



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 6480-20-2401

From: Director of Development Services

Date: June 26, 2024

Subject: Official Community Plan Amendment Bylaw No. 3141 – Third Reading

PURPOSE:

For Council to consider third reading of *City of Courtenay Official Community Plan Amendment Bylaw No. 3141, 2024* (the Bylaw) to designate municipally owned land as *Urban Corridor*.

BACKGROUND:

At Council's regular meeting on May 22, 2024, Council passed the following resolution:

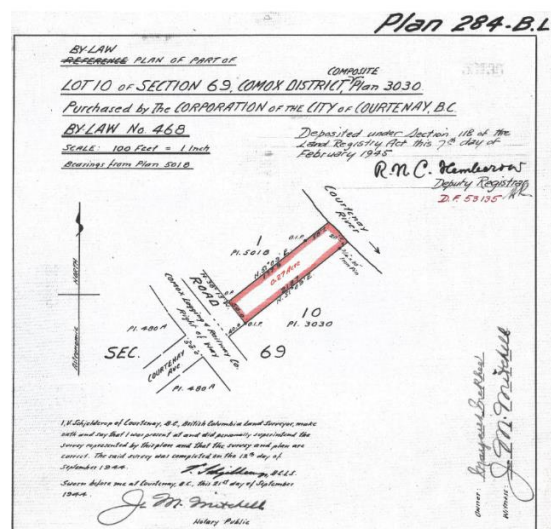
THAT Council give first and second readings to "OCP Amendment Bylaw No. 3141", and THAT Council direct staff to set a public hearing date for June 19, 2024 at 4:00 pm at the CVRD Civic Room 770 Harmston Ave Courtenay, BC; and THAT Council direct staff to provide notice as per section 466 of the Local Government Act, section 94 of the Community Charter and City of Courtenay Development Procedures Bylaw No. 3106, 2023 THAT Council under section 475 Local Government Act, Council will provide opportunities it considers appropriate for consultation with persons it considers will be affected, including the CVRD, Comox/Cumberland, First Nations, and the province/provincial agencies. As well, under section 476 Local Government Act, Council will consult the school board.

The Bylaw only applies to municipally owned land. The parcel of land in the Bylaw is outlined in red in Figure 1 below, and it is legally described as:

PID: 006-318-657

THAT PART OF LOT 10, SECTION 69, COMOX DISTRICT, PLAN 3030, TAKEN FOR ROAD PURPOSES AND CONTAINING .27 OF AN ACRE MORE OR LESS, SHOWN IN RED ON PLAN 284 BL

Figure 1 Land Purchased by City of Courtenay and deposited under Land Registry Act Section 118



DISCUSSION:

OCP Amendment Bylaw No. 3141 seeks to amend the OCP to designate this parcel of land owned by the City of Courtenay as *Urban Corridor*. The parcel of land does not currently have a designation in the OCP because it has historically been treated interchangeably as highway or statutory right of way.

FINANCIAL IMPLICATIONS:

There is no direct financial implication related to this bylaw.

ADMINISTRATIVE IMPLICATIONS:

The drafting of *OCP Amendment Bylaw No. 3141* falls within the Planning Division’s regular work program. Staff time spent on accompanying reports and reviews are captured as part of the normal scope of work for the Development Services Department.

PUBLIC ENGAGEMENT:

As required by section 464 and section 466 of the *Local Government Act*, a public hearing was held on June 19, 2024 that allowed the public to make representations to Council.

To alert the public and in accordance with the *Local Government Act*, *Community Charter* and *City of Courtenay Development Procedures Bylaw No.3106, 2023*, notification was posted on the City’s website and social media and an advertisement was placed in two consecutive newspapers with a mailout being delivered to 20 owners and tenants within a 100-metre radius of the subject property.

Two (2) community members (the owners of a property on Beckensell Avenue just south of the subject property) attended the public hearing and chose to exercise their opportunity to address council. Their overall input was in opposition to the proposed land use change and largely mirrored their written comments submitted to Council (**Attachment No. 3**).

As a requirement of sections 475 and 476 of the *Local Government Act*, opportunity for consultation was also provided persons Council considered will be affected by the bylaw, including the CVRD, Comox/Cumberland, K’ómoks First Nation, province/provincial agencies and the school board.

Three organizations responded to the opportunity for consultation; the Comox Valley Regional District, Island Health and the Ministry of Water, Lands, and Resource Stewardship. All three organizations were in support or did not object to the proposed bylaw amendment (**Attachment No. 4**).

OPTIONS:

1. *THAT Council give third reading to “OCP Amendment Bylaw No. 3141”.*
2. *THAT Council Council defer and request additional information from staff for “OCP Amendment Bylaw No. 3141”.*
3. *THAT Council not proceed with the application for “OCP Amendment Bylaw No. 3141”*

ATTACHMENTS:

1. *Draft OCP Bylaw Amendment No. 3141*
2. *Staff Report for OCP Bylaw Amendment No. 3141 - May 22, 2024*
3. *June 19, 2024 - Public Hearing Comments*
4. *Consultation comments from affected organizations/agencies*

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