



THE CORPORATION OF THE CITY OF COURTENAY

STAFF REPORT

To: Council

File No.: 6480-00

From: Chief Administrative Officer

Date: July 25, 2022

Subject: Official Community Plan (OCP) Bylaw No. 3070 – Adoption

PURPOSE:

The purpose of this report is to present Council with the results of the statutory referrals in accordance with the Local Government Act section directing the adoption process of official community plans. Official Community Plan (OCP) Bylaw No. 3070 is presented for final bylaw reading and adoption.

POLICY ANALYSIS:

- An update of the Official Community Plan is identified as 2019-2022 Council Strategic Priority.
- OCP Bylaw No. 3070 passed first and second readings on May 30, 2022; a public hearing was held on June 20, 2022; and the Bylaw passed third reading on June 27th, 2022.

CAO RECOMMENDATION:

THAT based on the July 25, 2022 staff report “Official Community Plan (OCP) Bylaw No. 3070 – Adoption”, Council approve OPTION 1 and adopt “Official Community Plan Bylaw No. 3070, 2022”.

Respectfully submitted,

Geoff Garbutt, M.Pl, RPP, MCIP
Chief Administrative Officer

BACKGROUND:

Following first and second readings, OCP Bylaw No. 3070 was referred to K’ómoks First Nation and Agricultural Land Commission (ALC) for comment, and to the Comox Valley Regional District (CVRD) for purposes of acceptance of the Regional Context Statement (RCS) by the CVRD Board of Directors.

Section 447 of the Local Government Act requires that a RCS be included within the OCP that specifically identifies the relationship between the OCP and the Regional District’s Regional Growth Strategy (RGS) and how the OCP will be made consistent with the RGS. In order to fulfill this requirement, the CVRD Board of Directors must accept the RCS.

Section 477 of the Local Government Act requires that an OCP Bylaw be referred to the Agricultural Land Commission for comment, following first reading of the OCP Bylaw.

Three staff reports provide substantive overview of the OCP process and content prior to adoption:

- June 25, 2022: Official Community Plan (OCP) Bylaw No. 3070 – Third Reading
- May 30, 2022: Official Community Plan (OCP) Bylaw No. 3070 – First and Second Readings
- January 17, 2022: Official Community Plan (OCP) – Official Consultation and Public Review of the Draft

DISCUSSION:

K'ómoks First Nation comments

A referral comment is contained in Attachment No.1. The comment is a request to recognize Vanier Park as a park of significant cultural importance to KFN through an official Indigenous Cultural/Heritage designation. The OCP does not provide detailed direction on parks, as that is the role of the Parks and Recreation Master Plan. The 2019 Parks and Recreation Master Plan identifies Vanier Park as in need of, and a candidate for, a Park Management Plan which would be a plan for natural parks that focuses on the protection and management of natural resources, including for parks where the City may not be the guardian. Presently staff are reviewing the implementation priorities within the Parks and Recreation Master Plan and will incorporate this KFN referral comment into future Vanier Park management considerations in accordance with other parks planning priorities. Identifying key KFN and other Indigenous interests on City of Courtenay topics of jurisdiction will also be a focus of one of the core OCP implementation priorities, which is to create a Reconciliation Framework.

Comox Valley Regional District RCS acceptance

The CVRD Board of Directors considered and accepted the Courtenay OCP Regional Context Statement (RCS) on July 12, 2022 with the following motion:

K. Grant/A. Hamir: THAT the Comox Valley Regional District (CVRD) Board accept the City of Courtenay's Regional Context Statement as attached to staff report dated July 4, 2022, in accordance with the requirements of Section 448 of the Local Government Act (RSBC, 2015, c. 1) as submitted to the CVRD June 2, 2022.

208 and 212

Carried

In the corresponding CVRD staff report (Attachment No.2), CVRD staff identify an opportunity to strengthen future Regional Context Statements of member municipalities as an RGS implementation tool. Specifically the staff report identifies that more policy detail in the RCS is preferred and will be advised through an identified RCS guidance framework in the future. City staff will have an opportunity to review any RGS RCS guidance and prepare the RCS accordingly whenever the first of the following re-submission of RCS triggers occurs:

1. Section 448 (c) of the Local Government Act directs that the review the Regional Context Statement by a municipality “occur at least once every 5 years after its latest acceptance by the board and, if no amendment is proposed, submit the statement to the board for its continued acceptance.”
2. The CVRD Board is expected to consider the review of the RGS by the end of the year. If they decide to update the RGS (a 2010 bylaw), then Section 446 (2) of the Local Government Act directs that the RCS must be submitted within 2 years of the RGS adoption.

Agricultural Land Commission comments

ALC comments are provided in Attachment No.3. Only those ALC comments that require discussion are presented below.

Block 71 Lands

Block 71 lands are shown in Map 1 and Image 1 below. Lands that are ALR, but had been conditionally excluded from the ALR in 2004, are identified in Map 2. Through the referral process the ALC has not supported the designation of these lands as “Future Growth” and has reiterated this in the statutory referral comments outlined in Attachment No. 3.

The OCP policies with respect to this area have been carefully crafted to reflect a combination of the existing ALC conditional exclusion, the applicable policies and designation of the lands in the Regional Growth Strategy and the core policies with respect to Agricultural Lands generally and lands located within

the Agricultural Land Reserve specifically. Given the strength of these policies staff do not recommend amendments to the designation or OCP policies with respect to the Block 71 Lands at this time. Should the status of these lands change at a later date, the applicable designation and policies will be reviewed and potentially amended.

Map 1: Showing Block 71 (in red outline) OCP Bylaw No. 3070 Land Use Designations (Land Use Designations map contained on page 51 and 248 of the OCP).

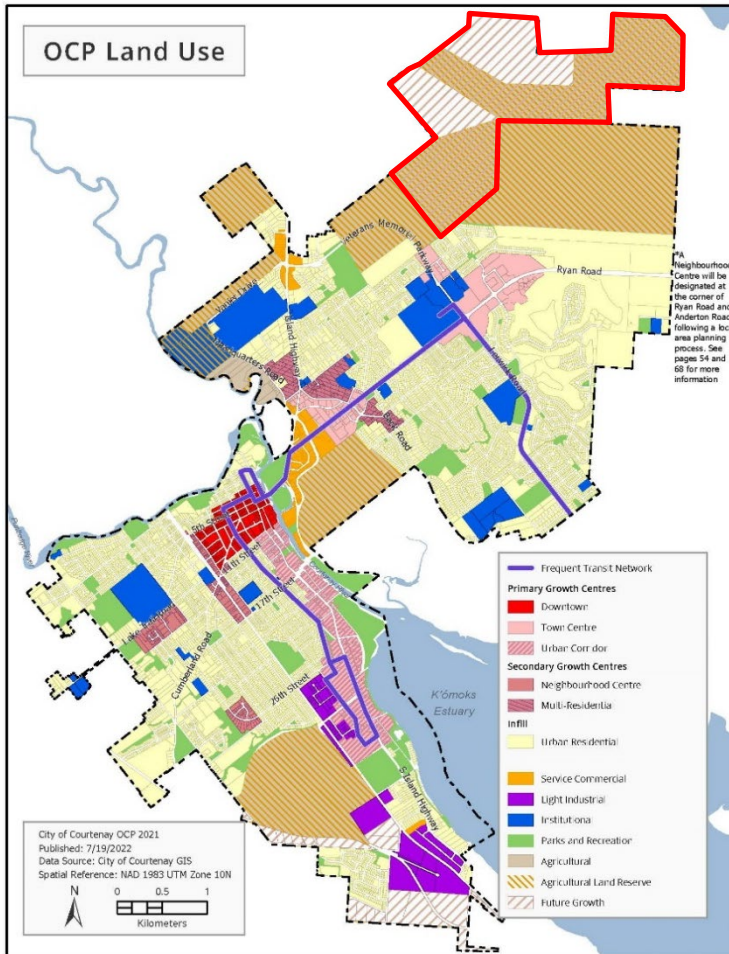
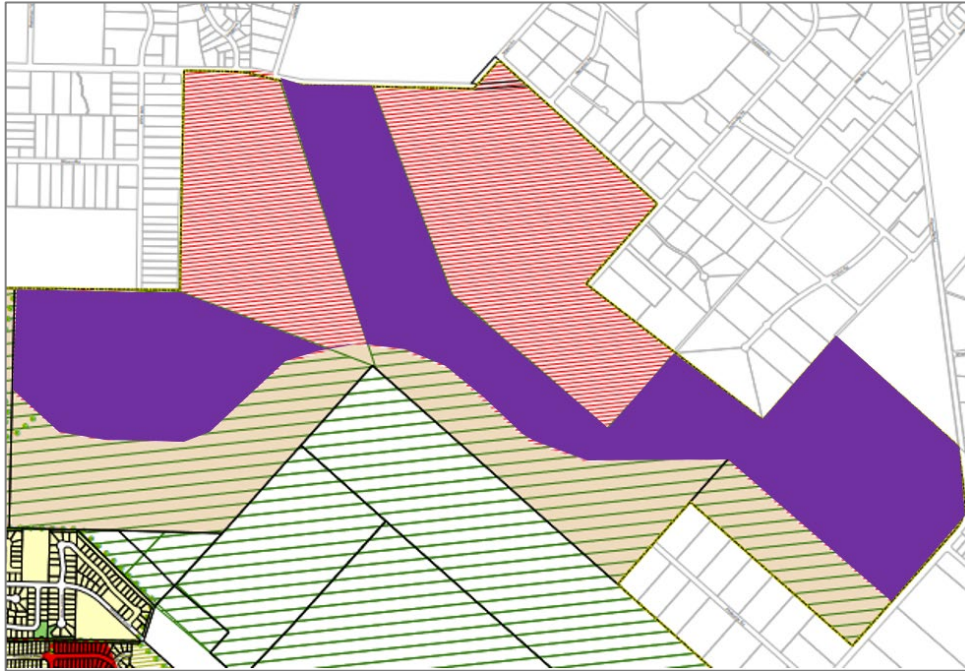


Image 1: Showing Block 71 (in red outline) 2021 aerial imagery.



Map 2: 2004 conditional ALR exclusion areas shown in purple over OCP Bylaw No. 2387 land use designations mapping.



FINANCIAL IMPLICATIONS:

There are no financial implications as this stage.

ADMINISTRATIVE IMPLICATIONS:

There are no administrative implications at this stage.

ASSET MANAGEMENT IMPLICATIONS:

There are no asset management implications at this stage.

STRATEGIC PRIORITIES REFERENCE:

We support diversity in housing and reasoned land use planning

- Complete an update of the City's OCP and Zoning Bylaws

- **AREA OF CONTROL:** The policy, works and programming matters that fall within Council's jurisdictional authority to act
- ▲ **AREA OF INFLUENCE:** Matters that fall within shared or agreed jurisdiction between Council and another government or party
- **AREA OF CONCERN:** Matters of interest that are outside Council's jurisdictional authority to act

OFFICIAL COMMUNITY PLAN REFERENCE:

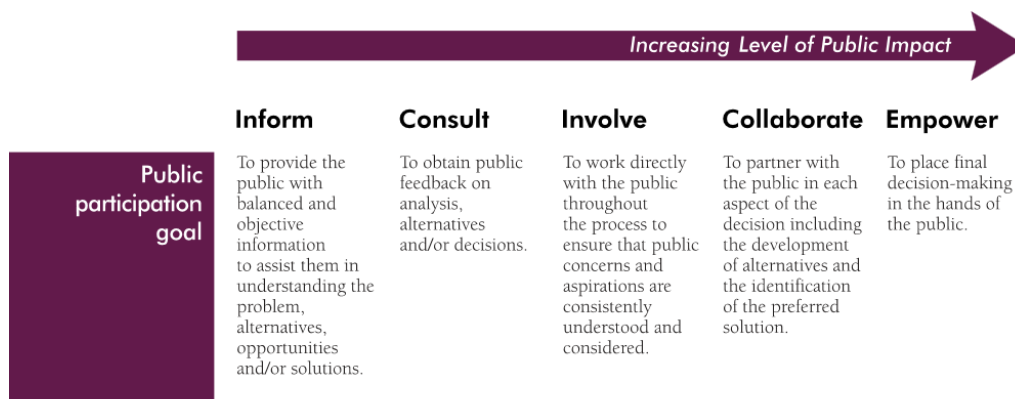
Comprehensive update of the current Official Community Plan.

REGIONAL GROWTH STRATEGY REFERENCE:

The regional context statement contained within OCP Bylaw No. 3070 has been accepted by the CVRD Board, in accordance with the Comox Valley Regional Growth Strategy and Section 448 of the Local Government Act.

CITIZEN/PUBLIC ENGAGEMENT:

A public hearing was held on June 20, 2022, the conclusion of which marks the end of the consultation phase of the OCP. No further comment from the public may be heard by Council following the public hearing. Throughout the OCP update process of two and a half years, multiple and iterative opportunities for community, stakeholder, First Nations, and agency engagement were provided, generally in accordance with the OCP Public Engagement Plan (2019). Most OCP engagement opportunities were of the “Consult” and “Involve” classifications of the IAP2 Spectrum of Public Participation, with a number of resources to support the “Inform” classification and some opportunities to “Collaborate”.



OPTIONS:

- OPTION 1: THAT Council adopt “Official Community Plan Bylaw No. 3070, 2022”.
- OPTION 2: Defer adoption of “Official Community Plan Bylaw No. 3070, 2022” and provide direction to staff.

Prepared by:

Nancy Gothard, RPP, MCIP
Manager of Community and Sustainability Planning

Reviewed by:

Chris Marshall, RPP, MCIP
Director of Development Services

Concurrence by:

Geoff Garbutt, M.Pl., RPP, MCIP
Chief Administrative Officer

ATTACHMENTS:

1. Attachment No. 1 – K'ómoks First Nation referral response
2. Attachment No. 2 – Comox Valley Regional District staff report on Regional Context Statement request for acceptance
3. Attachment No. 3 – Agricultural Land Commission referral response

From: [Todd Boychuk](#)
To: [Gothard, Nancy](#)
Cc: [Rushton, Craig](#); [Garbutt, Geoff](#)
Subject: RE: EXTERNAL: when you send OCP letter, also to Craig Rushton please
Date: Wednesday, July 6, 2022 11:29:30 AM
Attachments: [image001.png](#)

Attachment No. 1 – K'ómoks First Nation referral response (Pg 1 of 2)

Hello Nancy,

Sorry I did get my parks mixed up. The focus should be Vanier Park and its historical and cultural importance to K'ómoks. K'ómoks would be interested if there was a way through the OCP or some other mechanism to have Vanier Park recognised as a park of significant cultural importance to KFN through some type of an Indigenous Cultural/Historical designation.

Best Regards
Todd

Todd Boychuk
Director Intergovernmental Relations
K'ómoks First Nation
3330 Comox Road
Courtenay, BC V9N 3P8
Phone: 250-339-4545 Fax: 250-339-7053



K'ómoks First Nation

From: Gothard, Nancy <ngothard@courtenay.ca>
Sent: June 30, 2022 11:43 AM
To: Todd Boychuk <todd.boychuk@komoks.ca>
Cc: Rushton, Craig <crushton@courtenay.ca>
Subject: EXTERNAL: when you send OCP letter, also to Craig Rushton please

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Hi Todd,

Thanks for picking up the phone during holidays!

I just touched base with Community Services here at the City who is working on that McPhee

Attachment No. 1 – K’ómoks First Nation referral response (Pg 2 of 2)

Meadows plan. Craig Rushton (crushton@courtenay.ca – also here cc’d) is acting Director of that department and he would be happy to learn of your comments pertaining to McPhee Meadows as well. As both Geoff and I will be on holidays the next couple of weeks (as will Chris Marshall, Director of Development Services), it would be appreciated if you email the KFN comments to Craig as well so he can see them in good timing.

The McPhee Meadows concept plan is in its draft form and feedback is being solicited on that work (great timing!) by July 25th. You can learn more about the project at: <https://www.courtenay.ca/EN/main/city-hall/projects-gallery/mcphee-meadows.html> And I understand KFN has had direct contact on the McPhee Meadows as well.

Take care,

Nancy Gothard RPP, MCIP

Manager of Community and Sustainability Planning, City of Courtenay
(she/her)

I respectfully acknowledge that I live, work and play on the Unceded traditional territory of the K’ómoks First Nation.

Tel. 250 703 4831, ngotheid@courtenay.ca

General planning inquiries may be sent to: planning@courtenay.ca

City Hall general number: 250 334 4441
830 Cliffe Ave | Courtenay, B.C. | V9N 2J7
www.courtenay.ca

Attachment No. 2 – Comox Valley Regional District referral response (Pg 1 of 24)



Staff Report

DATE: July 4, 2022

FILE: 6410-20

TO: Chair and Directors
Regional District Board

FROM: Russell Dyson
Chief Administrative Officer

Supported by Russell Dyson
Chief Administrative Officer

R. Dyson

RE: Regional Context Statement Request for Acceptance – City of Courtenay

Purpose

To request the Comox Valley Regional District (CVRD) Board's consideration of the City of Courtenay's Regional Context Statement (RCS) in accordance with Section 446 of the *Local Government Act* (RSBC, 2015, c. 1) (LGA) as submitted June 2, 2022.

Recommendation from the Chief Administrative Officer:

THAT the Comox Valley Regional District (CVRD) Board accept the City of Courtenay's Regional Context Statement as attached to staff report dated July 4, 2022, in accordance with the requirements of Section 448 of the *Local Government Act* (RSBC, 2015, c. 1) as submitted to the CVRD June 2, 2022.

Executive Summary

- The CVRD received a request from the City of Courtenay dated June 2, 2022 to consider acceptance of its updated RCS (Appendix B) as part of its new Official Community Plan (OCP).
- Section 446 of the LGA requires that each member municipality submit an RCS that identifies the relationship between the municipality's OCP and the relevant Regional Growth Strategy (RGS), and how the OCP is, or will be made, consistent with the RGS over time.
- When the CVRD Board considers acceptance of the City of Courtenay's Regional Context Statement, it is expected that it be "generally consistent" with the goals, strategies, policies and parcel-based land use designations in the Comox Valley RGS.
- Staff reviewed and provided comments on the City of Courtenay's draft OCP (Appendix C), and determined that the OCP policies are in alignment with the overall RGS vision, goals and policies. To strengthen the RCS as an RGS implementation tool, staff will explore, as part of the potential RGS update, developing an RCS framework to guide the evaluation of RCSs.

Prepared by:

R. Holme

Robyn Holme, RPP, MCIP
Manager of Long Range
Planning and Sustainability

Concurrence:

A. Mullaly

Alana Mullaly, RPP, MCIP
General Manager of Planning and
Development Services

Attachment No. 2 – Comox Valley Regional District referral response (Pg 2 of 24)

Staff Report – Regional Context Statement Request for Acceptance – City of Courtenay Page 2

Government and Community Interests Distribution (Upon Agenda Publication)

City of Courtenay	✓
Village of Cumberland	✓
Town of Comox	✓

Background/Current Situation

On March 29, 2011 the CVRD Board adopted Bylaw No 120, being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010”.

Part 13 of the LGA pertaining to regional growth strategies requires that a RCS be included in a municipality’s OCP if an adopted RGS applies to that municipality. The LGA also requires that the RCS be accepted by the regional board. LGA Section 446 requires municipalities to submit an RCS that identifies the relationship between the municipality’s OCP and the RGS and specify how the OCP policies address the applicable RGS policies. The RCS is expected to be generally consistent with the vision, goals and objectives, applicable policies and regional land use designations in the RGS.

On June 2, 2022, the CVRD received the City of Courtenay’s RCS for consideration of acceptance by the board (Appendix A). The RCS was prepared to reflect the content of a new 2022 City of Courtenay OCP in relation to Bylaw No. 120. City of Courtenay Council gave first and second reading on May 30, 2022. A public hearing was held on June 20, 2022 and third reading was given on June 27, 2022. Pending acceptance by the board, the City of Courtenay would then give final readings to adopt the OCP on July 25, 2022.

RCS and RGS Alignment

Planning and Development Services staff have reviewed the City of Courtenay’s RCS as part of the draft OCP referral process (Appendix C). Staff determined that the RGS policies and OCP policies are in alignment with the overall RGS eight policy areas and growth management policies. The RCS captures all relevant OCP content (as per LGA Section 447 requirement) and identifies how the OCP relates to the RGS. The RCS addresses the vision and objectives for growth management, environment and infrastructure, housing and community, transportation, economic development, food systems and climate action. Courtenay’s strategy is to direct the majority of future residential and commercial growth in Town Centres/ Corridors and Neighbourhood Centres to support compact growth, prevent urban encroachment on natural and rural areas, optimize infrastructure efficiency, and enable an increasing proportion of residents to meet their daily needs by walking, cycling, and transit.

City of Courtenay elected to take a narrative approach that does not include specific policy citations or references in the RCS (Appendix B). Without such policy references, the RCS is less specific than recommended to clearly articulate all relevant content. A court ruling (Greater Vancouver Regional District v. Langley Township) made it clear that for an RCS to be implemented through the RGS, the RCS must be specific. To have legal significance, OCP provisions that are integral to RGS implementation must be communicated in sufficient detail in the RCS. The reference can not be indirect or high level. With this in mind, through the potential upcoming RGS update, staff will work with municipal partners to develop an RCS Framework to assist in the future preparation, review and acceptance of RCS. The RCS is a key tool for RGS implementation through making decision-making consistent with the RGS and the municipal OCP policies on matters such as program and service delivery, infrastructure and regulation. Developing such a framework will ensure the RCS is fully utilized to relate the RGS to an OCP. Metro Vancouver and Capital Regional District have developed similar frameworks to guide the evaluation of RCSs.

Attachment No. 2 – Comox Valley Regional District referral response (Pg 3 of 24)

Staff Report – Regional Context Statement Request for Acceptance – City of Courtenay Page 3

Options

The board has the following options:

1. That the board accept the RCS for the City of Courtenay as submitted on June 2, 2022, in accordance with the requirements of Section 448 of the LGA.
2. That the board not accept the City of Courtenay’s RCS as submitted on June 2, 2022, in accordance with the requirements of Section 448 of the LGA.

Staff recommend Option 1 based on staff’s review of the City of Courtenay’s proposed RCS.

Financial Factors

If the board proceeds with Option 1, there are no financial implications (other than staff time). The City of Courtenay will be notified of the RCS acceptance.

If the board proceeds with Option 2, to not accept the RCS, a dispute resolution process may occur, as prescribed based on the proportion of assessed land values, as per LGA Section 439(6). If the Board does not accept and the matter proceeds to dispute resolution, staff will report back to outline the process and anticipated costs.

Strategic Considerations: Strategic Drivers and Regional Growth Strategy

CVRD Board Strategic Drivers:						
Fiscal Responsibility		Climate Crisis and Environmental Stewardship and Protection	✓	Community Partnerships		Indigenous Relations

RGS implementation, including the approval of RCSs, will help to reduce community-based Green House Gas (GHG) emissions, aligning with the board’s strategic driver for Climate Crisis and Environmental Stewardship and Protection. The RCS aligns with the RGS by setting GHG reduction targets and providing for policies related to growth management and transportation to help achieve its goals.

CVRD Regional Growth Strategy Goals:						
Housing	✓	Ecosystems, Natural Areas and Parks	✓	Local economic development	✓	Transportation
Infrastructure	✓	Food Systems	✓	Public Health & Safety	✓	Climate Change

Section 447 of the LGA identifies the required content of the RCS and how the OCP is to be made consistent with the RGS over time. City of Courtenay’s RCS demonstrates that the OCP policies are in alignment with the overall RGS eight policy areas and growth management policies. The RCS is a key RGS implementation tool.

Intergovernmental Factors

Section 448(2) of the LGA requires the board to respond by resolution within 120 days of receipt, indicating its acceptance and any reason for its objection. City of Courtenay has submitted a proposed RCS to fulfill its statutory obligation to have an accepted RCS that demonstrates its relationship of its new OCP to the RGS. An accepted RCS is necessary in order for City of Courtenay to adopt its new OCP.

Attachment No. 2 – Comox Valley Regional District referral response (Pg 4 of 24)

Staff Report – Regional Context Statement Request for Acceptance – City of Courtenay Page 4

Citizen/Public Relations

Should the board accept the City of Courtenay's RCS, staff will update the CVRD RGS project webpage to include the updated RCS.

Attachments: Appendix A – City of Courtenay Letter of Request for Acceptance
Appendix B – City of Courtenay OCP Appendix 3: Regional Context Statement 2022
Appendix C – OCP Review, CVRD Comments

THE CORPORATION OF THE CITY OF COURTENAY

Planning Services
830 Cliffe Avenue
Courtenay BC V9N 2J7



phone: (250) 703-4839
fax: (250) 334-4241
planning@courtenay.ca

Comox Valley Regional District
770 Harmston Ave.
Courtenay BC
V9N 0G8

June 2, 2022

Attention: Russell Dyson, Chief Administrative Officer

Re: City of Courtenay Official Community Plan Bylaw 3070 – Referral Following First and Second Bylaw Readings

I am pleased to notify you that the Courtenay Official Community Plan Bylaw No. 3070 received First and Second readings from Courtenay Mayor and Council at their regular Council meeting on Monday May 30, 2022.

Specifically, the carried Council motion is as follows:

THAT based on the May 30, 2022 staff report “Official Community Plan (OCP) Bylaw No. 3070 – First and Second Readings”, Council give first and second readings to “Official Community Plan Bylaw No. 3070, 2022”;

THAT Council has considered the proposed “Official Community Plan Bylaw No. 3070, 2022” in conjunction with the City of Courtenay 2022-2026 Five Year Financial Plan and the Comox Strathcona 2012 Solid Waste Management Plan, and finds no significant conflicts;

THAT Council refer “Official Community Plan Bylaw No. 3070, 2022” to the:

- a) K’ómoks First Nation for comment;*
- b) Provincial Agricultural Land Commission for comment;*
- c) Comox Valley Regional District for the purpose of acceptance of the regional context statement by the CVRD Board;*

AND THAT Council direct staff to schedule a public hearing for “Official Community Plan Bylaw No. 3070, 2022”.

The City of Courtenay welcomes your comments at this final and official stage of referral. The draft OCP Bylaw 3070 and all background reports as well as other supporting documents can be obtained on the project webpage: www.courtenay.ca/OCUpdate. As you have already provided referral comment on a previous draft version (January 2022), you may be particularly interested in reviewing the May 30, 2022 OCP Staff Report which contains an Attachment of Inventory of Changes to the Bylaw version as compared to the January version.

We are happy to discuss any comments you may have about the drafted OCP. We kindly request that you contact the City of Courtenay and submit comments by July 18th.

Attachment No. 2 – Comox Valley Regional District referral response (Pg 6 of 24)

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If you have any questions, or would like to discuss any aspect of the draft OCP Bylaw 3070, please respond to Nancy Gothard, Manager of Community and Sustainability Planning at the City of Courtenay. She can be reached at ngotheid@courtenay.ca or 250-703-4831).

I thank you in advance for your interest and feedback.

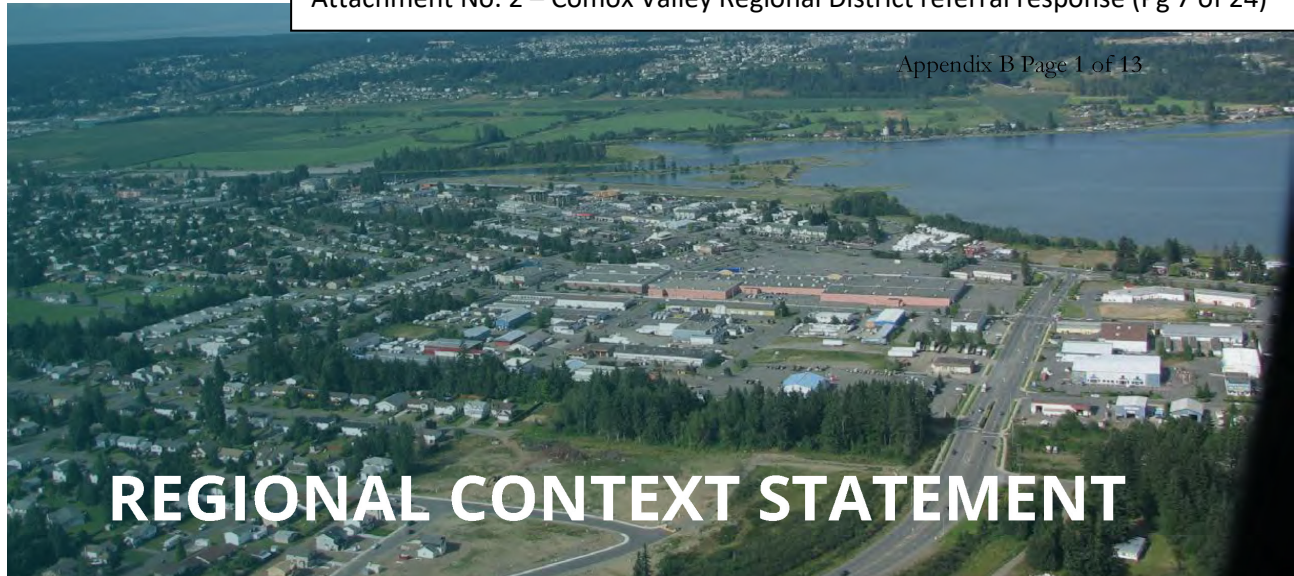
Yours truly,

A handwritten signature in black ink, appearing to read "Chris Marshall".

Chris Marshall, MUP, RPP, MCIP

Director of Development Services
City of Courtenay

cc. Nancy Gothard, Manager of Community and Sustainability Planning, City of Courtenay



Justification

As required by the *Local Government Act*, if a *regional growth strategy* applies to all or part of the same area of a municipality, the Official Community Plan of that municipality must include a regional context statement. This statement shall identify specifically the relationship between the OCP and the *Regional Growth Strategy* (RGS) with respect to the future growth management of the region, including population projections, land use, social, economic and environmental objectives, local economy, parks and natural areas, *affordable housing*, transportation, regional services, agricultural lands, and the target to achieve the reduction of greenhouse gas emissions in the region.

Courtenay in the Comox Valley

The City of Courtenay resides entirely within the territory of the K'ómoks First Nation, and in what is today the Comox Valley. Located in the northern half of Vancouver Island, overlooking the Strait of Georgia subregion of the Salish Sea, the Comox Valley is home to one of the most significant estuaries in British Columbia, including tidal mud

flats, lagoons, salt marshes, low-lying forest habitats, and the numerous watersheds that flow into them. According to the Comox Valley Regional District (CVRD) *Regional Growth Strategy* (RGS), the K'ómoks First Nation's core territory extends from the south side of the Englishman River drainage, north along the height of land on the Vancouver Island Range, east along the height of land on the north side of the Salmon River Valley, across the Johnstone Strait to Call Inlet, and southeast down the centre of the Strait of Georgia back to the south side of the Englishman River, including islands and portions of the mainland. There is regional overlap of shared territory with Sliammon, Homalco, Snaw-Naw-As, Cape Mudge, Campbell River, Qualicum, and Kwiakah First Nations. The City of Courtenay is located in an area where K'ómoks First Nation, Wei Wai Kum First Nation, Wei Wai Kai First Nation, Kwiakah First Nation, and Homalco First Nation territories overlap. The City of Courtenay is located within the core territory of K'ómoks First Nation, and also within the overlapping territories of Wei Wai Kum First Nation, Wei Wai Kai First Nation, Kwiakah First Nation, and Homalco First Nation.

Today the Comox Valley is home to more than 66,000 residents and encompasses the Village of Cumberland, the Town of Comox, and the CVRD's electoral areas of Baynes Sound (Electoral Area A), Lazo North (Electoral Area B), and Puntledge-Black Creek (Electoral Area C) – as well as the City of Courtenay (population approximately 26,000). Its neighbours include the K'ómoks First Nation. A number of significant provincial parks and lands within the Agricultural Land Reserve are located within the region. The Comox Valley is connected to the broader Vancouver Island and Mainland through a network of highways, ferry lines, and flights from the Comox Valley Airport.

Alignment with the Regional Growth Strategy

The CVRD adopted the current RGS in 2010. It provides a framework for future land use, and sets basic direction for planning, policies, and action for all member municipalities, including Courtenay. The vision for the region is as follows:

The Comox Valley will continue to evolve as a region of distinct, well-connected and well-designed urban and rural communities. As stewards of the environment, local governments, the K'ómoks First Nation, public agencies, residents, business, and community and non-governmental organizations will work collaboratively to conserve and enhance land, water, and energy resources, and ensure a vibrant local economy and productive working landscape.

Within the RGS, Courtenay is identified as the major urban centre that should provide for a wide diversity of housing and employment opportunities, and the highest regional densities, now and in the future. **A number of the region's growth management principles are directly relevant to Courtenay's OCP and are stated here as OCP principles of growth management as well:**

- Protect key natural and ecological features throughout the Comox Valley.
- Take actions to address public health and environmental issues as they are identified and, where possible, before they arise.
- Recognize the distinctiveness of existing communities and ensure the needs of both urban and rural areas are met.
- Recognize that the K'ómoks First Nation is in the process of land settlement negotiations and that there should be ongoing collaboration and cooperation between the local governments and the K'ómoks First Nation.
- Promote the efficient use of land, provide greater transportation choices, reduce public servicing costs, and achieve environmental benefits through compact growth.
- Ensure the efficient use and financial viability of existing and planned investment in public infrastructure.

Attachment No. 2 – Comox Valley Regional District referral response (Pg 9 of 24)

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- Promote *intensification*, compact growth and supportive public transit services throughout designated Municipal Areas as the primary means of accommodating population and employment growth.
- Promote and support the overall economic viability of the designated Municipal Areas so that they can continue to provide primary base for residential, commercial, and institutional activities.

The regional principles complement the interrelated OCP growth management related goals of valuing land as precious, functional transportation choices, housing choices for all, strong neighbourhoods, and a city for everyone.

This OCP aligns with the RGS vision and growth management policies. Courtenay's strategy for managing future growth is to strengthen several existing neighbourhood nodes and corridors across the city through *intensification* of a variety of land uses, increasing investment in active and transit modes of transportation and creation of vibrant urban spaces. This in turn will reduce development pressure outside of Courtenay's boundary or the need to annex lands from the electoral areas into Courtenay jurisdiction.

Appendix – Regional Context Statement, contains more detailed comparison of the relevant policies in these documents. More detailed thematic policies to achieve all OCP goals are provided in Part C of this Plan.

Part 5 of the RGS addresses implementation measures, monitoring, and amendment procedures. The OCP establishes principles and policies to be followed by Courtenay City Council in the implementation of both the OCP and the RGS to ensure all subsequent local government bylaws, works, and services undertaken by both the CVRD and the City are consistent with both the OCP and RGS. Review and amendment of the OCP will occur on an as-required basis according to the relevant sections of the *Local Government Act*.

Appendix B Page 4 of 13

A photograph of a kayaker in a blue and orange kayak navigating white-water rapids in a river. The river is surrounded by dense green forest. The kayaker is wearing a yellow helmet and a life jacket. The water is turbulent with white foam. The background is a steep, forested bank. The foreground is slightly blurred with green leaves, suggesting the photo was taken from a nearby bank.

**APPENDIX 3 –
REGIONAL CONTEXT
STATEMENT POLICY
ANALYSIS TABLES**

Attachment No. 2 – Comox Valley Regional District referral response (Pg 11 of 24)

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Table APX-2 Alignment with CVRD Regional Growth Strategy Growth Management Policies

<i>Related RGS Growth Management Policies</i>	<i>OCP Growth Management and Land Use Policies</i>
<p>Development within Core Settlement Areas</p> <p>Municipal Areas are a type of Core Settlement Area defined by the boundaries of the City of Courtenay, Town of Comox, and Village of Cumberland. A minimum of 90 percent of the growth within the Comox Valley will be directed to Core Settlement Areas, in order to promote the efficient use of land and public infrastructure, provide densities supportive of alternative transportation choices, and achieve environmental benefits resulting from compact growth.</p> <p>Additionally, directing growth to Core Settlement Areas will limit sprawl and curtail urban encroachment into Rural Areas, working landscapes, and natural areas.</p>	<p>The strategy for managing Courtenay's growth is to build upon, strengthen, and connect existing successful nodes and corridors within existing neighbourhoods across the city by guiding the majority of future growth toward a series of identified distinct and connected higher-density mixed-use areas and corridors along frequent transit network.</p> <p>Future growth is focused within existing Courtenay boundaries. The large majority of future residential and commercial growth is focused in Town Centres/Corridors and Neighbourhood Centres to support compact growth, prevent urban encroachment on natural and rural areas, optimize infrastructure efficiency, and enable an increasing proportion of residents to meet their daily needs by walking, cycling, and transit.</p> <p>Outside of Town Centres and Neighbourhood Centres, modest growth is permitted to further support compact growth and improve housing choices for a greater diversity of residents.</p>

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<i>Related RGS Growth Management Policies</i>	<i>OCP Growth Management and Land Use Policies</i>
<p>Town Centres</p> <p>Town Centres are to be identified within all Core Settlement Areas. These areas are to be developed as walkable and complete communities, providing for the broadest range of housing, employment, and commercial uses.</p> <p>Town Centres should support transit-oriented development through the establishment of minimum densities, in the range of 100–150 combined residents and jobs per hectare with a reduced minimum of 75 combined residents and jobs per hectare for ground-oriented housing, within OCPs.</p>	<p>Town Centre & Urban Corridor designations are established within the OCP as the areas of the Downtown, Lower Ryan Centre, Upper Ryan Centre, and Cliffe Avenue Corridor. Land uses in these areas include higher-density residential and diverse commercial uses, including the tallest residential buildings in the city. With projected future growth, the densities in these areas will meet, exceed, or move toward the target densities of 100–150 residents and jobs per hectare, building on existing densities of homes and jobs.</p> <p>Neighbourhood Centres are also established within the OCP. They will include lower densities and range of uses than the Town Centres, but will form an important function in the growth framework of a series of connected neighbourhood hubs.</p> <p>Other land use and transportation policies, as well as development permit area guidelines prioritize walking, cycling, and transit use by: improving the quality of the pedestrian realm; and providing safe and efficient access to cycling infrastructure and amenities, and transit service.</p>
<p>Identification of Settlement Expansion Areas within OCPs</p> <p>Settlement Expansion Areas shall be identified within the official community plan of the Municipal Area intending to incorporate it. Such official community plans shall contain policies for Settlement Expansion Areas consistent with specific policies contained in the RGS pertaining to servicing and requirement of local area plans.</p>	<p>The OCP does not identify any Settlement Expansion Areas to be included into the City within the 10-year horizon of this plan. The growth strategy is to first intensify uses within the existing Town Centres and Corridor, Neighbourhood Centres, and wider urban residential areas rather than expanding Courtenay's boundaries.</p>

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Table APX-3 Alignment with CVRD Regional Growth Strategy Policy Areas

Wherever numbers are listed next to OCP objectives, the numbers refer to the objective number in the thematic chapter.

RGS Policy Goals by Policy Area	OCP Policy Objectives by Policy Area
<p>Housing</p> <p>Ensure a diversity of housing options to meet evolving demographics and needs.</p>	<p>One of the OCP goals is Housing Choices for All. This topic is addressed primarily within the <i>Affordable Housing</i> policy chapter. Stated policies are designed to encourage and support the development of a wide range of housing options. Particular attention is given to increasing <i>affordable housing</i> supply that appropriately responds to the regional Housing Needs Assessment within the context of a changing, and aging, population. The City continues to collect, monitor, and analyze local housing trends and take necessary actions in partner with neighbouring jurisdictions and community partners. The objectives for this policy area are:</p> <ol style="list-style-type: none"> 1. A variety of housing options are permitted and positively integrated in all neighbourhoods 2. No net loss of rental housing 3. New non-market housing is actively pursued and supported 4. Incentives are in place to create below-market housing 5. Partnership approaches are in place to deliver and manage non- or below-market housing 6. Development application approval processes are streamlined, transparent, and easy to understand

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RGS Policy Goals by Policy Area	OCP Policy Objectives by Policy Area
<p>Ecosystems, Natural Areas and Parks</p> <p>Protect, steward, and enhance the natural environment and ecological connections and systems.</p>	<p>One of the OCP goals is More Space for and Time in Nature. This topic is addressed across a number of OCP chapters including the Natural Environment chapter, Parks and Recreation chapter, <i>green infrastructure</i> approaches within the Municipal Infrastructure and Streets and Transportation chapters, as well as the Environment Development Permit Area guidelines. These chapters include a range of policies that respond to protecting remaining critical habitat, stewarding <i>ecological assets</i> across public and private lands, restoring ecosystems and connectivity corridors, valuing <i>ecological assets</i>, and investing in <i>green infrastructure</i> to provide public services. Select policy objectives that meet these goals include:</p> <p>Natural Environment chapter:</p> <ol style="list-style-type: none"> 1. Remaining sensitive ecosystems are protected; lost or degraded sensitive ecosystems are restored 2. The K'ómoks Estuary is 'kept living' (Q'waq'wala7owkw) and environmental, Indigenous, subsistence and recreational values are protected and restored 3. Courtenay's air, water, and soil are clean 4. The urban forest is healthy and growing towards a 34-40% canopy cover target 5. Development practices meet ecosystem health and site adaptive design objectives 6. Information and opportunities are in place for the wider community to play an active role in the protection, restoration, and stewardship of the natural environment <p>Parks and Recreation chapter:</p> <ol style="list-style-type: none"> 1. Parkland in the form of natural areas, open spaces, and outdoor recreation is of sufficient amounts, is well-connected, equitably distributed, and is of high quality to enhance livability throughout the city. 5. Partnerships are in place to achieve parks and recreation objectives. <p>Municipal Infrastructure chapter:</p> <ol style="list-style-type: none"> 3. Natural and engineered forms of <i>green infrastructure</i> are integrated to manage rainwater resources, protect water and air quality, maintain ecosystem function, provide flood control, and address and adapt to climate impacts. <p>Streets and Transportation chapter:</p> <ol style="list-style-type: none"> 4. Excess existing road space is repurposed to support public life, active travel, and <i>green infrastructure</i>

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RGS Policy Goals by Policy Area	OCP Policy Objectives by Policy Area
<p>Local Economic Development</p> <p>Achieve a sustainable, resilient, and dynamic local economy that supports Comox Valley businesses and the region’s entrepreneurial spirit.</p>	<p>One of the OCP goals is Economic Success Emerges from Community Values and Place. This topic is addressed primarily by the OCP Growth Management policies and Land Use designations which support the land use employment opportunities within Town Centres and other employment lands throughout the City.</p> <p>The Local Economy chapter includes more specific policies that recognize the City’s primary role in local economic development is to create the physical conditions for high quality of life and economic success through responsible management of public assets and sustainable levels of high-quality service delivery. The chapter also recognizes the importance of supporting key sectors within the local economy such as low-carbon construction and building retrofitting industry and value-added, community-based businesses such as arts and culture, local food processing, specialty forest products, and other value-added product manufacturing. The specific objectives for this policy area are:</p> <ol style="list-style-type: none"> 1. Business retention, development, and investment are increasingly green, low carbon, climate resilient, and equity-responsive. 2. Local economic development opportunities are regionally coordinated. 3. Municipal regulations and services are supportive of economic development within the overall long-term vision of environmental and social responsibility. 4. People are at the heart of local economic development and are able to access adequate supports to participate in the economy.

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RGS Policy Goals by Policy Area	OCP Policy Objectives by Policy Area
<p>Transportation</p> <p>Develop an accessible, efficient and affordable <i>multi-modal transportation network</i> that connects Core Settlement Areas and designated Town Centres, and links the Comox Valley to neighbouring communities and regions.</p>	<p>One of the OCP goals is Functional Transportation Choices. This topic is also addressed primarily by the OCP Growth Management policies and Land Use designations which support the compact, mixed-use, complete community type of growth management policies identified in the RGS. The growth modelling exercise explicitly evaluated the ideal locations for new <i>infill</i> development to support transit supportive densities, maximize '10-minute' walking neighbourhoods, and acknowledges transportation as the most significant contributor to local GHG emissions.</p> <p>The Streets and Transportation chapter includes more specific policies to reduce dependency on automobiles, boost active mobility and transit use, regard streets as first and foremost places for people, reduce the amount of land dedicated to parking, and provide charging infrastructure to support the mainstreaming of electric vehicles. The specific objectives for this policy area are:</p> <ol style="list-style-type: none"> 1. 30% of trips are by walking, cycling, and transit by 2030. 2. Transportation investments prioritize walking, cycling, and transit. 3. Street standards include attention to safety, accessibility, and comfort at the pedestrian scale. 4. Excess existing road space is repurposed to support public life, active travel, and <i>green infrastructure</i>. 5. Zero emissions, electrified transportation is supported and increasingly the norm. 6. The amount of land dedicated to parking is minimized. 7. Parking standards reflect electric vehicle and cycling needs. 8. New development integrates <i>multi-modal transportation network</i> planning into site design. 9. Educational programs to support transit use, walking, cycling, and car sharing are widely available. 10. Opportunities for innovation in transportation are explored. 11. The City shows corporate leadership in the City's fleet and on City properties. <p>Parks and greenways will also form an important part of the active transportation network as is identified as an objective in the Parks and Recreation chapter.</p>

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RGS Policy Goals by Policy Area	OCP Policy Objectives by Policy Area
<p>Infrastructure</p> <p>Provide affordable, effective, and efficient services and infrastructure that conserves the land, water, and energy resources.</p>	<p>The topic of sustainable service delivery is addressed principally through the Growth Management policies and Land Use designations which affirm that compact and contained community growth is responsible fiscal municipal Asset Management practice. The OCP chapter on Municipal Infrastructure contains a number of specific policies to direct the investment and renewal of municipal infrastructure services that achieve multiple community objectives.</p> <p>Additionally, the topic of low carbon, energy and water efficient buildings and landscape are addressed in the Buildings and Landscape chapter. Related policies ensure energy and water conservation will be designed into new developments and that the City will exemplify leadership in its facilities as a source of public awareness and technical demonstration. The specific objectives for these policy areas are:</p> <p>Municipal Infrastructure:</p> <ol style="list-style-type: none"> 1. Infrastructure and services are resilient to risks and impacts of climate change. 2. Infrastructure investments are guided by a multiple bottom line decision-making approach: this means energy efficient, fiscally responsible, equitably distributed, sustainable levels of service that protect public health, safety, and the environment. 3. Natural and engineered forms of <i>green infrastructure</i> are integrated to manage rainwater resources, protect water and air quality, maintain ecosystem function, provide flood control, and address and adapt to climate impacts. 4. Solid waste, potable water, sanitary sewer and rain and stormwater infrastructure life-cycle costs are minimized by increasing conservation actions and reducing the need to develop new infrastructure capacity. 5. Third party utility providers such as energy and communications utilities are low-carbon and reliable. <p>Buildings and Landscape:</p> <ol style="list-style-type: none"> 1. Existing buildings are upgraded for high energy and water efficiency, net-zero emissions, and renewable energy production. 2. New buildings are highly energy and water efficient, perform at netzero emissions standard and produce renewable energy. 3. Living landscape elements are incorporated for water, energy, and biodiversity purposes. 4. The designs of new buildings complement neighbourhood character. 5. Innovation in building performance, accessibility, and construction waste diversion is encouraged. 6. Municipal buildings and site design demonstrate leadership in building performance, accessibility, and design.

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RGS Policy Goals by Policy Area	OCP Policy Objectives by Policy Area
<p>Food Systems</p> <p>Support and enhance the agricultural and aquaculture sectors and increase local <i>food security</i>.</p>	<p>The OCP contains a chapter on Food Systems which is a new addition to Courtenay's focus policy areas. This addition has been included to recognize the important land use considerations of a viable local food system. Policies are designed to support more food production, education, and promotion throughout the city and surrounding lands in order to contribute to regional <i>food security</i> and as an economic development opportunity. The K'ómoks Estuary is also acknowledged as an important subsistence and aquaculture resource for the K'ómoks First Nation.</p> <p>Most significantly, however, is the emphasis on delaying Courtenay boundary extensions through the Growth Management policies. This will reduce pressure on surrounding rural and agricultural lands for urban development. The specific objectives for this policy area are:</p> <p>Food Systems chapter:</p> <ol style="list-style-type: none"> 1. All residents have access to affordable, healthy, culturally appropriate, and local food outlets within walking distance, including food access services and programs when needed 2. All residents have access to food growing opportunities within walking distance. 3. Lands supporting traditional foods are protected and traditional practices are celebrated. 4. Agricultural lands are protected and are compatible with urban uses. 5. Food processing, warehousing, and distribution activities are permitted in urban areas of Courtenay. 6. <i>Food security</i> actions are regionally coordinated. <p>Natural Environment chapter:</p> <ol style="list-style-type: none"> 2. The K'ómoks Estuary is 'kept living' (Q'waq'wala7owkw) and environmental, indigenous, subsistence, and recreational values are protected and restored.

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RGS Policy Goals by Policy Area	OCP Policy Objectives by Policy Area
<p>Public Health and Safety</p> <p>Support a high quality of life through the protection and enhancement of community health, safety, and well-being.</p>	<p>Community well-being is a cardinal direction of the OCP which recognizes the Social Determinants of Health as a guiding and systemic framework for understanding individual and public health outcomes and intervention approaches. As such, the topic of public health and safety is embedded throughout all of the OCP policy chapters by ensuring safe air, water and soil quality standards, promoting safe and convenient active transportation opportunities to support active lifestyles, ensuring adequate access to high-quality outdoor and indoor open spaces and recreational amenities for physical and mental health, promoting access to food growing opportunities and food programs, and ensuring adequate <i>affordable housing</i> for all residents.</p> <p>Equity is another cardinal direction of the OCP in recognition that some traditional planning practices have resulted in policies, programs, and regulations that disproportionately impact and stymie the progress of some groups of people, thereby affecting their health, safety, and well-being. Therefore, the OCP strives to ensure that equity considerations are embedded in all municipal regulations and service delivery.</p> <p>The chapter on Social Infrastructure addresses most specifically equity-priority considerations and needs within Courtenay with supportive policies and the following objectives:</p> <ol style="list-style-type: none"> 1. All Courtenay residents experience equitable access to services. 2. Coordinated, inclusionary, and systems-based responses are in place to address evolving complex social issues. 3. Physical spaces are designed with the needs for social connection and accessibility in mind. 4. Neighbourhood and community development-based organizing are leveraged as a source of community capacity and resilience.
<p>Climate Change</p> <p>Minimize regional greenhouse gas emissions and plan for adaptation.</p>	<p>With the Courtenay City Council declaration of a Climate Crisis in 2019, the OCP was directed to consider climate change mitigation and adaptation at all stages of its development. A net-zero GHG target by 2050 was later adopted to guide the policy proposals. Therefore GHG modelling and policies to achieve net-zero has been considered in all policies that either directly or indirectly influence Courtenay's community-wide emissions. Climate adaptation is another critical consideration of the OCP, although one that will require further detailed work to standardize climate adaptation measures into all City services, infrastructure, and emergency responses.</p> <p>Given that climate lens is fundamentally embedded into the OCP, objectives, and policies that advance climate action and prepare for climate change are considered and included in all the policy areas identified above.</p>

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File: 6500-30/Courtenay OCP Review

April 5, 2022

Sent via email only: tsetta@courtenay.ca

Tatsuyuki Setta
Manager of Community and Sustainability Planning
The Corporation of the City of Courtenay
830 Cliffe Avenue
Courtenay BC V9N 2J7

Dear Mr. Setta:

Re: City of Courtenay Official Community Plan Referral to Comox Valley Regional District

Thank you for the opportunity to review and provide comments on City of Courtenay's draft Official Community Plan (OCP). This referral was circulated to internal departments for comments, and any comments received are summarized below.

Planning Services

Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010" (RGS), was prepared in a partnership between the Comox Valley Regional District (CVRD), City of Courtenay, Town of Comox and Village of Cumberland. The RGS contains eight policy areas and growth management policies for different land designations. The City of Courtenay (the City) is designated within Municipal Areas, where the majority of growth should occur as these areas have services and infrastructure to support densification and intensification of development.

The linkage between RGS and municipal OCPs is through regional context statements within member municipal OCPs in accordance to Section 446 of *Local Government Act* (RSBC, 2015, c. 1). Section 447 outlines the required content of the regional context statements, such as the identification of the relationship between the OCP and matters covered in the RGS, and that the regional context statement must be consistent with the rest of the OCP.

City of Courtenay's draft OCP contains a Regional Context Statement section in the body, and a detailed analysis between RGS policies and OCP growth management and land use policies in Section APPXxxi. The Regional Context Statement lists the OCP principles that are directly relevant to RGS growth management policies, and states that the OCP aligns with the RGS vision and growth management policies. Courtenay's strategy is to strengthen existing neighbourhood nodes and corridors through intensifying various land uses, increasing investment in active and transit, and creating vibrant urban spaces.

In Section APPXxxi, the analysis between RGS policies and OCP land use policies demonstrates that the OCP policies are in alignment with the overall RGS eight policy areas and growth management policies.

With respect to the Arden Road Local Area Plan, which is part of the draft OCP, it is acknowledged that some of the parcels are currently in Electoral Area C, and are designated within Settlement Expansion Areas

(SEAs) by the RGS. The intent of this designation is for Municipal Areas, such as the City of Courtenay, to expand its boundary to include these areas.

MG Policy 1E-3 to MG Policy 1E-5 of the RGS contains boundary expansion policies between the CVRD and member municipalities in terms of water and sewer extensions, public health and environmental issues, and new development. It is noted that the draft OCP states that it does not identify any SEAs to be included into the City within the 10-year horizon of this plan. Nevertheless, if and when the City does decide to expand its boundary to lands designated within SEAs, the aforementioned RGS policies would apply.

Agricultural Policies

The Food Systems section and Development Permit Area No. 3 (Farm Protection) appear to be consistent with the RGS. Policy FS22 has an intention to create a “regional food security strategy,” which is mentioned in RGS Policy 6E-1, “Support the development of a coordinated regional food security strategy. This would include a review of existing policies and agricultural opportunities such as urban gardening, community orchards and community supported agriculture programs.”

It is recognized and appreciated that the City is striving to be consistent with the RGS objectives and policies concerning Food Systems. The proposed Farm Protection Development Permit Area will help implement the RGS policies under Objective 6-A, “Protect land for existing and future agriculture and associated activities and allow for the growth and expansion of such activities.” The CVRD looks forward to future collaboration on regional agricultural and food related initiatives.

Fire Services

CVRD is actively promoting FireSmart. The City is encouraged to implement FireSmart best practices in all of their new developments. This would include using non-combustible building materials and only planting vegetation that is non-combustible. Additional information can be found on FireSmartBC’s web site.

Comox Valley Emergency Program

The Comox Valley Emergency Program would like to ensure that they will be engaged in the high-level risk assessment to determine potential risks to Courtenay’s infrastructure and identify priority areas for adaptation interventions (Policy MI 1 on page 139).

Community Parks

The CVRD would like to be engaged as a key player when the City of Courtenay is creating a Biodiversity and Green Infrastructure Network Strategy, as listed as Action Item 10 in Appendix Xiii. Additionally, the City should consider the inclusion of a reference to working with regional partners on the development of a regional parks service. The potential for service establishment is being brought forward to the CVRD Board at the end of April 2022. This type of service could help the City achieve some of its park, greenway and conservation goals.

There are two land use comments:

1. Seal Bay Nature Park Extension

There is an opportunity to extend Seal Bay Nature Park into Courtenay’s northern corner and the forested lands northwest of Veterans Memorial Parkway. While these lands are currently set aside for future growth in the plan, they have high recreation and conservation value, particularly in combination with Seal Bay

Nature Park. Further, future growth will be challenging in these areas given that they are largely within the Agricultural Land Reserve.

2. Greenways

Connections between the greenways proposed in the draft OCP and existing and planned regional greenways are very good. However, it might be worth extending greenways within the City directly to all schools. Queneesh Elementary, in particular, could probably benefit from a stronger connection to the network, though all schools would benefit from these connections. Where these connections are not possible, sidewalk connections are an important alternative for all schools (e.g., GP Vanier Secondary). Safe connections will benefit students and local residents who access school grounds in evenings and on weekends.

Comox Valley Transit

There is a big focus on transportation, as it relates to climate action and public transit is a key part of this. The policies and objectives generally appear to support and prioritize transit and the City's targets (e.g., for greenhouse gas emissions) are going to require significant investment and collaboration.

In addition, the City may find it helpful to review the Comox Valley Mobility Primer completed last year. There are numerous recommendations in the primer with regards to sustainable and emerging transportation modes and how member municipalities can help achieve their goals around equity/ social inclusion, health and wellbeing, and climate action.

Comox Strathcona Waste Management Services

Comox Strathcona Waste Management Services (CSWM) staff provided comments on OCP objectives related to solid waste management, specifically Objectives MI2 and MI4 (Appendix A). Generally, their comments suggest means to achieve the stated targets of 90 per cent reduction of solid waste and net zero greenhouse gas emissions. Additionally, collected waste data from Comox Valley Waste Management Centre is provided to indicate which industry sectors should be targeted to increase their recycling and waste diversion efforts. Please refer to Appendix A for detailed comments.

If you have any questions related to this referral response, please contact Brian Chow, Planner II, at 250-334-6017 or bchow@comoxvalleyrd.ca. Thank you.

Sincerely,

T. Trieu

Ton Trieu, RPP, MCIP
Manager of Planning Services

/bc

Enclosure: Appendix A – CSWM Comments

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Appendix A

Comox Strathcona Solid Waste Management Staff Comments on Courtenay’s Draft Official Community Plan

The Official Community Plan process provides the City of Courtenay with an opportunity to move in a direction to significantly reduce the waste generated in their community, and to achieve their stated targets of 90 per cent reduction of solid waste and net zero greenhouse gas (GHG) emissions; however, it falls short on details and actions to achieve these stated goals.

To strengthen the ability for staff to create supporting policies, bylaws and increase dedicated resources to achieve these waste and GHG reduction goals, we suggest the following be considered for inclusion under Municipal Infrastructure.

Objective MI2:

- Continue to set good examples of waste reduction in the City’s procurement practices, especially as it relates to replacement or renovation of municipal building assets, and waste collection vehicle emissions.
- Incorporate zero waste management and circular economy principles in the development of new buildings, landscapes, and neighbourhoods.

Objective MI4:

- Encourage the adaptive reuse of buildings and building materials through permitting and planning policies to help reduce construction waste generation.
- Facilitate waste diversion in multi-family residential, mixed-use commercial and strata building developments through design specifications for waste, recycling and organics storage amenities and supporting bylaws.

Waste brought to the Comox Valley Waste Management Centre for disposal, destined to consume landfill space and contribute to methane generation that is originating from businesses, residents and curbside collection in Courtenay was approximately 21,435 tonnes in 2021. The estimated breakdown of waste by origin is below:

- 55% Industrial, Commercial, Institutional (ICI) and Multi-Family Bins
- 25% Construction and Demolition Waste
- 19% Curbside Garbage Collected from Residents
- 1% Other

The largest impact that the City of Courtenay can have to support the Comox Strathcona Waste Management (CSWM) service and our Solid Waste Management Plan (SWMP) objectives, is in the implementation of bylaws and policies to support increased recycling and diversion at multi-residential buildings and ICI establishments. These waste origins are where the greatest gains can be made over the next 10 years.

By volume, wood waste is the most significant component of a home demolition project, often overlooked due to its light weight. Deconstruction, rather than traditional demolition can divert 38 per cent more wood waste, according to a Vancouver Economic Commission, and BCIT Sustainable Business Leadership report published July 2020¹. Wasted wood from demolition and

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Appendix A

construction is also the highest contributor to GHG, or embodied carbon, based on the avoidance of new resource use, accounting for 49 per cent of CO₂e of construction and demolition waste².

Supporting deconstruction and house moving policies, as well as onsite sorting of waste streams during construction and demolition will further the goals of the CSWM SWMP, and align with existing material bans for recyclable materials from our regional landfill such as divertible wood waste, clean fill, divertible gypsum, metal and corrugated cardboard.

Looking beyond the successful roll out of the diversion of food waste from single family homes within the City of Courtenay, condos and apartment buildings need to be built to support the space required for proper indoor sorting of solid waste. Residents require a safe, clean, accessible, and adequately sized space where the convenience of participating in diversion programs matches or exceeds the convenience of disposal. This will require active planning in the development phase of new multi-family construction, which has been taken on by municipalities in the lower mainland.

We look forward to working alongside the City of Courtenay to achieve our common waste diversion targets, and GHG emission reductions.

¹The Business Case for Deconstruction, Economic and environmental impacts of a demolition-deconstruction shift in Metro Vancouver, Industry Whitepaper, July 2020. Vancouver Economic Commission, BCIT Sustainable Business Leadership and unbuilders.

²Watching our Waste: Executive Summary, A National Construction Waste Analysis in Canada Using LEED™ Certified Project Data. Light House. March 15, 2021

Attachment No. 3 – Agricultural Land Reserve referral response (Pg 1 of 4)



Agricultural Land Commission
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Tel: 604 660-7000 | Fax: 604 660-7033

July 15, 2022

Reply to the attention of Mike Bandy
ALC Planning Review: 46809

Nancy Gothard, Manager of Community and Sustainability Planning
City of Courtenay
ngotheid@courtenay.ca

Re: City of Courtenay Draft Official Community Plan Referral

Thank you for forwarding a draft copy of the City of Courtenay's (the "City") Official Community Plan (the "Draft OCP") for review and comment by the Agricultural Land Commission (the "Commission" or "ALC").

ALC staff reviewed a previous version of the Draft OCP in March 2022 and provided comments to the City in a letter dated March 15, 2022. The City has now referred the revised Draft OCP to the ALC in accordance with s. 477(3)(b) of the *Local Government Act*.

The following comments are provided to help ensure that the Draft OCP is consistent with the purposes of the *ALC Act* (ALCA), the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the Commission.

Map B-1 Land Use Designations (Page 51)

ALC staff appreciate that all ALR lands within the City are designated as 'Agricultural Land Reserve' in the Bylaw's Land Use Designations map. ALC staff note two areas where multiple land use designations are applied to ALR lands:

Comox Valley Exhibition Grounds (Institutional):

ALC staff recognize the longstanding non-farm use of the Comox Valley Exhibition Grounds lands, which has been supported by the Commission through several ALC applications. ALC staff have no objection to the 'Institutional' designation of these lands.

Block 71 and District Lot 185 (Future Growth):

In the ALC's March 15, 2022 letter, ALC staff identified concerns and requested clarification from the City regarding the 'Future Growth' land use designation applied to ALR lands within PID 029-568-005 ("Block 71") and PID 027-206-874 ("DL 185").

Through discussions with City staff and as explained in the City's June 2, 2022 referral letter, ALC staff understand that the purpose of this designation was to maintain the

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ALC File: 46809

potential for future development of the lands in accordance with ALC Resolution #3/2004 (the “Decision”) which conditionally approved exclusion of a portion of these lands from the ALR. The City has retained this designation in the revised Draft OCP, but clarified in the ‘Future Growth’ land use policies that *“In the north east Courtenay Block 71 area, only support future growth in accordance with existing Agricultural Land Reserve exclusion permissions”* (Page 80).

ALC staff note that ALC Resolution #3/2004 was granted for a specific development proposal and subject to several conditions, specifically including agricultural development of lands near Black Creek (or sale to a farm operation) within three years of the approval (Condition ‘A’). ALC staff have no record of this condition (nor any of the conditions) being completed, and as such, ALC staff are of the understanding at this time that the approval has expired and is no longer valid. The lands remain within the ALR and subject to the ALCA and ALR Regulations, and any future non-farm development of these lands would require approval from the Commission.

With this context, it is likely inappropriate to designate these lands as ‘Future Growth,’ particularly if the City’s support for this designation is contingent on a historical ALC approval for a specific development that is no longer valid.

To avoid misleading the reader and potentially discouraging agricultural investment on these lands, ALC staff’s preferred approach would be for the City to remove the ‘Future Growth’ designation from the ALR lands within Block 71 and DL 185, and remove Policy 4 from the ‘Future Growth’ section of the Draft Bylaw (Page 80). Any future development of these lands could then be addressed through application to the ALC, and if approved, a subsequent OCP amendment that reflects the intended development.

Alternately, if the City wishes to retain the ‘Future Growth’ designation of the ALR lands within Block 71 and DL 185, ALC staff suggest that the City pursue one of the following options to ensure the Draft OCP remains consistent with the ALCA:

- a. Seek to confirm that ALC Resolution #3/2004 is still valid by providing documentation that the landowner of Block 71 & DL 185 has completed condition ‘A’ of ALC Resolution #3/2004 within the timeframe provided in the Decision, and provide confirmation that the landowner intends to pursue the development of the lands as approved by the Decision;
- b. Submit a formal request for the Commission to endorse the ‘Future Growth’ designation of the lands through a review of the Draft OCP by the ALC Executive Committee (the [ALC Bylaw Review Guide](#) has more information on this process); or,
- c. Apply under [s. 29\(1\)\(b\) of the ALCA](#) to seek Commission approval to exclude the ALR lands within Block 71 and DL 185 from the ALR.

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Options B and C would provide the Commissioners (the legislated decision makers) an opportunity to consider the issues raised by the City and make a determination in the context of the ALC's mandate. Please contact the undersigned if you wish to discuss the process for these options.

Additional Comments

Agricultural (Page 80)

As 'Agricultural' and 'Agricultural Land Reserve' are two distinct designations in the Land Use Designations map, ALC staff suggest that this heading be revised to 'Agricultural and Agricultural Land Reserve' to avoid any confusion as to which designations the policies apply to.

ALC staff suggest a minor change to Policy 2 to reflect the 2019 split of the ALR Use Regulation and ALR General Regulation:

"Uses within the Agricultural Land Reserve are subject to the Agricultural Land Commission Act (ALCA) and ~~Regulation~~ its regulations."

Development Permit Area Designations (Page 200)

ALC staff note and appreciate the Draft OCP's recognition that normal farm practices in accordance with the *Farm Practices Protection (Right to Farm) Act* do not require a Development Permit.

Additionally, ALC staff are pleased to see the inclusion of a Farm Protection Development Permit Area in the Draft OCP. The City may wish to refer to the Ministry of Agriculture and Food [Guide to Edge Planning](#) for guidance on urban-side buffering, setbacks, etc., or may wish to work directly with affected agricultural operators to develop appropriate site-specific measures.

Parks and Greenways Map (Page 256)

This map shows several proposed greenways located within the City's ALR lands. ALC staff recognize that the map is conceptual, but note for the City's reference that construction of trails within the ALR requires approval of the Commission by way of a Transportation & Utility Corridor Use application.

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions

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cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any decisions of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3276 or by e-mail (ALC.Referrals@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Mike Bandy, Regional Planner

CC: Ministry of Agriculture – Attention: Reed Bailey (reed.bailey@gov.bc.ca)

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