7:00 p.m. to 9:00 a.m.
- 4.4 **No Other Purposes** – The Tenant agrees that the Lease Area must not be used for any other purposes unless the Tenant obtains the prior written approval of the City.
- 4.5 **Signage** – In addition to the lease of the Lease Area to the Tenant under this Lease, the Tenant shall be entitled to advertise the activities permitted under this Article 4 with signs on the Lands during the Term, provided the form, content and location of such signage complies with the Sign Bylaw.

#### ARTICLE 5 – TENANT’S REPRESENTATIONS AND UNDERTAKINGS

- 5.1 **Legal Status** – The Tenant warrants, represents and agrees that:
- (d) it is and shall remain throughout the Term a Society in good standing under the *Societies Act* and all other applicable laws of the Province of British Columbia;
  - (e) it has taken all necessary or desirable actions, steps and other proceedings to approve or authorize, validly and effectively, the entering into, and the execution, delivery and performance of this Lease;
  - (f) it is duly incorporated and validly existing under its jurisdiction of incorporation, is in good standing under the legislation governing it, and has made all filings required under such legislation; and
  - (g) it has the power and capacity to enter into and carry out the transaction provided for in this Lease.
- 5.2 **Community Advisory Committee** – Within 60 days of the execution of this Lease, the Tenant will establish a Community Advisory Committee that:
- (a) has a membership including:
    - (i) stakeholders and representatives from local and neighbouring businesses;
    - (ii) social services organizations;

- (iii) government staff representatives from BC Housing, Vancouver Island Health Authority, the City of Courtenay, and or the Royal Canadian Mounted Police;
  - (iv) where appropriate, residents of the community, including residents with personal experience using services such as warming shelters and overnight shelters;
- (b) meet on at least a bi-monthly basis, with the first meeting no later than 60 days from the execution of the lease; and
- (c) record written minutes from each meeting and share these minutes with the City within 30 days of the meeting; and

the parties agree to amend this provision as necessary to further define the Community Advisory Committee, including but not limited to amendment of the above terms.

5.3 **Building Code** – The Tenant acknowledges that the Building is not in compliance with the *Building Code* as set out in section 4.3 at the time of the execution of this Lease, the Tenant will take the necessary action to bring the Building into full compliance with the *Building Code*. For certainty, the Tenant acknowledges that compliance with the *Building Code* must occur before the operation of the overnight shelter contemplated in section 4.3 and the removal of conditions on the Extreme Weather Response Shelter contemplated in section 4.2. The Tenant agrees that all necessary actions taken by the Tenant under this section shall require the prior written approval by the City.

5.4 **Construction** – If the Tenant is not then in default under this Lease and has the prior written consent of the City, then the Tenant may undertake improvements, construction or renovations of the Lease Area at the Tenant's sole expense. In giving its consent, the City may impose any conditions, including, without limitation, location requirements, use restrictions, financial restrictions, insurance requirements and security obligations. The Tenant acknowledges that all leasehold improvements become the property of the City upon affixation to the Lease Area, without any obligation by the City to pay for the leasehold improvements. The Tenant acknowledges that all improvements to the Lease Area, past and present, are to remain affixed to the Land.

5.5 **Reverter** – The Tenant acknowledges that in the event the Lease is terminated subject to sections 2.1(a) or 8.4, all improvements to the Lease Area, past and present, shall become the property of the City.

5.6 **Permits Required** – The Tenant acknowledges that prior to undertaking any improvements, construction or renovations of the Lease Area, the Tenant must obtain the prior written approval of the City and a building permit and comply with all other bylaw requirements imposed by the City on construction and development within its boundaries.

5.7 **Compliance with Laws** – The Tenant will at all times during the Term and any Renewal Term use and occupy the Lease Area in compliance with all statutes, laws, regulations and orders of any authority having jurisdiction and, without limiting the generality of the

foregoing, all federal, provincial, or municipal laws or statutes or bylaws relating to environmental matters, including all the rules, regulations, policies, guidelines, criteria or the like made under or pursuant to any such laws.

- 5.8 **Zoning** – Without limiting section 5.7, the Tenant acknowledges that the Tenant must not use the Lease Area or permit a use in breach of the City’s applicable zoning bylaws.
- 5.9 **No Nuisance** – The Tenant will not, at any time during the Term or any Renewal Term, use, exercise or carry on or permit or suffer to be used, exercised or carried on, in or upon the Lease Area or any part thereof any noisy, noxious or offensive art, trade, business, occupation, or event and, the Tenant will not carry on, or suffer or permit to be carried on, any act, matter or thing which will or may constitute a nuisance or an unreasonable annoyance to the City, to any occupant of Lease Area and premises in the vicinity of the Lease Area or to the public generally.
- 5.10 **Liens and Judgments** – The Tenant will not permit any liens, judgments or other charges to be registered against the Lands except those charges permitted in writing by the City. Unless otherwise agreed in writing, if any lien, judgment or other charge is registered, the Tenant will obtain its discharge within 30 days of the said registration.
- 5.11 **Filing Notice of Interest** – Throughout the Term, the City is entitled to file a Notice of Interest pursuant to the *Builders Lien Act, SBC 1997, c. 45* as amended or re-enacted, in the appropriate Land Title Office against title to the Lands.
- 5.12 **Repairs and Maintenance** – Throughout the Term at its own expense, the Tenant shall repair and maintain and keep the Lease Area in a state of good repair as a prudent owner would do. The City will not be obliged to repair, maintain, replace or alter the Lease Area during the Term or to supply any services or utilities thereto save and except for as set out in Schedule A, and such services and utilities as the City may be required to provide strictly in its capacity as a municipality and not in its capacity as a landlord. Subject to section 5.13, the Tenant hereby assumes the full and sole responsibility of the condition, operation, maintenance, repair, replacement and management of the Lease Area during the Term. All repairs will be in all respects to a standard equal to or greater the original work and material in the improvements, and will meet the lawful requirement of all statutory authorities. Without limiting the foregoing, the Tenant shall carry out the responsibilities described in Schedule B.
- 5.13 **Repair According to Notice** – Without restricting the generality of section 5.12, the Tenant will do all repairs and maintenance that it is obliged to do pursuant to section 5.12 promptly upon notice from the City, and will not do any structural repairs or system maintenance without prior written consent from the City. If the Tenant does not perform all repairs and maintenance promptly upon notice from the City, the City reserves the right to enter the Lease Area to restore the Lease Area back to the state of good repair. The Tenant will pay to the City, on demand, the City’s cost of so doing.
- 5.14 **Public Safety** – The Tenant shall take all reasonable precautions to ensure that safety of persons using the Lease Area.

- 5.15 **Waste** – The Tenant will not commit, suffer, or permit any willful or voluntary waste, spoil or destruction of the Lease Area, and will ensure that no garbage, waste, biohazardous materials or other debris accumulates on the Lease Area or the Perimeter by ensuring that all garbage, waste, biohazardous materials or other debris are removed from the Lease Area and the Perimeter at a minimum of two times per day with one of these checks occurring by 11:00am each day. The Tenant will dispose of all materials removed from the Lease Area and Perimeter under this section.
- 5.16 **Log Book** – The Tenant shall record each time it removes and disposes of garbage, waste, biohazardous materials or other debris under section 5.15 by completing the Log Book as identified in Schedule D attached to and forming part of this Lease. The Tenant shall submit the Log Book to the City on the first day of each month for the duration of the Term in the manner required herein for giving notices. If the City, in its sole discretion and acting reasonably, deems that the Tenant has not accurately maintained the Log Book or has not complied with its duties under section 5.15, then the City may assume the Tenant’s responsibilities under this Lease until the Tenant complies with the requirements of this section. These remedies will not prejudice any other right or remedy of the City under this Lease or at law or at equity.
- 5.17 **Perimeter Cleanup According to Notice** - Without restricting the generality of section 5.15 and 5.16, the Tenant will do all clean up that it is obliged to do pursuant to section 5.15 promptly upon notice from the City. If the Tenant does not perform all cleanup promptly upon notice from the City, the City reserves the right to enter the Lease Area to remove all waste from the Lease Area and the Perimeter. The Tenant will pay to the City, on demand, the City’s cost of so doing plus an additional administrative fee of 15%. .
- 5.18 **Right to Inspect** – The Tenant shall permit the City to enter the Lease Area at all reasonable times to determine if the Tenant is complying with all its promises under this Lease.
- 5.19 **Workers Compensation** – If required by law, the Tenant will, at its cost, carry and pay for full workers’ compensation coverage in respect of all workers, employees and other persons engaged in any work or service, non-payment of which would create a lien claim on the Lease Area or the leasehold interest.
- 5.2 **Environmental Contamination** – The Tenant will at all times and in all respects comply with and abide by the requirements of all applicable Federal, Provincial or Municipal statutes, bylaws, regulations, orders and guidelines, which deal with environmental protection and safety and any contaminant, pollutant, dangerous substance, liquid waste, industrial waste, hauled liquid waste, and hazardous material or hazardous substance. Without limiting the foregoing, the Tenant will comply with the following provisions:
- (a) the Tenant will comply with any and all duties, obligations or liabilities under any relevant law in respect of the Lease Area, including but not limited to any costs, expenses or liabilities for any remedial action for any pollution of the Lease Area caused by the Tenant during the Term.

- (b) the Tenant must provide the City with immediate notice of any condition on the Lease Area or that may result in any fines, penalties, orders, proceedings, investigations, litigation or enforcement proceedings, made or threatened by any third parties or governmental agencies upon becoming aware of such condition; and
- (c) the Tenant must provide the City with immediate notice in writing, upon the Tenant becoming aware of any contamination of the Lease Area.

#### **ARTICLE 6 – CITY REPRESENTATIONS AND UNDERTAKINGS**

- 6.1 **City Conditions** – On or before March 1<sup>st</sup>, 2022 the City will have complied with all of its statutory obligations under the *Community Charter*, or other applicable enactments in connection with leasing the Lands in accordance with this Lease. This condition precedent is for the sole benefit of the City and may be waived at any time by the City through April 1<sup>st</sup>, 2022.
- 6.2 **CAO** – The City will authorize the CAO to make decisions about the Lease or the Lease Area on behalf of the City concerning the Lease, including any future amendments of the Lease.

#### **ARTICLE 7 – INSURANCE AND INDEMNITY**

##### **7.1 Insurance**

- (a) The Tenant is responsible for insuring the Lease Area and the contents of them and all other improvements, including fixtures, appurtenances, contents, equipment, installations and electrical distribution system, based upon full insurable values, with “all risks” coverage on the replacement cost basis, flood and earthquake endorsements, and a maximum deductible of \$1,000 for any one loss;
- (b) Without limiting the Tenant’s obligations and liabilities under this lease, the Tenant shall obtain, at its own expense, and keep in force a policy of comprehensive/commercial general liability insurance providing coverage against claims for personal injury, death, or property damage or loss upon, in, or about the Lease Area, and arising out of or connected with the activities of the Tenant and of subtenants, or the use and occupancy of the Lease Area or any part thereof by the Tenant or by any subtenants, in an amount of not less than \$5,000,000, or such other amount as the City may reasonably request, per occurrence for bodily injury (including death) and property damage.
- (c) On or before the Commencement Date and at other times upon demand by the City, the Tenant shall deliver to the City certified copies of the policies of insurance required to be maintained by the Tenant under this Lease.
- (d) The City may, from time to time, notify the Tenant of the City’s desire to change the amount of insurance required by this Lease and upon receiving such notification from the City, the Tenant will:

- (i) within 30 days of receiving such a notice, cause the amounts to be changed and deliver to the City a letter from its insurer certifying the change in the amount of insurance; or
  - (ii) alternatively, within 30 days of receiving such notice, advise the City in writing that it objects to a change in the insurance required and the reasons for its objection and upon such objection, the parties shall use their best efforts to resolve the issue(s) underlying the objection, and if best efforts are insufficient to resolve the dispute, then the dispute shall be resolved by application of the dispute resolution provisions under section 8.9.
- (e) The Tenant shall ensure that all policies of insurance pursuant to this Lease are:
- (i) placed with insurers licensed in British Columbia;
  - (ii) are written in the name of the Tenant and the City as an additional insured with loss payable to them as their respective interests may appear;
  - (iii) contain a cross liability clause and a waiver of subrogation clause in favour of the City;
  - (iv) primary and does not require the sharing of any loss by any insurer that insures the City;
  - (v) contain a clause to the effect that any release from liability entered into by the City prior to any loss shall not affect the right of Tenant or the City to recover; and
  - (vi) endorsed to provide the City with 30 days advance notice in writing of cancellation or material change.
- (f) All policies may provide that the amount payable in the event of any loss will be reduced by a deductible, in an amount to which the City consents. Consent, non-consent, and/or authorized consent of the City will not constitute an agreement by the City to participate in the financial undertaking of the Tenant to satisfy any deductible payable. The Tenant will be solely responsible for any and all insurance deductible.
- (g) If the Tenant at any time fails to maintain any insurance it is required to maintain, then the City may obtain and maintain such insurance in such amounts and with such deductible amounts and for such periods of time as the City reasonably deems advisable. The Tenant will pay to the City, on demand, the City's cost of so doing.
- (h) Any disputes between the parties with respect to insurance under this section 7.1 shall be resolved by application of the dispute resolution provisions under section 8.9.

- 7.2 **Release** – Save and except for the negligence of the City, its employees and contractors, the tenant will and hereby releases the City and its elected officials, officers, employees, agents and others of the City, from and against any claim, cause of action, suit, demand, expenses, costs and legal fees which the Tenant may have, now or in the future, in relation to this Lease, the Lease Area or the Tenant’s use or occupancy of the Lease Area.
- 7.3 **Indemnity** – Save and except for the negligence of the City, its employees and contractors, the Tenant will and hereby does indemnify and save harmless the City and its elected officials, officers, employees, agents and others of the City from any and all liabilities, damages, costs, claims, suits or actions whatsoever in connection with or arising from:
- (a) any breach of any obligation set forth in this Lease to be observed or performed by the Tenant;
  - (b) any of the perils against which the Tenant shall have insured or pursuant to the terms of this Lease is obligated to insure;
  - (c) any act, omission, or negligence of the Tenant, its members, officers, directors, employees, agents, contractors, subtenants, licensees, invitees or others for whom it is responsible;
  - (d) any damage to property occasioned by the Tenant’s use and occupation of the Lease Area or any injury to person or persons, including death, resulting at any time from the Tenant’s use and occupation of the Lease Area; or
  - (e) the granting of the Lease herein and the Tenant’s exercise of its rights under the Lease.
- 7.4 **Survival of Indemnity and Release** – The indemnities and release contained in this Lease will survive the expiration or earlier termination of the Term.

**ARTICLE 8 – DEFAULT AND DISPUTE RESOLUTION**

- 8.1 **Notice of Default** – If the Tenant defaults in the payment of any money payable under this Lease or fails to observe, comply with or perform any of its covenants, conditions, agreements or obligation under this Lease, the City may deliver to the Tenant a notice of default (in the manner required herein for giving notices) stipulating that the default must be rectified or cured within 60 days of the notice, but less or no notice is required to be given by the City in emergency or urgent circumstances as determined by the City in its sole discretion, acting reasonably, or where the Tenant has failed to keep the Lease Area insured or where the Lease Area remains vacant or unoccupied or not used for the purposes herein permitted for 30 consecutive days or more.
- 8.2 **City’s Right to Perform** – If the Tenant fails to rectify or cure a default within the time and in the manner specified in section 8.1 and if the default is one that can be rectified or cured by the City, the City may, without further notice to the Tenant, take all steps considered in its sole discretion necessary to rectify or cure the default and all costs of doing so, including the cost of retaining professional advisors, shall be payable

immediately by the Tenant as additional Rent. Nothing in this Lease obligates the City to rectify or cure any default of the Tenant but should the City choose to do so, the City shall not be liable to the Tenant for any act or omission in the course of rectifying or curing or attempting to rectify or cure any default.

- 8.3 **Distress** – If the Rent payable by the Tenant under this Lease is in arrears, the City or a person authorized in writing by the City may enter upon the Lease Area and seize and goods or chattels and may sell the same.
- 8.4 **Provisos** – Provided always and it is hereby agreed that the City may, without further notice to the Tenant, terminate this Lease and re-enter and take possession of the Lease Area if:
- (a) the Rent or any other amount due to the City hereunder is unpaid for 30 days after notice pursuant to section 8.1; or
  - (b) the Tenant fails to observe, comply with or perform any of its covenants, agreements or obligations herein and the failure is not rectified or cured by the Tenant within the time specified in section 8.1.

The Tenant will make no claim for compensation, in damages or otherwise, upon the lawful termination of this Lease under this section. If the City terminates this Lease, the City retains the right to proceed at law against the Tenant for all of the Rent and other loss or damage and costs.

- 8.5 **Costs** – If the Tenant defaults on this Lease, the Tenant will pay to the City the City's full costs including legal costs arising from the default, whether before action or otherwise and, at the option of the City, upon a solicitor and client basis.
- 8.6 **Remedies Cumulative** – The City's remedies in this Lease are cumulative and are in addition to any remedies of the City at law or in equity.
- 8.7 **Dissolution** – If an order is made, a resolution passed or a petition filed for the liquidation or winding up of the Tenant or of a receiver or receiver-manager is appointed to administer or carry on the Tenant's business or if the Tenant fails to maintain itself as a society under the *Societies Act*, then at the option of the City, the Rent and all outstanding levies and charges shall become immediately due and payable and this Lease shall immediately become forfeited and void and the City may re-enter and take possession of the Lease Area.
- 8.8 **Bankruptcy** – If this Lease is at any time seized or taken in execution or in attachment by any creditor of the Tenant, or if the Tenant should become insolvent or make any assignment for the benefit of creditors, or commit an act which entitles a person to take action under the *Bankruptcy and Insolvency Act* (Canada) or a bankrupt petition is filed or presented against the Tenant or the Tenant consents to the filing of the petition or a decree is entered by a court of competent jurisdiction adjudging the Tenant to be bankrupt under any law relating to bankruptcy and insolvency, then at the option of the City, the Rent and all outstanding levies and charges shall become immediately due and payable and this Lease shall immediately become forfeited and void and the City may re-enter and take possession of the Tenant.

- 8.9 **Dispute Resolution** – If the parties to this Lease are unable to agree on the interpretation or application of any provision in the Agreement, or are unable to resolve any other issue relating to this Lease, the parties agree to the following process in the order it is set out:
- (a) the party initiating the process will send written notice to the other party;
  - (b) the parties will promptly, diligently and in good faith take all reasonable measures to negotiate an acceptable resolution to the disagreement or dispute;
  - (c) if the parties are unable to negotiate a resolution within 30 days of the date the written notice was sent advising of the dispute, the parties may request the assistance of a skilled mediator agreed to by the parties within 30 days written notice of a request to appoint a mediator by any party, failing which the mediator will be appointed by the B.C. International Commercial Arbitration Centre (“BCICAC”), and unless the parties agree otherwise, this mediation will follow BCICAC rules and will terminate 30 days after the appointment of the mediator.
- 8.10 **Cost Sharing for Mediator Process** – Unless otherwise agreed by the parties or ordered by an arbitrator, each party will pay an equal share of the costs for the mediator process.

#### ARTICLE 9 – GENERAL

- 9.1 **Notice** – Any notice, document or communication required or permitted to be given hereunder shall be in writing and shall be deemed to be satisfactory if and deemed to have occurred when:
- (a) sent by facsimile transmission or when delivered by hand, on the date of receipt; or
  - (b) mailed by prepaid registered mail, on the date received or on the fifth day after receipt of mailing by any Canada post office, whichever is earlier,
- PROVIDED the notice is sent to the party at the address and facsimile number provided herein or to whatever other address or facsimile number the City and Tenant may from time to time advise by written notice. If normal mail service is interrupted by strike, slowdown, Force majeure or other cause, then the party sending the notice, document or communication shall fax or deliver such notice, document or communication in order to ensure its prompt receipt.
- 9.2 **Legal Costs** – Each of the City and the Tenant is responsible for its own legal costs in relation to the preparation and negotiation of this Lease.
- 9.3 **Own Cost** – The Tenant shall perform all of its obligations, covenants and agreements under this Lease solely at its own cost.
- 9.4 **Law to the Contrary** – This Lease shall enure to the benefit of and be binding on the parties notwithstanding any rule of law or equity to the contrary.

- 9.5 **Severance** – If a court of competent jurisdiction holds any portion of this Lease invalid, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder of this Lease.
- 9.6 **Governing Law** – This Lease shall be governed by and construed in accordance with the laws of the Province of British Columbia.
- 9.7 **No Waiver** – Waiver by the City of any default by the Tenant shall not be deemed to be a waiver of any subsequent default. A waiver is effective only if it is in writing.
- 9.8 **References** – Every reference to each party is deemed to include the heirs, executors, administrators, successors, directors, employees, members, servants, agents, officers, and invitees of such party where the context so permits or requires,
- 9.9 **Amendment** – The Lease may not be modified or amended except by an instrument in writing signed by the City and the Tenant.
- 9.10 **Remedies Not Exclusive** – No remedy conferred upon or reserved to the City is exclusive of any other remedy herein or provided by law, but all such remedies shall be cumulative and may be exercised in any order or concurrently.
- 9.11 **No Joint Venture** – Nothing in this Lease shall constitute the Tenant as the agent, joint venture or partner of the City or give the Tenant any authority or power to bind the City in any way.
- 9.12 **Charges on Title** – The Tenant shall abide and observe all requirements and restrictions on the title to the Lease Area registered prior to the Commencement Date.
- 9.13 **Assigning and Subletting** – Except as expressly permitted in this Lease, the Tenant shall not assign this Lease in whole or in part and shall not sublet all or any part of the Lease Area without the Tenant obtaining the prior written consent of the City in each instance. In requesting the City’s consent to an assignment, sublease, or license of the Lease Area, the Tenant must provide the City with all information requested by the City. The Tenant must, if required by the City, enter into sub-leases, assignment agreements or licenses of the Lease Area on terms required by the City, including requirements for insurance and indemnities. No assignment by the Tenant will release the Tenant from its obligation to observe or perform the Tenant’s obligations under this Lease.
- 9.14 **Other Disposition** – The City reserves the right to grant rights of way, easements, covenants and other dispositions of the Lease Area or any part of it in a manner consistent with this Lease and the Tenant shall execute any such document if requested by the City. The City shall make reasonable efforts to ensure that the activities of the Tenant are not impeded as a result of any grant under this section 9.14. For greater certainty, but without limiting the generality of the foregoing, a right of way, easement, covenant or other disposition is not inconsistent with this Lease if it does not charge the Lease Area.
- 9.15 **Powers Preserved** – Nothing in this Lease affects the right of the City to exercise its power within its jurisdiction.

- 9.16 **Authority** – The Tenant represents and warrants to the City that it has full authority to enter into this Lease and to carry out the actions contemplated herein, that all resolutions and other preconditions to validity have been validly adopted, and that those signing this Lease on its behalf are authorized to bind the Tenant by their signatures.
- 9.17 **Entire Lease** – The provisions herein contained constitute the entire agreement between the parties and supersede all previous communications, representations, warranties, covenants and agreements whether verbal or written between the parties with respect to the subject matter hereof.
- 9.18 **Time of Essence** – Time is of the essence of this Lease.
- 9.19 **Further Assurances** – The parties shall execute and do all such further deeds, acts, things and assurances as may be reasonably required to carry out the intent of this Lease.
- 9.20 **Covenants and Conditions** – All of the provisions of this Lease shall be deemed and construed to be conditions as well as covenants as though the words specifically expressing or importing covenants and conditions were used in each separate section.
- 9.21 **No Abatement** – The Tenant is not entitled to any abatement, reduction, or deduction from the Rent.
- 9.22 **Estoppel Certificate** – The Tenant will, upon request, execute and deliver a certificate certifying the current status of this Lease.
- 9.23 **Registration** – This Lease is not in registerable form and the Tenant may request that this be delivered in registerable form and registered against the Lands at the expense of the Tenant.
- 9.24 **Enurement** – This Lease shall enure to the benefit of and be binding upon the parties hereto and their respective successors.
- 9.25 **No Derogation** – Nothing contained or implied in this Lease will impair or affect the City's rights and powers in the exercise of its functions pursuant to the *Community Charter* or any other enactment, and all such powers and right may be fully exercised in relation to the Lease Area as if this Lease had not been entered into between the Tenant and the City. The Tenant acknowledges that fulfillment of the condition precedent set out in this Lease may require that the Council of the City adopt bylaws or issue permits and that the passage of said resolutions or adoption of said bylaws or issuance of said permits by the Council of the City are within its sole absolute discretion which is not any manner subject to the provisions hereof.
- 9.26 **City's Conditions** – This Lease and the City's obligations hereunder shall be subject to the approval of the City's municipal council and the City's compliance with all requirements under the *Community Charter* or any other enactment.
- 9.27 **Counterparts** - This Agreement may be executed in separate counterparts, each of which when so executed shall be deemed an original, but all such counterparts shall together

constitute one and the same document. This Agreement may be executed and transmitted by electronic means and if so executed and transmitted this Agreement will be for all purposes as effective as if the parties had delivered an executed original Agreement.

AS EVIDENCE OF THEIR AGREEMENT TO BE BOUND BY THE ABOVE TERMS, THE CITY AND THE TENANT EACH HAVE EXECUTED THIS LEASE ON THE RESPECTIVE DATES WRITTEN BELOW:

**CITY OF COURTENAY**

by its authorized signatories:



Name:

**Kate O'Connell**  
**Director of Corporate Support Services**

Name:

March 31, 2022

Date

**COMOX VALLEY TRANSITION SOCIETY**

by its authorized signatories:



Name:

Heather Ney

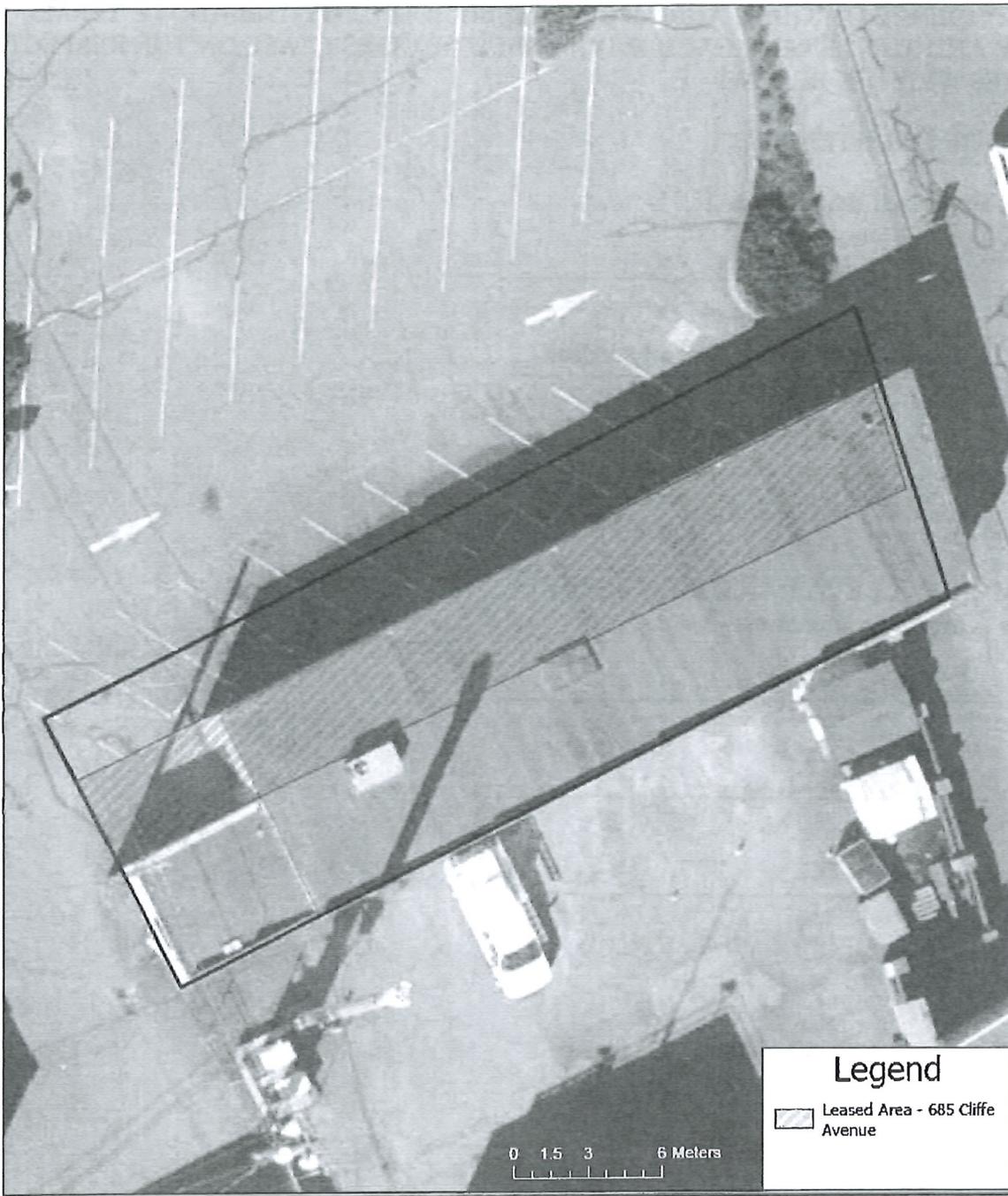
Name:

Mar 31/22

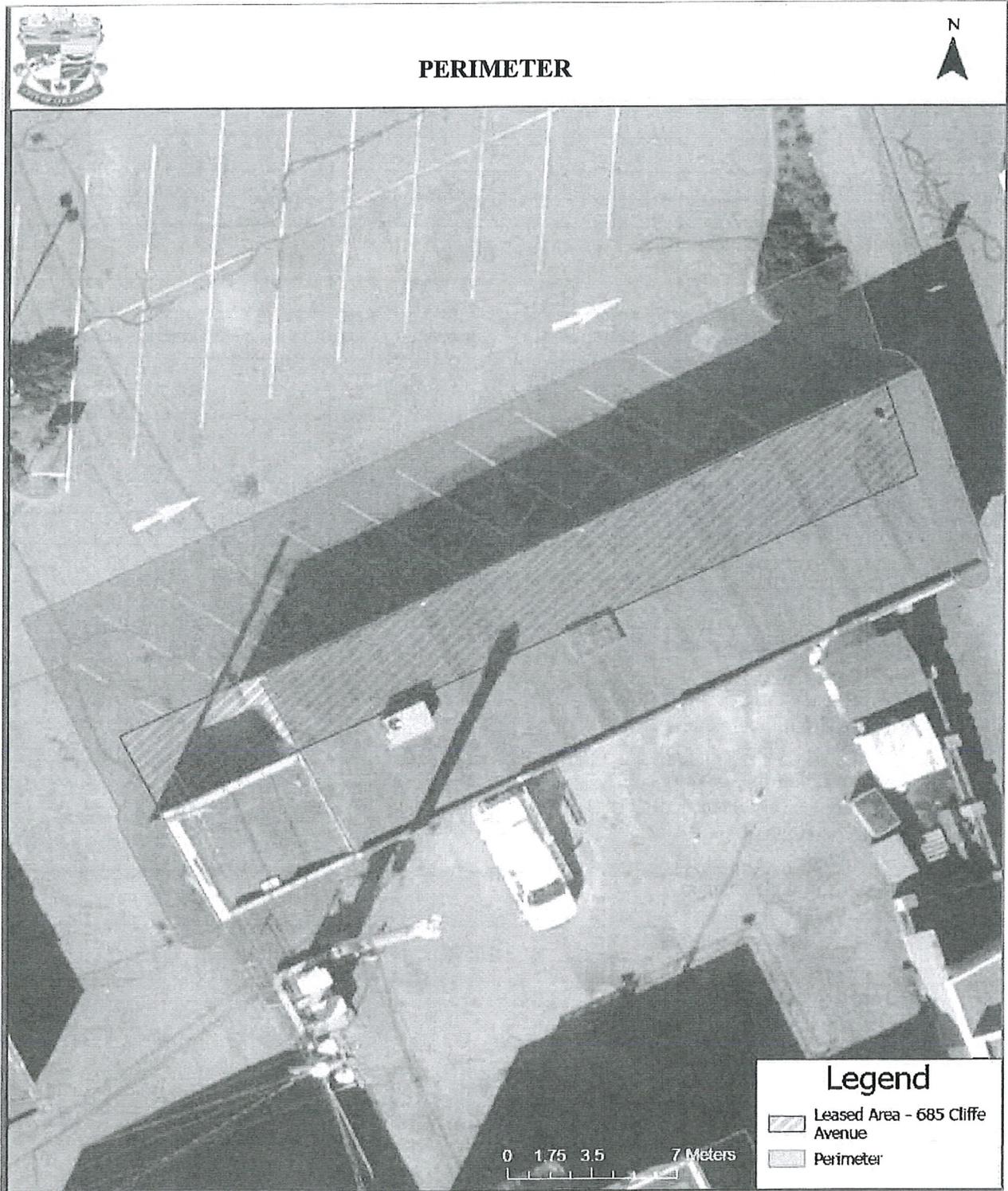
Date

**SCHEDULE A**

**LEASE AREA**



**SCHEDULE B**  
**PERIMETER**



**SCHEDULE C**  
**OPERATION & MAINTENANCE COST RESPONSIBILITY**

|    | ITEM  | CITY | TENANT (CVTS)            |
|----|---|------|--------------------------|
| 1  | Heating   | 100% |                          |
| 2  | Water   | 100% |                          |
| 3  | Electricity   | 100% |                          |
|    | Sewer   | 100% |                          |
| 4  | Preventative maintenance and repairs of HVAC  | 100% |                          |
| 5  | Garbage removal   |      | 100%                     |
| 7  | Sidewalk snow removal   |      | 100%                     |
| 8  | Window cleaning-interior  |      | 100%                     |
| 9  | Window cleaning-exterior  |      | 100%                     |
| 10 | Janitorial services & supplies  |      | 100%                     |
| 11 | Lamp & Tube replacement   |      | 100%                     |
| 13 | Security – system, monthly monitoring, and exterior patrol services   | 100% |                          |
| 14 | Furnishings and equipment supply and repair   |      | 100%                     |
| 15 | Operational expenses: telephone, internet, cable TV, etc.   |      | 100%                     |
| 16 | Structural, building envelope, plumbing, gas and electrical system repairs and maintenance.                           | 100% | 100% if caused by tenant |
| 17 | Repairs and maintenance costs.  |      | 100%                     |
| 18 | Fire prevention systems and inspections   | 100% |                          |
| 19 | Perimeter waste cleanup for any waste disposed and abandoned materials generated by Tenant or its agents or invitees. |      | 100%                     |
| 20 | Property taxes  | 100% |                          |





City of Courtenay  
830 Cliffe Ave.  
Courtenay, BC V9N 2J7

Oct 10, 2024

Dear Mayor and Council,

The Comox Valley Transition Society writes this letter to request the extension of the lease of 685 Cliffe Ave for a further year to accommodate the operations of Connect. While the location is challenging at times, we believe it continues to be the best if not the only options while we await the completion of the new purpose-built shelter on Braidwood.

For the winter season we have proposed to BC Housing we add an additional 6 EWR mats to accommodate a few more individuals to shelter from the cold.

CVTS and specifically the Connect program continue to be active partners with the City of Courtenay, including by-law, the RCMP, the DCBIA and other health and community services to mitigate the challenges homelessness creates for the community, while at the same time providing support to those who are experiencing homelessness and its impact on them. I can't stress enough the value in the Connect program for stabilizing folks, saving lives and supporting access to necessary community supports including permanent housing.

I hope that despite the visible challenges you recognize that the alternative to no Connect service would be more harmful and create added discomfort and stress on the community. We are working closely with the City and other partners to improve the outdoor space including storage and the addition of client washrooms and additional amenity space for Connect staff and health services.

CVTS requests the extension of the Connect lease for one additional year, Nov 1, 2024, to Oct 31, 2025.

If you require any further information, please don't hesitate to contact me.

Sincerely,

Heather Ney  
Executive Director  
Comox Valley Transition Society



### THIRD LEASE RENEWAL AGREEMENT

THIS ADDENDUM dated for reference the 1<sup>ST</sup> day of November, 2024 is

BETWEEN:

**THE CORPORATION OF THE CITY OF COURTENAY**, a municipal corporation incorporated pursuant to the *Community Charter* and having its offices at 830 Cliffe Avenue, Courtenay, B.C., V9N 2J7

(the "**City**")

AND:

**COMOX VALLEY TRANSITION SOCIETY (INC. NO. S0022797)**, a non-profit society under the *Society Act* (British Columbia) and having offices at 625 England Avenue, Courtenay, BC, V9N 2N5

(the "**Tenant**")

WHEREAS:

- A. The City is the registered owner of lands and premises located at 685 Cliffe Avenue in the City of Courtenay, British Columbia, and legally described as:  
  
PID: 006-102-930, LOT 3, SECTION 61 COMOX DISTRICT PLAN VIP3817  
  
(the "**Lands**");
- B. The parties entered into a lease agreement dated for reference November 1, 2021 (the "**First Lease**"), an excerpt of which is attached to this agreement as Schedule A, whereby the Tenant leased a part of the Building on the Lands, marked with black lines on the aerial photograph attached as Schedule A to the Lease;
- C. The parties entered further agreements dated for reference September 15, 2022 and February 14<sup>th</sup>, 2024 to renew and amend the First Lease (the "**First Renewal and Amendment**" and "**Second Lease Renewal Agreement**"), excerpts of which are attached to this agreement as Schedule B and Schedule B-1;
- D. Pursuant to the First Renewal and Amendment and the Second Lease Renewal Agreement, the Tenant leased the entire Building on the Lands and all parts of the Lands (the "**Lease Area**"), marked with red lines on the aerial photograph attached this agreement as Schedule C (the First Lease, First Renewal and Amendment, and Second Lease Renewal Agreement are collectively referred to herein as the "**Lease**").
- E. The Term of the Lease expires on October 31, 2024 and the Tenant has given notice that it wishes to exercise its option to renew the Lease on the same terms and conditions, with the exception of the amount of rent payable and the right of renewal; and

F. Council of the City has consented to a one-year lease extension.

NOW THEREFORE THIS ADDENDUM is evidence that in consideration of the mutual promises contained in this Lease and other good and valuable consideration paid by each of the parties to the other (the receipt and sufficiency of which each party acknowledges), the parties covenant and agree as follows:

1. Except as defined herein or amended hereby, capitalized terms used **in** this Addendum and not otherwise defined shall have the meanings defined in the Lease.
2. The parties agree to extend the Lease effective November 1, 2024 on the same terms and conditions as the existing Lease, subject to the amendments set out in this Addendum.
3. Section 2.1 of the Lease is amended to provide as follows:

**"Demise and Term** -The City hereby demises and leases to the Tenant the Lease Area for a term commencing November 1, 2024 (the "**Commencement Date**") until and including October 31, 2025, or such earlier or later date as may be determined in accordance with this Lease (the "**Termination Date**"), to have and to hold for the Term as the Tenant, and the Tenant does hereby accept the demise and lease of the Lease Area, all subject to the covenants, conditions and agreements herein contained and subject to the following:

- (a) Subject to section 8.4, the parties acknowledge and agree that this Lease may be terminated prior to the end of the Term by:
  - (i) Either party providing written notice to the other party of termination of this Lease with the date of termination to be not less than 60 days after the date that notice is provided; or
  - (ii) Alternatively, at any time by the mutual written agreement of the parties.
- (b) If the Tenant is not in default under this Lease and subject to the approval of the City's municipal council, the Tenant shall have the option to renew this Lease on the same terms and conditions contained herein (except for the amount of Rent payable and except for this right of renewal, which is amended accordingly) for up to one additional one-year terms (the "**Renewal Term**"), such renewal effective on the day immediately following the Termination Date. This option must be exercised by the Tenant giving notice in writing to the City in the manner provided herein not less than 60 days and not more than 365 days prior to the expiry of the Term; and
- (c) If this Lease is renewed under subsection 2.1(b), the rental rate that will apply during the Renewal Term shall be that rent agreed to by the parties

and failing agreement, shall be determined by application of the dispute resolution provisions under section 8.9.

4. Section 3.1 of the Lease is amended to provide as follows:

**"Rent-** The Tenant shall pay to the City the following amounts (the **"Rent"**):

- (a) Equal monthly installments of \$2,000.00 during the Term, with the first payment occurring on the Commencement Date, and subsequent payments occurring on the first day of every month of the Term;
- (b) Such other amounts in accordance with the terms and conditions of this Lease."

- 5. Time shall continue to be of the essence.
- 6. The parties confirm the Lease in all other respects.
- 7. The First Lease, the First Renewal and Amendment and this Addendum shall be read and construed as one document.
- 8. This Addendum shall enure to the benefit of and be binding upon the respective successors and permitted assigns of the parties hereto.
- 9. The parties will execute and deliver such further documents and instruments and do all such acts and things as may be reasonably necessary or requisite to carry out the full intent and meaning of this Addendum and to effect the transactions contemplated by this Addendum.
- 10. This Addendum may be executed in counterparts, all such executed counterparts shall constitute the same agreement and the signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. Counterparts may be executed either in original or faxed form and the parties adopt any signatures received by a receiving fax machine or by email as original signatures of the parties; provided, however, that a party providing its signature in such manner shall promptly forward to the other party an original of the signed copy of this Addendum which was so faxed or emailed.

IN WITNESS WHEREOF this Addendum has been executed and delivered on the respective dates written below.

**CITY OF COURTENAY**  
by its authorized signatories:

\_\_\_\_\_  
Name: Susie Saunders, Director of Recreation, Culture and Community Services

\_\_\_\_\_  
Date

**COMOX VALLEY TRANSITION SOCIETY**  
by its authorized signatories:

\_\_\_\_\_  
Name:

\_\_\_\_\_  
Date

|                    | Expiry Date      |
|--------------------|------------------|
| Original agreement | October 31, 2022 |
| Amendment #1       | October 31, 2023 |
| Amendment #2       | October 31, 2024 |
| Amendment #3       | October 31, 2025 |

SCHEDULE B

**FIRST RENEWAL AND AMENDMENT EXCERPT**

**LEASE RENEWAL AND AMENDMENT AGREEMENT**

THIS ADDENDUM dated for reference the 15th day of September, 2022 is

BETWEEN:

**THE CORPORATION OF THE CITY OF COURTENAY**, a municipal corporation incorporated pursuant to the *Community Charter* and having its offices at 830 Cliffe Avenue, Courtenay, B.C., V9N 2J7

{the "City"}

AND:

**COMOX VALLEY TRANSITION SOCIETY (INC. NO. S0022797)**, a non-profit society under the *Society Act* (British Columbia) and having offices at 625 England Avenue, Courtenay, BC, V9N 2N5

(the "Tenant")

WHEREAS:

- A. The City is the registered owner of lands and premises located at 685 Cliffe Avenue in the City of Courtenay, British Columbia, and legally described as:  
PID: 006-102-930, LOT 3, SECTION 61 COMOX DISTRICT PLAN VIP3817  
(the "**Lands**");
- B. The parties entered into a lease agreement dated for reference November 1, 2021 (the "**Lease**"), an excerpt of which is attached as Schedule A, whereby the Tenant leased a part of the Building on the Lands, marked with red lines on the aerial photograph attached as Schedule A to the Lease (the "**Lease Area**");
- C. The current Term of the Lease expires on October 31, 2022 and the Tenant has given notice in accordance with section 2,1 (e) of the Lease that it wishes to exercise its option to renew the Lease on the same terms and conditions, with the exception of the right of renewal, and that it wishes to expand its operations to the entire Building on the Lands; and
- D. Council of the City has consented to a one-year lease extension and the expansion of the Tenant's operations in the entire Building on the Lands, along with corresponding expansion of the Tenant's responsibilities in relation to the Lands.

NOW THEREFORE THIS ADDENDUM is evidence that in consideration of the mutual promises contained in this Lease and other good and valuable consideration paid by each of the parties to the other (the receipt and sufficiency of which each party acknowledges), the parties covenant and agree as follows:

{00836358; 1 }

SCHEDULE B-1

**SECOND LEASE RENEWAL AND AMENDMENT EXCERPT**

**SECOND LEASE RENEWAL AGREEMENT**

THIS ADDENDUM dated for reference the 14<sup>th</sup> day of February, 2024 is

BETWEEN:

**THE CORPORATION OF THE CITY OF COURTENAY**, a municipal corporation incorporated pursuant to the *Community Charter* and having its offices at 830 Cliffe Avenue, Courtenay, B.C., V9N 2J7

(the "City")

AND:

**COMOX VALLEY TRANSITION SOCIETY (INC. NO. S0022797)**, a non-profit society under the *Society Act* (British Columbia) and having offices at 625 England Avenue, Courtenay, BC, V9N 2N5

(the "Tenant")

WHEREAS:

- A. The City is the registered owner of lands and premises located at 685 Cliffe Avenue in the City of Courtenay, British Columbia, and legally described as:  
  
PID: 006-102-930, LOT 3, SECTION 61 COMOX DISTRICT PLAN VIP3817  
  
(the "Lands");
- B. The parties entered into a lease agreement dated for reference November 1, 2021 (the "First Lease"), an excerpt of which is attached to this agreement as Schedule A, whereby the Tenant leased a part of the Building on the Lands, marked with black lines on the aerial photograph attached as Schedule A to the Lease;
- C. The parties entered a further agreement dated for reference September 15, 2022 to renew and amend the First Lease (the "First Renewal and Amendment"), an excerpt of which is attached to this agreement as Schedule B;
- D. Pursuant to the First Renewal and Amendment, the Tenant leased the entire Building on the Lands and all parts of the Lands (the "Lease Area"), marked with red lines on the aerial photograph attached this agreement as Schedule C (the First Lease and First Renewal and Amendment are collectively referred to herein as the "Lease").
- E. The Term of the Lease expired on October 31, 2023 and the Tenant has given notice in accordance with section 2.1(e) of the First Lease that it wishes to exercise its option to renew the Lease on the same terms and conditions, with the exception of the amount of rent payable and the right of renewal; and

SCHEDULE C

LEASE AREA



Black line indicates entire building within lease area.

Red line indicates entire lease area, inclusive of perimeter area not occupied by building.



File: 5340-09

September 23, 2024

**Sent via email only**

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

Dear Mayor and Council:

**Re: Hudson Trunk Capacity Constraints**

The Hudson Trunk sewer begins at the City of Courtenay boundary near Idiens Way and extends eastward along Dryden Road to Hudson Road and then northward to the regional sewer line on Knight Road that conveys wastewater to the Comox Valley Water Pollution Control Centre for treatment prior to discharging effluent in the Strait of Georgia.

The Hudson Trunk was constructed by the Comox Valley Regional District (CVRD) in 2017 and completed in 2018. Recently, several developments have been proposed that far exceed the original density projections used for sizing the Hudson Trunk. As a result of this significantly higher than anticipated density there are capacity constraints within the Hudson Trunk, especially along Aspen Road where proposed developments within the Town are proposing to connect.

For the developments proposed on Hector and Aspen Roads, system modelling has confirmed the Aspen Road line of the Hudson Trunk is not sufficiently sized to accommodate the full increase in flows as predicted with the current proposed density of these developments. Recently completed modelling of the Hudson Trunk and branch lines along Aspen and Parry Road suggests that:

- The Aspen Road branch can support approximately 18.5L/s of flow before exceeding its capacity.
- The Parry Place leg could easily accommodate the 3.5L/s increase expected from the Lannan development.
- The Parry Place to Anderton Road section of the Hudson Trunk can accommodate the combined maximum flow from Aspen and the anticipated flow from the Lannan development down Parry Place.

The CVRD does not have a direct approval role in respect to applications for connection to a municipal sewage collection line, even if the municipal collection line ties into a regional trunk sewer. Since the collection line is a municipal service, regulating connection to and use of the service is a municipal responsibility. As such how the additional capacity within the Aspen Road leg of the Hudson Trunk is allocated to development is the responsibility of the Town of Comox.

The CVRD does have a consultative role in relation to the municipality's consideration of certain development applications that could impact the capacity of the regional sewer system, and the CVRD and its member municipalities need to work closely together to review and consider capacity when the municipality is considering an OCP or zoning bylaw amendment for increased density of development. Such collaboration is required for implementation of effective funding strategies, and to ensure the CVRD has adequate lead time to add infrastructure in time to avoid constraining municipal development should capacity issues exist because of higher density development in the area.

The CVRD recognizes the importance of municipal development and the capacity of regional infrastructure to support such development and is initiating a servicing study of the Greenwood and Hudson Trunk sewers to consider the scope, timing and projected costs of infrastructure upgrades required to service higher density developments in these catchment areas. This study work will inform updates to financial instruments such as development cost charges. The CVRD staff will work closely with municipal staff on timing and details and will share the results with the member municipalities once available in late 2024.

The CVRD would be willing to participate in municipality-led meetings with developers to be able to assist in providing clear and consistent information to the development community on the Hudson Trunk capacity.

I write this letter as Chair of the Sewage Commission, which has delegated responsibilities for the sewerage conveyance and treatment activities under the CVRD. I look forward to finding resolution to the Hudson Trunk capacity constraints.

Sincerely,

***D. Hillian***

Doug Hillian  
Chair  
Comox Valley Sewage Commission

cc: Geoff Garbutt, City Manager (CAO)



The Corporation of the City of Courtenay

# Briefing Note

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**To:** Council

**File No.:** 5020-20

**From:** Director of Recreation, Culture, and Community Services

**Date:** October 23, 2024

**Subject:** Winter Shelter Strategy Update

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**PURPOSE:** To update Council on the Winter Shelter Strategy project and to update Council on progress in securing and activating winter shelter locations in the Comox Valley for the 2024 / 2025 winter season.

## **BACKGROUND:**

Recognizing winter sheltering options are a critical service for people experiencing homelessness, the City of Courtenay expressed interest in leading the development of a Winter Shelter Strategy for the Comox Valley. In August 2024 funding was approved by the Comox Valley Regional District (CVRD) from the Homelessness Support Services function to support the City in development of the strategy. This project will begin by focusing on activating winter sheltering spaces for the 2024/2025 winter season, and then continue to work with partners to build a winter sheltering strategy to bridge services until a permanent shelter is built.

## **DISCUSSION:**

### **Project Status**

#### *Consultant Secured*

Urban Matters CCC has been secured by the City of Courtenay to support development of a Winter Shelter Strategy and activation of a shelter for the 2024/2025 season. The consultant team brings more than 20 years combined experience working with communities across B.C. to respond to challenging issues such as housing and homelessness, toxic drug supply crisis response, community health and wellness, poverty reduction, accessibility and more. Urban Matters will provide administration, facilitation, planning, and project management support to the project.

#### *Establishing a Winter Shelter Working Group*

To efficiently secure winter sheltering options for the 2024/2025 winter season, the Emergency Weather Response Task Force (established in fall of 2023) has been paused and a Winter Shelter Working Group has been launched. The Working Group brings together operators, service providers, local government staff, and funders to act on establishing winter sheltering options for the current season. The purpose of this group is to facilitate and support shelter activation, as well as gather as a community of practice to ensure the successful operation of winter shelter services through sharing of knowledge, skills and resources that directly support operations.

The initial meeting of the Winter Shelter Working Group was on October 11, 2024 where staff provided an overview of the winter shelter strategy project as well as status update on current activities including the Extreme Weather Response Community Plan and regional emergency warming centre activities. Through this meeting potential additional funding sources were identified, as well as sharing of knowledge and expertise, and interest by multiple organizations to support this year's efforts. A list of invited groups can be found in Attachment 1.

### *Funding Applications to BC Housing*

An Extreme Weather Response (EWR) Community Plan has been submitted to BC Housing by the Coalition to End Homelessness. It includes expanded spaces (approximately 12 beds) at two current sheltering locations and a proposal for an additional EWR at a location yet to be confirmed (approximately 20 beds).

Staff have been informed by BC Housing that all available funding for Temporary Winter Shelters (shelters that run regardless of weather from November 1 to April 30 annually) has been fully allocated for the 2024/2025 season. The City has engaged in discussion with BC Housing staff regarding the significant gap in shelter availability in the Comox Valley and the need for consistent sheltering services to be offered. As such, staff have submitted a budget request to BC Housing for a Temporary Winter Shelter program (20 bed) in the hopes that additional funding will be made available.

As per past discussions and reports to Council and the Comox Valley Regional District, the funding models between the two programs (EWR and Temporary Winter Shelter) differ significantly. If funding is only secured for an EWR shelter, and not for a Temporary Winter Shelter, additional funding will be required to support the operation including but not limited to lease and security costs.

### *Securing Location and Operator*

Discussions are continuing with property managers, owners, and local institutions to determine and secure a space from which to operate an EWR or Temporary Winter Shelter. Staff have reviewed a variety of currently vacant spaces to assess for suitability and willingness. There are currently three potential locations in the Comox Valley that staff are pursuing further, in consultation with the Coalition to End Homelessness and interested operators, to determine feasibility for activation. This next phase of work will include a review of the building implications from a use and code perspective, review of zoning regulations, and engagement with interested parties and neighbouring organizations and or businesses. These reviews will determine the path forward towards space activation.

Based on the current locations available it is likely the shelter will only operate overnight and will not provide daytime services. This is due to the funding limitations of the EWR program as well as site amenity limitations (i.e. lack of showers, kitchens, etc), and also to address community concerns related to the impacts of shelter use during daytime activities. The sites currently available will also likely require that the operator implement a Community Advisory Committee for the term of the shelter to support community integration.

The Coalition to End Homelessness released an expression of interest in the summer for organizations interested in being potential operators and a final request for interested parties was discussed during the Working Group meeting. Additional engagement with interested operators and supporting agencies will occur through the Working Group, and once BC Housing funding has been approved more detailed discussions will occur.

### **Native Sons Hall**

Staff have received a request to consider making the lower Native Sons Hall (NSH) available for an Extreme Weather Response shelter. The NSH is currently identified, as per Council direction at the December 6, 2023 Council meeting<sup>1</sup>, as an emergency response location for regional warming centre activation, through the

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<sup>1</sup> [Warming Centre and Extreme Weather Response Shelter Update \(escribemeetings.com\)](https://www.escribemeetings.com)

Comox Valley Emergency Program. At the December 6, 2023 meeting, Council also approved the use of the Tsolum building as an EWR shelter, however this building was never activated in the 2023/2024 season and is unfortunately not currently available due to the Comox Road Sewer Project. Staff have shared that the NSH is not available as an EWR and do not recommend its use for activation as an EWR shelter.

Staff fully support recreation facility use for emergency responses to meet the diverse needs of our community on a short term and sporadic basis. NSH is an actively used recreation, culture, and community facility, and with a variety of spaces, NSH hosts diverse programming and events through Courtenay Recreation, community groups, and private rentals. It is manageable to make the NSH available for emergency response with limited impacts to services and patrons, however ongoing activation as an overnight shelter is not compatible with current use and would require substantial adjustments to staffing, services, and programs.

The Warming Centre activations in 2023/2024 were successful due to an effective operator, good communication and coordination, and collaborative planning. It is important to note that despite the warming centre's effectiveness it also comes with challenges that must be acknowledged and considered in decisions to maintain or expand its use for overnight sheltering. During the short Warming Centre activations (two activations over approximately 9 days total) in winter 2023/2024, Courtenay Recreation received two rental cancellations, and a number of recreation program participant cancellations and concerns from residents and patrons. Warming Centres operated 10:00pm to 7:00am in the lower NSH; however other programs and rentals continued to operate late into the evening and starting in the early morning (6:00am) throughout the entire building. While last year's activations did not result in the City cancelling any rental permits, this is a potential implication depending on the schedule of rental activities and when weather conditions warrant Warming Centre activations.

During its operation, staff responded to multiple plumbing issues, supported the clean-up of biohazards both inside and outside the building, and addressed the impacts of congregation on safety and access at building entrances both at NSH and the Florence Filberg Centre. It is for these reasons, as well as overall risk management, that overnight use of this nature at this location requires a City staff person on site to support the warming centre operations and respond to issues that arise to ensure they are addressed in a timely fashion that reduces impacts on other uses and patrons. Courtenay Recreation does not have the staff capacity to provide staffing on an ongoing, overnight basis to enable EWR activation at this location.

**FINANCIAL IMPLICATIONS:**

The Comox Valley Regional District approved allocation of \$91,000 through the Homelessness Supports Services Function 451 towards the development of a Winter Shelter Strategy and activation for the 2024/2025 winter season. Due to the urgency of securing a location for this season, consultant hours are currently focused on supporting EWR activation, with work on the longer-term strategy on hold at this time.

Depending on the type of shelter activated (EWR or Temporary Winter Shelter), additional funding may be required from local government to support the shelter, such as for lease and security costs. Should Council direct staff to consider the use of the Native Sons Hall as an EWR, staff will return with the financial implications including revenue impacts and additional costs including overnight facility staff which are not funded through the EWR program.

**ADMINISTRATIVE IMPLICATIONS:**

Recreation, Culture, and Community Services is leading this work internally within the City. Once a space is identified, support from Development Services and Courtenay Fire will also be required. The development of a Winter Shelter Strategy is not currently within the City’s or RCCS’s strategic priorities or workplan, so other departmental initiatives are being delayed to support this work.

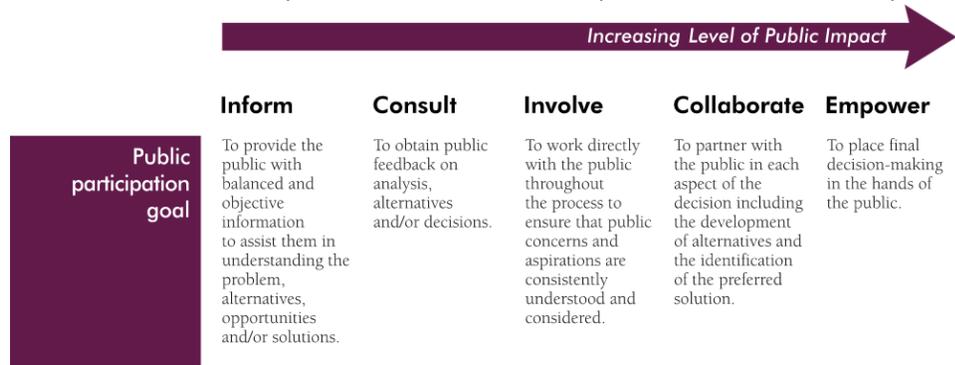
**STRATEGIC PRIORITIES REFERENCE:**

N/A

**PUBLIC ENGAGEMENT:**

Staff are engaging with operators, service providers, local government staff, and funders through the Working Group to act on establishing winter sheltering options for the current season. Staff are also engaging with landlords regarding potential space use.

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



© International Association for Public Participation [www.iap2.org](http://www.iap2.org)

**RECOMMENDATION:** THAT Council receive the “Winter Shelter Strategy Update” briefing note.

**ATTACHMENTS:**

1. Winter Shelter Working Group Invitation List

Prepared by: Susie Saunders, Director of Recreation, Culture, and Community Services

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

## **ATTACHMENT 1: Winter Shelter Working Group**

### **Facilitators:**

- City of Courtenay staff – Susie Saunders
- Urban Matters – Isha Matous-Gibbs

### **Attendees (October 11, 2024):**

- Coordinator, Coalition to End Homelessness
- Comox Valley Transition Society
- Dawn to Dawn
- Indigenous Women’s Sharing Society
- Lookout Housing and Health Society
- Salvation Army
- SOLID Outreach
- Wachiay Friendship Centre
- K’ómoks First Nation (staff)
- Town of Comox (staff)
- Comox Valley Regional District (Emergency Program staff)
- City of Courtenay (staff)
- School District 71 (staff)

### **Regrets:**

- AVI
- Comox Valley Affordable Housing Society
- LUSH Valley
- BC Housing
- Comox Valley Regional District (Community Development and Resilience Manager)
- Village of Cumberland (staff will not be attending but have requested to be kept informed of progress)



The Corporation of the City of Courtenay

# Staff Report

**To:** Council

**File No.:** 3360-20-2405/RZ000084

**From:** Director of Development Services

**Date:** October 23, 2024

**Subject:** Adoption of Zoning Amendment Bylaw No.3140, 2024 (small-scale multi-unit housing)

## **PURPOSE:**

For Council to consider adoption of Zoning Amendment Bylaw No. 3140, 2024 (small-scale multi-unit housing) which amends Zoning Bylaw No. 2500, 2007 to change specifications related to the Residential Small-Scale Multi-Unit Housing (R-SSMUH) zone to fix errors and improve clarity and alignment with the intent of the zone.

## **BACKGROUND:**

Council gave First, Second and Third Readings to Zoning Amendment Bylaw No. 3140, 2024 (small-scale multi-unit housing) on October 9, 2024.

## **DISCUSSION:**

The Ministry of Transportation and Infrastructure (MOTI) has approved the bylaw as per the *Local government Act*.

As there are no other conditions required to be fulfilled prior to the consideration of adoption of this zoning amendment, Zoning Amendment Bylaw No. 3140, 2024 (small-scale multi-unit housing) may be considered by Council for adoption.

## **PUBLIC ENGAGEMENT:**

Public Notice of Zoning Amendment Bylaw No. 3140, 2024 was provided in accordance with S. 467 of the Local Government Act. No public comments were submitted by 1 pm on October 9, 2024.

## **OPTIONS:**

1. THAT Council adopt Zoning Bylaw Amendment No. 3140, 2024 (small-scale multi-unit housing).
2. THAT Council provide alternative direction to staff through resolution.
3. THAT Council defeat Zoning Bylaw Amendment No. 3140, 2024 (small-scale multi-unit housing).

## **ATTACHMENTS:**

1. Zoning Amendment Bylaw No. 3140, 2024 (small-scale multi-unit housing).

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

Reviewed by: 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

# Bylaw No. 3140, 2024

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

WHEREAS Zoning Bylaw No. 2500, 2007 regulates the use of land, buildings and other structures in the City of Courtenay;

AND WHEREAS amendments to Zoning Bylaw No. 2005, 2007 and other bylaws are required for the City to comply with Bill 44 and subsequent changes to the *Local Government Act*;

AND WHEREAS Zoning Bylaw No. 2005, 2007 was amended through Bylaw No. 3135, 2024 (small-scale, multi-unit housing) on June 12, 2024 to create the Residential Small-Scale Multi-Unit Housing zone for all properties in 16 former restricted residential zones;

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

### Citation

1. This Bylaw shall be cited as “Zoning Amendment Bylaw No. 3140, 2024 (small-scale, multi-unit housing)”.

### Amendment

2. “Zoning Bylaw No. 2500, 2007” is amended as follows:
  - a) AMENDING DIVISION 6 GENERAL REGULATIONS by:
    - i. ADDING the heading “**Part 19 Secondary Suites and Accessory Dwelling Units**” following Section 6.18.1. (d) vii. and before Section 6.19.1.;
    - ii. DELETING from Section 6.19.1. (iv) “**An Accessory Dwelling Unit shall not exceed the lesser of 6.5 m in height or the height of the principal residence**”  
  
and  
  
REPLACING with “**An Accessory Dwelling Unit shall not exceed 6.5 m in height**”;
  - b) AMENDING DIVISION 8 CLASSIFICATION OF ZONES Part 1- Residential Small-Scale Multi-Unit Housing (R-SSMUH) by:
    - i. DELETING from Section 8.1.4 Minimum Lot Dimensions (1) Lot Size i. following 300 m<sup>2</sup> “**for a single residential dwelling or duplex**”;
    - ii. DELETING from Section 8.1.4 Minimum Lot Dimensions (1) Lot Size ii. “**Where a fourplex is being created by party wall subdivision, no additional secondary dwelling units are permitted.**”;
    - iii. DELETING from Section 8.1.4 Minimum Lot Dimensions (2) Lot Frontage ii. following be “**9-m**” Page 414 of 417

and

REPLACING with “8 m”;

- iv. DELETING from Section 8.1.4 Minimum Lot Dimensions (3) Lot Depth i. following than “~~30 m~~”

and

REPLACING with “25 m”;

- v. ADDING to Section 8.1.6 Setbacks (1) ii. Rear Yard following 5.0 m “~~except that for Accessory Dwelling Units (a) The minimum rear yard setback shall be 1.5 m except that (b) Where a rear yard flanks a street, excluding a lane, the minimum rear yard setback shall be 3.0 m.~~”;
- vi. DELETING from Section 8.1.6 Setbacks (1) iii. Side Yard (b) following Where “~~a secondary residence or~~”

and

REPLACING with “an”;

- vii. DELETING from Section 8.1.7 Height of Buildings (2) following height of “~~a secondary residence or~~”

and

REPLACING with “an”;

- viii. ADDING in Section 8.1.8 Accessory Buildings and Accessory Structures following Structures “~~(Not including Accessory Dwelling Units)~~”;
- ix. ADDING in Section 8.1.9 Off-Street Parking following Section 8.1.9 (2) “~~(3) Where a parking aisle is a strata access road, the minimum parking aisle width shall be 6.5 m for 90-degree parking~~”;
- x. ADDING in Section 8.1.9 Off-Street Parking following the above noted section “~~(4) Division 7 Bicycle Parking Requirements do not apply. (5) Where a property has three (3) or four (4) dwelling units:~~  
i. Two (2) secure covered bicycle parking spaces must be provided per dwelling unit with two (2) or more bedrooms on the property; and  
ii. One (1) secure covered bicycle parking space must be provided per dwelling unit with fewer than two (2) bedrooms on the property.”;
- xi. DELETING from Section 8.1.10. Landscaping and screening (1) “~~In addition to the Landscape Requirements identified in Division 6, Part 14 of this bylaw, a vegetated buffer or screen fence not more than 1.5 m high shall be provided along rear or side property lines adjoining other properties~~”

and

REPLACING with: "Shall meet the Landscape Requirements identified in Division 6, Part 14 of this bylaw".

**Severability**

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

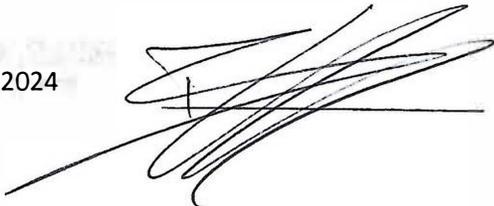
Read a first time this 9th day of October, 2024

Read a second time this 9th day of October, 2024

Read a third time this 9th day of October, 2024

Approved by the Minister of Transportation this 11th day of October, 2024

Adopted this 23rd day of October, 2024



\_\_\_\_\_  
Mayor Bob Wells

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

