

**CORPORATION OF THE CITY OF COURTENAY  
COUNCIL MEETING AGENDA**

**Date:** November 1, 2021  
**Time:** 4:00 p.m.  
**Location:** CVRD Civic Room, 770 Harmston Ave, Courtenay

*We respectfully acknowledge that the land on which we gather is the  
Unceded traditional territory of the K'ómoks First Nation*

**AMENDED AGENDA**

**K'OMOKS FIRST NATION ACKNOWLEDGEMENT**

|  | <b>Pages</b> |
|--|--------------|
| <b>1. ADOPTION OF MINUTES</b>  |              |
| 1.1. Adopt October 25th, 2021 Regular Council meeting minutes  | 5            |
| <b>2. INTRODUCTION OF LATE ITEMS</b>   |              |
| <b>3. DELEGATIONS</b>  |              |
| <b>4. STAFF REPORTS/PRESENTATIONS</b>  |              |
| 4.1. Recreation, Culture and Community Services  |              |
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| 4.1.2. 2021 Capital Budget Amendment - McPhee Meadows Concept Design<br>Options Analysis   | 21           |
| 4.2. Development Services  |              |
| 4.2.1. Updated Proposal - Zoning Amendment Bylaw No. 3030 - 3040<br>Kilpatrick Avenue  | 29           |
| 4.2.2. Development Variance Permit No. 2104 - 3208 Klanawa Crescent  | 43           |

- 4.3. Engineering Services
  - 4.3.1. Greenwood Trunk Sewer Funding Reallocation 61
    - Presentation by:
      - Eric Sears, Project Engineer, Urban Systems

5. **EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

- 5.1. Notice of Inaugural Comox Valley Regional District (CVRD) Board Meeting November 23rd, 2021 - Director Appointments 81

**Staff Note:** Director Appointments to CVRD Board and Comox Valley Sewage Commission; assigned weighted votes for the Comox Valley Water Committee.

Council to appoint:

- **Four directors and alternate directors** from it Mayor and Council to the **CVRD Board** - Voting strength for City Directors on CVRD Board (City has 18 votes).
- **Three members and at least three alternate members** from its Mayor and Council to the **Comox Valley Sewage Commission.**
- **Assignment of weighted votes** for the **Comox Valley Water Committee.**

The effective date for all appointments is November 23<sup>rd</sup>, 2021.

**Suggested motion:**

*"THAT in response to the correspondence from the Comox Valley Regional District (CVRD) "Notice of Inaugural Board Meeting", that Council make the following City of Courtenay appointments for the period of November 23<sup>rd</sup>, 2021 to November 2022..."*

- 5.2. Tree of Life Cultural Society's Request for a Letter of Support for their Federal Transportation Grant Application 85
- 5.3. Downtown Courtenay Business Improvement Association's (DCBIA) Request for Financial Support for Marketing Campaign during 5th Street Bridge Rehabilitation Project 87

6. **INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

- 6.1. Bylaw Enforcement Update Regarding Homeless Encampments on City Properties 93

**7. REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES**

7.1. Councillor Cole-Hamilton

7.2. Councillor Frisch

7.3. Councillor Hillian

7.4. Councillor McCollum

7.5. Councillor Morin

7.6. Councillor Theos

7.7. Mayor Wells

**8. RESOLUTIONS OF COUNCIL**

8.1. In Camera Meeting

That a Special In-Camera meeting closed to the public will be held November 1<sup>st</sup>, 2021 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (c) labour relations or other employee relations;
- 90 (1) (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

**9. UNFINISHED BUSINESS**

**10. NOTICE OF MOTION**

## 11. NEW BUSINESS

- 11.1. Vancouver Island Regional Library Board (VIRL) 2022 Appointments 113

**Staff Note:** Council to appoint two members to the VIRL Board, one Trustee and one Alternate, for a one year term (January 1 to December 31, 2022).

*(Current assignment of 2021 VIRL Board Appointments: Councillor Theos, Trustee; and, Councillor McCollum, Alternate)*

**Suggested Motion:**

*"THAT Councillor \_\_\_\_\_ be appointed to the Vancouver Island Regional Library (VIRL) Board for a one year term, January 1<sup>st</sup> to December 31<sup>st</sup>, 2022, with Councillor \_\_\_\_\_ appointed as alternate."*

## 12. BYLAWS

- 12.1. For First and Second Reading

- 12.1.1. Zoning Amendment Bylaw No. 3030, 2021 (3040 Kilpatrick Avenue) 115

(A bylaw to amend Zoning Bylaw No. 2500, 2007 to rezone property from Comprehensive Development Twenty-Six Zone (CD-26) to Comprehensive Development Twenty-Six A Zone (CD-26A) to facilitate multi-residential development)

## 13. ADJOURNMENT

**Minutes of a Regular Council Meeting**

**Meeting #:** R20/2021  
**Date:** October 25, 2021  
**Time:** 4:00 pm  
**Location:** CVRD Civic Room, 770 Harmston Avenue and via video/audio conference

**Attending:**

**Mayor:** B. Wells  
**Councillors:** W. Cole-Hamilton  
D. Frisch  
D. Hillian  
M. McCollum  
W. Morin  
M. Theos

**Staff:** Geoff Garbutt, CAO  
C. Davidson, Director of Engineering Services  
J. Nelson, Director of Financial Services, via video/audio conference  
K. O'Connell, Director of Corporate Support Services  
S. Saunders, Director of Recreation, Culture & Communities Services  
R. Matthews, Executive Assistant/Deputy Corporate Officer  
N. Borecky, Manager of Information Systems, via video/audio conference

The Mayor respectfully acknowledged the lands on which the meeting was conducted is the unceded traditional territory of the K'ómoks First Nation.

The Mayor mentioned the recent fire at the Travelodge Courtenay motel on October 22<sup>nd</sup>, 2021, which resulted in the displacement of several supportive housing residents. On behalf of Council, the Mayor thanked staff, first responders, and non-profit organizations for their quick response in assisting those affected.

**1. ADOPTION OF MINUTES**

**1.1 Adopt October 18<sup>th</sup>, 2021 Regular Council meeting minutes (0570-03)**

**Moved By** Cole-Hamilton

**Seconded By** Morin

THAT the October 18<sup>th</sup>, 2021 Regular Council meeting minutes be adopted.

**Carried**

**1.2 Adopt October 19<sup>th</sup>, 2021 Special Council meeting minutes (0570-03)**

**Moved By** Cole-Hamilton

**Seconded By** Morin

THAT the October 19<sup>th</sup>, 2021 Special Council meeting minutes be adopted as amended.

**Carried**

**2. INTRODUCTION OF LATE ITEMS**

**3. DELEGATIONS**

**3.1 Comox Valley Community Arts Council (CVCAC) RE: Annual Update**

Evan Jolicoeur, Vice President, and Dallas Stevenson, Executive Director, Comox Valley Community Arts Council (CVCAC) began their presentation with a video called the “*The state of our arts*”, providing an overview of the state of the local arts community including impacts of the COVID-19 pandemic. The delegation also presented a report by Comox Valley Arts, “*Converge: Cultural Tourism and Marketing in the Comox Valley*”, which highlights the existing marketing tourism landscape in the Comox Valley.

CVCAC asked for Council’s support for a regional cultural strategic plan (including needs assessment), funding for tourism and marketing, and prioritization of arts-based community development.

**Without objection, the delegation was permitted to continue beyond the 10 minute maximum.**

**3.1.1 Comox Valley Arts - 'Converge: Cultural Tourism and Marketing in the Comox Valley' report**

Without objection, the “Comox Valley Arts' 'Converge: Cultural Tourism and Marketing in the Comox Valley' report” was received for information.

**4. STAFF REPORTS/PRESENTATIONS**

**4.1 Engineering Services**

**4.1.1 Ryan Road Sidewalk (Back Road to Sandwich Road) Project Update (5335-20)**

**Moved By** Cole-Hamilton

**Seconded By** Morin

THAT based on the October 25<sup>th</sup>, 2021 staff report "Ryan Road Sidewalk (Back Road to Sandwich Road) Project Update" Council approve OPTION 1 and direct staff to:

1. Advance permitting in 2021, supporting the design of a sidewalk and expanded bus pull-out, based on MoTI's [Ministry of Transportation and Infrastructure] feedback.
2. Pending budget and funding approval, through the 2022-2026 financial planning process, proceed into detailed design and construction in 2022.

**Carried**

**5. EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**6. INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**7. REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES**

**8. RESOLUTIONS OF COUNCIL**

**8.1 In Camera Meeting**

**Moved By** Frisch

**Seconded By** Morin

THAT a Special In-Camera meeting closed to the public will be held October 25<sup>th</sup>, 2021 at the conclusion of the Regular Council Meeting pursuant to the following sub-sections of the *Community Charter*:

- 90 (1) (b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- 90 (1) (c) labour relations or other employee relations;
- 90 (1) (d) the security of the property of the municipality;

- 90 (1) (g) litigation or potential litigation affecting the municipality;
- 90 (2) (b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

**Carried**

**9. UNFINISHED BUSINESS**

**10. NOTICE OF MOTION**

**11. NEW BUSINESS**

**12. BYLAWS**

**13. ADJOURNMENT**

**Moved By** Cole-Hamilton

**Seconded By** Hillian

THAT the meeting now adjourn at 4:52 p.m.

**Carried**

**CERTIFIED CORRECT**

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**Deputy Corporate Officer**

**Adopted this 1<sup>st</sup> day of November, 2021**

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**Mayor**





## STAFF REPORT

**To:** Council

**File No.:**

**From:** Chief Administrative Officer

**Date:** November 1, 2021

**Subject: Recreation Access Pass Eligibility and Regional Pilot of Leisure for Everyone Accessibility Program (LEAP)**

### **PURPOSE:**

The purpose of this report is for Council to approve the use of the Low Income Measure (LIM) as the income eligibility threshold for the Recreation Access Pass as well as a one year pilot of the Leisure for Everyone Accessibility Program (LEAP) for youth residing in all areas of the Comox Valley.

### **POLICY ANALYSIS:**

Council adopted the Recreation Access Policy 8000.00.01 on February 5, 2001 to ensure all residents of the City of Courtenay have access to programs and services provided by Courtenay Recreation to assist in the development of healthy lifestyles regardless of ability to pay.

### **CAO RECOMMENDATIONS:**

1. THAT based on the November 1, 2021 staff report, "Recreation Access Pass Eligibility and Regional Pilot of Leisure for Everyone Accessibility Program (LEAP)," Council approve OPTION 1 and direct staff to change the income eligibility for Courtenay Recreation's Access Pass from the Low Income Cut-off (LICO) to the Low Income Measure (LIM); and,
2. THAT staff implement a one-year pilot of the Leisure for Everyone Accessibility Program (LEAP) in partnership with the Town of Comox, Village of Cumberland, and Comox Valley Regional District (CVRD) to extend financial access recreation benefits to youth regardless of place of residence.

Geoff Garbutt, M.P.I., MCIP, RPP  
Chief Administrative Officer

### **BACKGROUND:**

On January 28, 2019 Council adopted the following resolution:

*THAT the January 28, 2019 Memorandum, "Regional Recreation Pass", be received for information.*

*THAT Council direct staff to prepare a report investigating options and implications of a regional recreation pass pilot program for the Comox Valley.*

As a result of the resolution Courtenay Recreation, in partnership with the Town of Comox, Comox Valley Regional District, and the Village of Cumberland established a joint municipal working group to explore options and implications of a regional recreation access pass. Through regional discussions it was determined that the most practical and impactful place to start was with enhancing and improving access for those who face financial barriers to accessing recreation in the Comox Valley. As such, staff initiated work to explore and implement options for a regional Recreation subsidy program with consistent eligibility requirements to make recreation services more inclusive and accessible between the municipalities.

Regional Recreation departments will continue to work together to identify opportunities for both reducing financial barriers and increasing access to recreation across the Comox Valley, while also identifying the options and implications associated with a pilot regional recreational access pass for all residents.

#### **DISCUSSION:**

##### ***Regional Coordination on Financial Access Passes***

Each local government in the Comox Valley has a distinct financial access program with eligibility limited to its residents. While all local governments were using Statistic Canada's Low-income Cut-off (LICO) rates to determine eligibility, the program subsidies and participant access benefits, as well as application processes are different for each recreation department.

The City of Courtenay's Recreation Access Program was recently updated in March 2020 with the launch of Active Network, Recreation's new registration software. The Recreation Access Program provides annual subsidy amounts and 52 free drop-ins to eligible City of Courtenay residents, as determined by Statistic Canada's Low-income Cut-off (LICO) rates. The Recreation Access Program annual subsidy amounts are allocated based on the age demographic categories of "child", "youth", and "adult." Specified subsidy amounts are applied towards discounts on registered programs and memberships. The 52 free drop-ins provide access to a variety of recreation opportunities such as the LINC Youth Centre, fitness programs, Wellness Centre, and outdoor pool.

An initial and immediate outcome of regional collaboration was a reciprocal agreement between the Comox Valley Regional District (CVRD) and the City of Courtenay to eliminate the requirement for CVRD and Courtenay residents to complete two separate application processes for the respective financial access programs of each Recreation department. Effective January 1, 2021 eligible Courtenay and CVRD residents only need to complete application forms for one Recreation department to receive the financial access benefits of both local governments, thereby reducing administrative barriers for those accessing financial assistance. Each local government made similar reciprocal arrangements with the CVRD for their residents and the residents of the Regional District.

Following the implementation of the reciprocal access agreements, staff began working on the next phase of enhancing access through consideration of combining financial access programs across all four local governments. Each municipality has its own distinct financial program: The Village of Cumberland's FAIR Program, Town of Comox's TRIP, City of Courtenay Recreation Access Pass, and Comox Valley Regional District's PLAY Program.

The proposed next step is creating a regional subsidy program, referred to as Leisure for Everyone Accessibility Program (LEAP). After exploring various scenarios for combining regional financial access benefits, it was determined that starting with a focus on youth would have both the greatest impact and least amount of financial impact to the respective jurisdictions. Historical redemption rates of Courtenay's Recreation Access Program were reviewed, and it was youth (ages 18 and under) who most heavily relied upon the Recreation Access Program. Similar trends of youth accessing financial subsidy for recreation services was also observed in both the CVRD and the Town of Comox (Cumberland just recently launched their program, so no historical data was available).

Staff also recommend that priority be given to youth as their participation in recreation and sport declines considerably after the age of 13. Removing financial barriers which may be impeding youth participation in recreation services will therefore help support youth in their continuation of pursuing healthy activities and lifestyle choices in their adolescent years.

As this reciprocal provision of financial access benefits requires the approval of all four local governments, the joint municipal working group determined that piloting regional financial access for youth would be an appropriate starting point that the local governments would be supportive of for their respective jurisdictions. As such staff are recommending that the 52 free drop-ins to youth eligible for financial assistance be extended to all youth residing in any of the four local government areas, Courtenay, Cumberland, Comox, and the Comox Valley Regional District, regardless of their residential address. Using the Low Income Measure eligibility requirements (as described below) and extending eligibility to youth outside of Courtenay and the CVRD would serve up to an additional 1,335 youth.

***Program Eligibility – Low Income Threshold***

Courtenay Recreation currently uses the Low Income Cut-Off Rates (LICO) to determine income eligibility for the Recreation Access program. LICO rates are determined through a comparison of expenditures for necessities such as housing and food (set in 1992), and income, adjusted annually based on the Consumer Price Index. LICO rates do differentiate between rural and urban areas but do not take into consideration provincial differences in costs of living. They may become less relevant with time as despite being updated based on the Consumer Price Index annually may not reflect changes that occur over time in the average spending on necessities.<sup>1</sup>

Staff are recommending that the City of Courtenay adopt the Low Income Measurement (LIM) rates to determine program eligibility, as it would allow more residents to access financial assistance. LIM rates are a set of thresholds estimated by Statistics Canada that identify residents whose incomes are below half of the population median income adjusted for household size. While LIM does not reflect the different costs of living across the country it also does not require updating using an inflation index as they are calculated using an annual survey of household income.<sup>2</sup>

See Table 1 for a comparison of the two eligibility requirement income rates:

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<sup>1</sup> [Low-income and Immigration: An Overview and Future Directions for Research - Canada.ca](#)

<sup>2</sup> [Low-income and Immigration: An Overview and Future Directions for Research - Canada.ca](#)

*Table 1: Program Eligibility –Low Income Cut-Off Rates versus Low Income Measure Rates*

| # in Household                     | 1        | 2        | 3        | 4        | 5        | 6        | 7 & over |
|------------------------------------|----------|----------|----------|----------|----------|----------|----------|
| <b>Income Under LICO (current)</b> | \$21,687 | \$26,997 | \$33,190 | \$40,298 | \$45,705 | \$51,548 | \$57,392 |
| <b>Income Under LIM (proposed)</b> | \$25,153 | \$35,572 | \$43,566 | \$50,306 | \$56,244 | \$61,612 | \$66,549 |

Switching to using the LIM rates as a determinant of eligibility for the for Recreation Access Pass would allow more people access to recreation services, including those residents recovering from the hardships imposed by COVID-19. Changing to LIM as the income eligibility threshold would result in an additional 1400 City of Courtenay adult residents (18 years and over) being eligible for financial access.

Staff have reviewed other municipalities and their recreation financial access program eligibility. While many use the Low Income Cut-off, others have adjusted their eligibility to adopt the Low Income Measure (such as the City of Vancouver and City of Richmond) or have adjusted eligibility to account for regional costs of living (such as the Capital Regional District which applies an additional 5% to the LICO rates). Additionally, the CVRD recently passed a resolution to adopt LIM as the income eligibility threshold for their financial access program.

**Regional Recreation Access Pass**

The joint municipal working group will continue to work collaboratively to evaluating the options and considerations for establishing a regional recreation access pass as per Council’s direction. As a regional pass requires the consent of all four local governments staff have taken a phased, incremental approach that builds a foundation of success for regional cooperation in this endeavour.

Staff will report back in early 2023 on the outcomes of the LEAP pilot as well as with recommendations on next steps regarding a regional recreation access pass for the Comox Valley.

**FINANCIAL IMPLICATIONS:**

**Leisure for Everyone Accessibility Program (LEAP) for youth**

Analysis of the financial impacts of implementing the pilot Leisure for Everyone Accessibility Program (LEAP) for youth across the Comox Valley demonstrates a minimal to moderate potential revenue loss due to reduction in paid revenues by youth who would now receive 52 free drops ins. Staff assessed the impact of both the regional extension of the 52 drop ins to youth residing outside of Courtenay as well as the change from LICO to LIM as the eligibility threshold.

Extending access to youth who do not live in Courtenay would result in an additional 1195 to 1335 youth being eligible for financial assistance, with a likely 346 to 387 youth accessing the program based on past

redemption rates (see Table 2). The impact of adjusting from LICO to LIM for youth is minimal with an additional 32 youth being eligible in Courtenay and 73 within the Comox Valley.

| <b>Table 2: LICO vs LIM youth Population Comparisons between Courtenay &amp; Region</b>  |  |                           |                                   |  |                           |                                   |  |
|--|--|---------------------------|-----------------------------------|--|---------------------------|-----------------------------------|--|
| <b>Program Eligibility Indication</b>  | <b>City of Courtenay</b>               |                           |                                   | <b>Comox Valley (Courtenay, Comox, Cumberland, CVRD)</b> |                           |                                   | <b>Total projected difference of youth accessing program</b> |
|  | Number of eligible youth (0-17 years)* | Average redemption rate** | Number of youth accessing program | Number of eligible youth (0-17 years)*                   | Average redemption rate** | Number of youth accessing program |  |
| <b>LICO</b>  | 1180                                   | 23%                       | 271                               | 2375   | 26%                       | 618                               | <b>346</b>   |
| <b>LIM</b>   | 1320                                   | 23%                       | 304                               | 2655   | 26%                       | 690                               | <b>387</b>   |
| <i>*Excludes 18-19 years olds due to LICO's table capturing 0-17 years only</i>  |  |                           |                                   |  |                           |                                   |  |
| <i>**Redemption rate is based on historical data gathered from Courtenay and regional partners on how many youth applied for Recreation Subsidy programs; assumed same redemption rate for LIM</i> |  |                           |                                   |  |                           |                                   |  |

In order to assess the financial impacts of these changes, staff had to make the following assumptions:

- The redemption rate would remain the same for eligible youth (23% for Courtenay and 26% for the region)
- In Courtenay, 100% of the 52 passes would be used by youth
- When extended to the region, 50% of the 52 passes would be used by youth not residing within Courtenay
- The value of revenue assumes that all of these youth were paying full drop in rates and participating at the same level prior to qualifying for financial assistance.

The revenue value of these changes could be as much as \$26,093 based on LICO and \$29,149 based on LIM eligibility thresholds (see Table 3).

| <b>Table 3: Financial Impacts of 52 drop ins for for youth LICO vs LIM</b>   |  |                           |                            |  |                           |                            | <b>Total potential revenue difference</b> |
|--|--|---------------------------|----------------------------|--|---------------------------|----------------------------|---|
| <b>Program Eligibility Indication</b>  | <b>City of Courtenay</b>               |                           |                            | <b>Comox Valley (Courtenay, Comox, Cumberland, CVRD)</b> |                           |                            |   |
|  | Number of eligible youth (0-17 years)* | Average redemption rate** | Total value of revenue *** | Number of eligible youth (0-17 years)*                   | Average redemption rate** | Total value of revenue *** |   |
| <b>LICO</b>  | 1180                                   | 23%                       | \$45,584                   | 2375   | 26%                       | \$71,677                   | <b>\$26,093</b>                           |
| <b>LIM</b>   | 1320                                   | 23%                       | \$50,993                   | 2655   | 26%                       | \$80,142                   | <b>\$29,149</b>                           |
| <i>*Excludes 18-1 *Excludes 18-19 years olds due to LICO's table capturing 0-17 years only</i>   |  |                           |                            |  |                           |                            |   |
| <i>**Redemption rate is based on historical data gathered from Courtenay and regional partners on how many youth applied for Recreation Subsidy programs; assumed same redemption rate for LIM</i> |  |                           |                            |  |                           |                            |   |
| <i>***Value of revenue is determined by average redemption rate x \$3.23 per visit x 52 visits (100% for Coc residents and 50% for regional residents)</i>   |  |                           |                            |  |                           |                            |   |

It is important to note that if these youth were not previously accessing programs and paying full drop in rates, there is no financial impact to the City as these revenues would not have been received previously. Additionally there are no increased expenditures as these drop in programs are already in operation and do not require additional staff or supplies to accommodate additional youth. As such, staff are not expecting a negative financial impact from the LEAP pilot and can absorb any changes within the operating budget for 2022.

**Program Eligibility – Shift to Low Income Measure (LIM)**

Analysis of the financial impact of changing the income eligibility threshold from LICO to LIM demonstrates the revenue value of the change to be approximately \$47,229.

In order to conduct the financial analysis the following assumptions were made:

- A redemption rate of 13% of eligible adults was used. This is the highest rate since 2016; 2019 saw a redemption rate of 3.15%
- 25% of the 52 free drop ins would be used and are accounted for at the full adult drop in rate, without accounting for the Evergreen discount of 25%. This is based on rates of 7% and 14% for 2020 and 2021 respectively.
- 50% of the \$350 annual program subsidy would be used
- The value of revenue assumes that all of these adults were paying full drop in rates and participating at the same level prior to qualifying for the Recreation Access Program.

| <b>Program Eligibility Indication</b>   | <b>Number of eligible adults (18+ years)</b> | <b>Average redemption rate*</b> | <b>Number of adults accessing program</b> | <b>Value of revenue**</b> | <b>Total potential revenue difference</b> |
|---|--|---------------------------------|---|---------------------------|---|
| <b>LICO</b>   | 1970   | 13%                             | 256                                       | \$66,458                  | -   |
| <b>LIM</b>  | 3370   | 13%                             | 438                                       | \$113,687                 | <b>\$47,229</b>                           |
| <i>*13% redemption rate is based on most accessed year (2017); assumed same redemption rate for LIM</i>   |  |                                 |   |                           |   |
| <i>**Assuming 25% use of 52 drop ins (based on \$6.50 drop in adult rate, no adjustment for Evergreen discount) and 50% use of \$350 program subsidy.</i> |  |                                 |   |                           |   |

It is important to note that if these adults were not previously accessing programs and paying full drop in rates, there is no financial impact to the City as these revenues would not have been received previously. There are no projected increased expenditures as these drop in programs are already in operation and do not require additional staff or supplies to accommodate additional participants. Staff predict that the revenue decrease will be less than \$47,229 due to lower usage rates than assumed as well as assuming that these individuals were not previously accessing recreation programs and services at full rates.

It is expected that participation levels for adults and youth will increase as recreation becomes more financially accessible to more residents as a result of these changes. Staff will monitor the financial impacts of this change throughout 2022 and will work with finance to make adjustments if required.

**ADMINISTRATIVE IMPLICATIONS:**

The Manager of Recreation Programming has been actively involved in the joint municipal working group since 2019 including regular meetings, research, and collaboration. The implementation of LEAP and the change to LIM eligibility will require administrative updates to forms, processes, and communication with the public. Staff will continue to work with the joint municipal working group to evaluate the impacts of the recommended changes as well as continue to work towards a regional recreation access pass.

**ASSET MANAGEMENT IMPLICATIONS:**

There are no asset management implications.

**STRATEGIC PRIORITIES REFERENCE:**

**City of Courtenay Strategic Priorities 2019 - 2022**

**We focus on organizational and governance excellence**

- Support and encourage initiatives to improve efficiencies
- Communicate appropriately with our community in all decisions we make
- Responsibly provide services at levels which the people we serve are willing to pay

**We proactively plan and invest in our natural and built environment**

▲ Look for regional infrastructure solutions for shared services

### We continually invest in our key relationships

●■ Consider effective ways to engage with and partner for the health and safety of the community

▲■ Advocate and cooperate with local and senior governments on regional issues affecting our community

●▲ Support improving accessibility to all City services

● **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:

#### Vision:

#### 2.1

- balance and ability to lead growth and the provision of services
- commitment to serve youth and seniors

#### Goals:

#### 13. NEED FOR A REGIONAL APPROACH TO PLANNING

- Work with neighbouring municipalities, Regional District, K'ómoks First Nation, federal and provincial agencies to adopt complementary policies and to resolve differences.

#### 4.7 RECREATION

##### 4.7.1 Introduction

Recreation is an important part of Courtenay and the City is the leader of the greater Comox Valley in the provision of recreation and leisure services.

The established vision for recreation is:

- a fun place where community members and staff work in partnership to promote healthy active living, volunteerism, multiculturalism, life-long learning, and well-being for all.
- a public resource focused on being an integral part of the community by responding to community needs, promoting positive personal and community growth, and providing opportunities through innovative and exciting programming and facility operation.
- a leader and innovator in the development and delivery of recreational services within a vibrant, welcoming, fun, and safe environment now and in the future for individuals, families, community groups, and businesses within Courtenay and the Comox Valley.



- known as the place to be, where people feel good about themselves – where positive experiences occur and as a meeting place for the community.
- proud of its staff, dedicated to its role as a valued and excellent service provider in the community, and committed to the ideals of fostering community pride, economic development, environmental sustainability and safe communities.

4.7.2 Goals

1. People

To further the growth and development of the individual (ie. social, emotional, moral, physical, wellness, educational, mental and spiritual)

2. Community

To foster the growth and development of the community (economic, community spirit, environmental, social and quality of life)

3. Quality

To provide quality recreation services that meets the changing needs of the community with the available resources

4. Resources

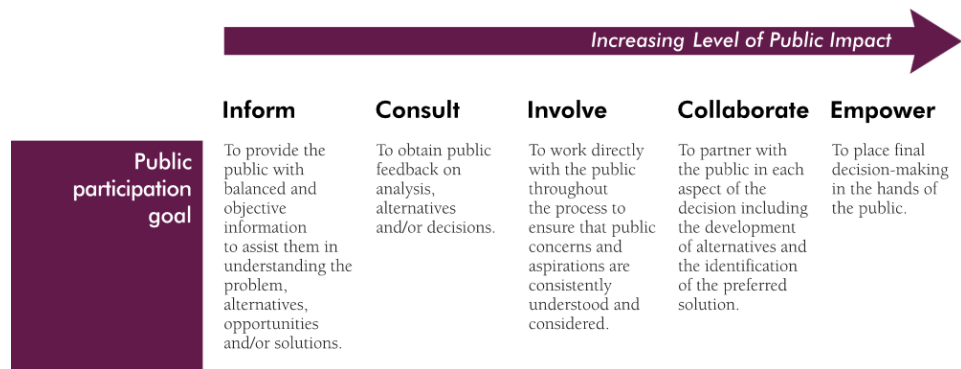
To generate the resources necessary to allow us to achieve our objectives

**REGIONAL GROWTH STRATEGY REFERENCE:**

None.

**CITIZEN/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:**

- OPTION 1:
1. THAT based on the November 1, 2021 staff report, "Recreation Access Pass Eligibility and Regional Pilot of Leisure for Everyone Accessibility Program (LEAP)," Council approve OPTION 1 and direct staff to change the income eligibility for

Courtenay Recreation's Access Pass from the Low Income Cut-off (LICO) to the Low Income Measure (LIM); and,

2. THAT staff implement a one-year pilot of the Leisure for Everyone Accessibility Program (LEAP) in partnership with the Town of Comox, Village of Cumberland, and Comox Valley Regional District (CVRD) to extend financial access recreation benefits to youth regardless of place of residence.

**(Recommended)**

- OPTION 2:
1. THAT Council direct staff not to adjust the income eligibility thresholds for the Recreation Access Pass; and,
  2. THAT staff implement a one-year pilot of the Leisure for Everyone Accessibility Program (LEAP) in partnership with the Town of Comox, Village of Cumberland, and Comox Valley Regional District (CVRD) to extend financial access recreation benefits to youth regardless of place of residence.

OPTION 3: Council provide alternative direction to staff

**CONCLUSION:**

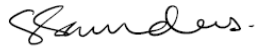
The joint municipal working group of City of Courtenay, the Village of Cumberland, CVRD and the Town of Comox recommend the following key changes to enhance financial access to recreation in the Comox Valley:

- Using the Statistics Canada Low Income Measurement (LIM) to determine program eligibility versus the Low Income Cut-off (LICO) rates to allow more individuals/families to access the program.
- One unified application form for all the recreation departments with a new program called "Leisure for Everyone Accessibility Program (LEAP) applicable to youth.
- Permitting youth aged 18 and under from CVRD, Courtenay, Comox and Cumberland access to 52 free admissions to drop-in programs at each organization regardless of which municipality they reside in.
- This program would be a one-year trial, commencing January 1, 2022 to ensure it remain economically feasible for each community and it offers the ability to adjust services in future years.

On August 24, 2021 the CVRD Commission unanimously supported implementing LEAP for youth as well as using LIM as the determinant of eligibility of both their PLAY program and LEAP. The City of Courtenay, Town of Comox and Village of Cumberland are all concurrently seeking Council approval over the upcoming months in preparation for the 2022 financial access application process which commences in November 2021. If approved, the City of Courtenay, will prepare for the implementation of both LEAP and LIM as a determinant of the Recreation Access Program and will coordinate accordingly with all participating regional local governments.

Data of redemption rates, and financials for City of Courtenay, and Town of Comox, CVRD and Cumberland will be monitored and reported back to Council in early 2023.

Prepared by:



Susie Saunders  
Director of Recreation, Culture and Community Services

Concurrence by:



Geoff Garbutt, M.P.I., MCIP, RPP  
Chief Administrative Officer





## STAFF REPORT

**To:** Council

**File No.:** 6100-04

**From:** Chief Administrative Officer

**Date:** November 1, 2021

**Subject:** 2021 Capital Budget Amendment - McPhee Meadows Concept Design Options Analysis

### PURPOSE:

The purpose of this report is for Council to approve the amendment of the 2021 capital budget to allow City staff to proceed with the award of the Request for Proposal for the McPhee Meadows Concept Design Options Analysis in 2021.

### POLICY:

#### Community Charter Chapter 26, Division 3 — Expenditures, Liabilities and Investments

#### Limit on expenditures:

- 173** (1) A municipality must not make an expenditure other than one authorized under subsection (2) or (3).
- (2) A municipality may make an expenditure that is included for that year in its financial plan, so long as the expenditure is not expressly prohibited under this or another Act.
- (3) A municipality may make an expenditure for an emergency that was not contemplated for that year in its financial plan, so long as the expenditure is not expressly prohibited under this or another Act.
- (4) The following apply in relation to the authority under subsection (3):
- (a) the council must establish procedures to
    - (i) authorize expenditures under that subsection, and
    - (ii) provide for such expenditures to be reported to the council at a regular meeting;
  - (b) if an expenditure is made under that subsection, as soon as practicable, the council must amend the financial plan to include the expenditure and the funding source for the expenditure;
  - (c) the authority under that subsection does not include the authority to borrow for the purpose of making the expenditure.

### CAO RECOMMENDATIONS:

1. THAT based on the November 1, 2021 staff report “2021 Capital Budget Amendment – McPhee Meadows Concept Design Options Analysis”, Council approve OPTION 1 and direct staff to amend the 2021 capital budget, adding an additional \$25,000 to the McPhee Meadows Concept Design Options Analysis budget for a total capital budget of \$55,000; and,

2. THAT staff transfer \$11,800 from Reserve for Future Expenditure and \$13,200 from the Parks Amenity Reserve to cover the additional costs.



Geoff Garbutt, M.P.I., MCIP, RPP  
Chief Administrative Officer

**BACKGROUND:**

The McPhee Meadows property was donated to the City in 2011 by the late Robert McPhee with the intent that it would be maintained in perpetuity by the City as a public wetland park. To ensure the donor's vision would be fulfilled, Nature Trust BC was also gifted an undivided interest in the property. A park management plan was developed with the input of key stakeholders in 2012. The park currently remains closed to the public and requires further park planning and park infrastructure before it can be opened to the public.

In 2019, Council adopted the City of Courtenay Parks and Recreation Master Plan (PRMP). The PRMP provides recommendations for park design and establishes design guidelines that include input through a full community engagement process. The PRMP also identified the following need for the McPhee Meadows:

*Prepare a Park Plan that will establish this as a community park, including consultation with the donor family. Analyse and plan site to include park amenities and trail connections.*<sup>1</sup>

The 2021 Capital budget includes \$30,000 for the first phase of concept design for McPhee Meadows. City staff's original implementation plan to develop a park plan was to break the project timeline down into three phases:

1. Phase one: Develop a concept design in 2021;
2. Phase two: Develop detailed construction drawings and construct stage one of park improvements (with the 2022 capital budget) and allow the park to partially open to the public by year-end 2022; and
3. Phase three: Construct the remaining stages of park improvements in 2023.

In September 2021, City staff released a request for proposal (RFP) for the McPhee Meadows Concept Design Options Analysis to the City's prequalified engineering consultants. Several City

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<sup>1</sup> City of Courtenay Parks and Recreation Master Plan

background documents were included with the RFP to inform the proponent's methodology and work plan for this project. Documents included the Official Community Plan No. 2387, 2005 (update in draft), PRMP, McPhee Meadows Management Plan - 2012, K'ómoks First Nation Cultural Heritage Policy, and City of Courtenay Urban Forest Strategy.

**DISCUSSION:**

The proposal submitted by the short-listed proponent exceeded the original capital budget by \$30,000. City staff reached out to the proponent to determine what they could provide within the original budget cost by reviewing the work plan tasks in detail. After a review and clarification of the proposed scope of work, City staff have determined the original 2021 capital project design budget does not have adequate funds to support a proper park design within the guidelines established by the PRMP. The work plan would fall short in conducting appropriate public consultation in the key milestone phases of the concept development and provide only one conceptual option for the City to consider.

Final negotiations with the shortlisted proponent have resulted in an updated work plan and conceptual design project budget at a cost of \$55,000. Most importantly, the revised proposal and work plan would meet the PRMP design guidelines and recommended public consultation process. However, with the 2021 capital budget for the conceptual design at \$30,000, there is a shortfall in budget funding of \$25,000.

City staff have outlined three project implementation options (summarized in Attachment 1) for Council to consider:

1. Option 1: Amend the 2021 Capital Budget to \$55,000

2021 capital budget would require an amendment, adding \$25,000 to the 2021 capital project cost to execute the development of a concept plan for a total cost of \$55,000. Should Council approve this option, the project could start mid-November 2021 and the original project schedule can be met.

2. Option 2: Do not amend the 2021 capital budget, include the additional \$25,000 in the 2022 capital budget and award the consultant's contract in two stages.

The first stage would be awarded to the consultant to include approximately 55% of the work plan or \$30,000 (the approved 2021 capital budget for this project) and the second stage would be awarded after Council adopts the 2022 capital budget (typically in May 2022). Should Council approve this option, there would be a four to five-month delay between stage one and stage two, running the risk of losing the momentum in public engagement. This would also delay the detailed construction design and construction to 2023 and 2024.

3. Option 3. Do not amend the 2021 capital budget and include the full conceptual park plan budget in the 2022 Capital Budget

Should Council approve this option, City staff will need to hold off awarding the concept design contract until approximately May 2022 when the 2022 capital budget is approved by Council. This will also delay the original project schedule with the concept plan being completed in fall 2022, and detailed construction design and capital improvements would not occur until 2023 and 2024.

**CONCLUSION:**

Based on Council’s strategic priorities for 2021-2022 which includes McPhee Meadows park planning, City staff recommend Council proceed with the 2021 Capital Budget amendment for a total capital conceptual plan project budget cost of \$55,000.

**FINANCIAL IMPLICATIONS:**

The total required 2021 capital project cost of \$55,000 would be funded as follows:

| <b>2021 Capital Budget Amount</b>       | <b>Funding Source</b>   |
|---|---|
| \$30,000 (2021 approved capital budget) | Reserve For Future Expenditures   |
| \$25,000 (Budget Amendment)             | \$11,800 - Reserve For Future Expenditures<br>\$13,200 - Park Amenity Reserve |
| \$55,000                                | Total Capital Budget for Concept Plan Design                                  |

**ADMINISTRATIVE IMPLICATIONS:**

The Recreation, Culture and Community Services Department will be responsible for project management and ensuring key stakeholders (both publically and internally) are involved in the project consultation process. The administration tasks are within the department’s 2021-2022 work plan.

**ASSET MANAGEMENT IMPLICATIONS:**

The PRMP establishes the service levels that the community expects for the City’s parks and recreation assets. The PRMP design guidelines and planning process will help further establish the public’s desired activities and programs for this service area. The finalized concept design will establish an order of magnitude budget costs and assist staff in the annual and long-term financial planning process by considering available funding and service levels.



## **STRATEGIC PRIORITIES REFERENCE:**

The following sections of the City of Courtenay 2019-2022 Strategic Priorities apply:

### **We focus on organizational and governance excellence**

- Communicate appropriately with our community in all decisions we make
- Responsibly provide services at levels which the people we serve are willing to pay

### **We proactively plan and invest in our natural and built environment**

- Focus on asset management for sustainable service delivery
- ▲ Support social, economic and environmental sustainability solutions

### **We continually invest in our key relationships**

- Build on our good relations with K'ómoks First Nation and practice Reconciliation
- ▲ Support improving accessibility to all City services

## **Strategic Priority for 2021-2022**

Park Planning: McPhee Meadows

## **OFFICIAL COMMUNITY PLAN REFERENCE:**

### **2.5 Vision**

5. **A SYSTEM OF GREENWAYS TO SERVE RECREATIONAL NEEDS**  
Work to have Courtenay recognized as a community that's friendly to walkers and bicycle riders.  
Plan to maintain and protect existing wildlife corridors to preserve wildlife habitat within the City
6. **PARKS AND PUBLICLY ACCESSIBLE NATURAL OPEN SPACE**  
Identify and protect key areas that have the potential for future use as parks or open space.

### **4.6 PARKS AND OPEN SPACE**

#### **4.6.3 Goals**

1. to continue to develop a strong system of community services, parks and recreation facilities which can reasonably be provided within the financial means of the municipality
3. to reinforce the waterfront and open space role of the Courtenay, Puntledge and Tsolum River Systems and to facilitate pedestrian access to the waterfront and increase public ownership of properties in these areas

- 4. to reinforce and enhance the recreational and environmental values of the natural and open space systems as a link in defining neighbourhood areas
- 6. to continue to develop a strong community image through park development
- 7. to acquire and protect environmentally sensitive areas
- 8. to work with the Comox Valley Land Trust and other conservancy associations to identify and protect environmentally sensitive areas, wildlife areas, streams and riparian areas.

**REGIONAL GROWTH STRATEGY REFERENCE:**

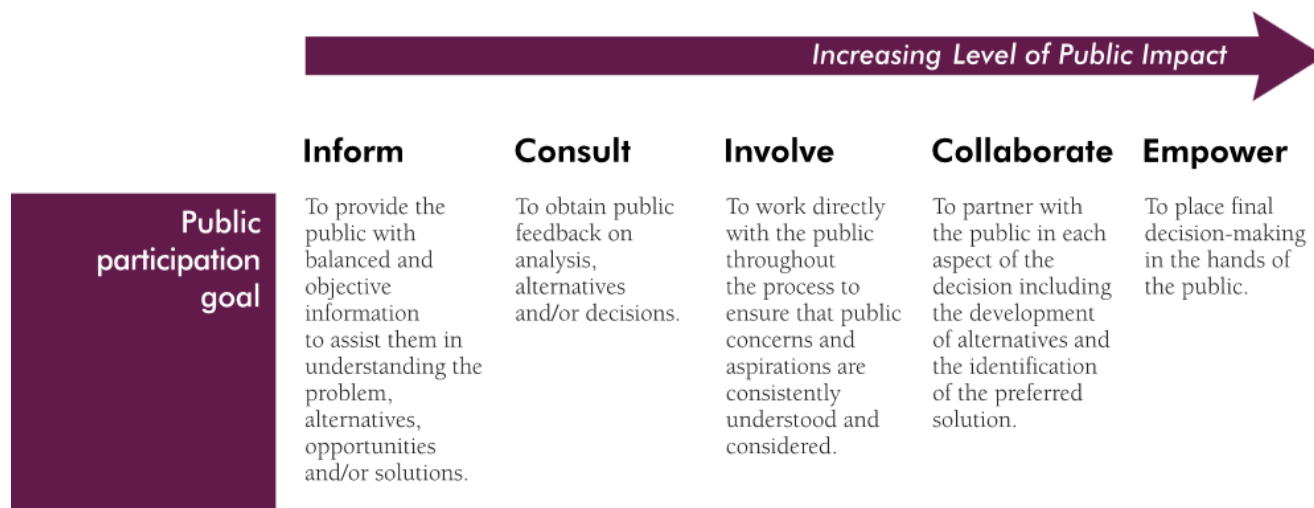
**GOAL 2: ECOSYSTEMS, NATURAL AREAS AND PARKS**

Protect, steward and enhance the natural environment and ecological connections and systems.

**CITIZEN/PUBLIC ENGAGEMENT:**

The City will **involve** with 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:**

OPTION 1:

1. THAT based on the November 1, 2021 staff report “2021 Capital Budget Amendment – McPhee Meadows Concept Design Options Analysis”, Council approve OPTION 1 and direct staff to amend the 2021 capital budget, adding an additional \$25,000 to the McPhee Meadows Concept Design Options Analysis budget for a total capital budget of \$55,000; and,
2. THAT staff transfer \$11,800 from Reserve for Future Expenditure and \$13,200 from the Parks Amenity Reserve to cover the additional costs.  
**(Recommended)**

OPTION 2:

1. THAT Council direct City staff not to amend the 2021 Capital Budget; and,
2. THAT Council direct City staff to proceed with the project in two stages: awarding the first stage now up to a maximum of \$30,000 and postpone awarding the second stage of the park planning project until the 2022 Capital Budget is adopted.

OPTION 3:

1. THAT Council denies the amendment to the 2021 Capital Budget; and,
2. THAT Council directs City staff to postpone the project until Council adopts the 2022 Capital Budget.

Prepared by:



Susie Saunders  
Director of Recreation, Culture and Community Services

Concurrence by:



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

**Attachment 1 – McPhee Meadows Concept Design Project Timing Options**

|   | <b>McPhee Meadows Concept Design Project Timing Options</b>   |  |   |
|---|---|--|---|
| <b>Key Considerations</b>                                 | <b>Option 1<br/>(Recommended)</b>   | <b>Option 2</b>  | <b>Option 3</b>   |
| <b>Budget Implications</b>                                | Amend budget for an additional \$25,000 in the 2021 capital budget for a total project capital budget of \$55,000             | No amendment, wait for approval of additional \$25,000 required in the 2022 capital budget in May 2022                                 | No amendment, wait for approval of the full capital project cost of \$55,000 in the 2022 capital budget in May 2022                   |
| <b>Project Timeline</b>                                   | Original timeline met:<br>Concept plan 2021<br>Detailed Design 2022<br>Construction 2022/2023<br>Earliest public access: 2022 | Project timeline delayed:<br>Concept plan 2021/ 2022<br>Detailed Design 2023<br>Construction 2023/2024<br>Earliest public access: 2023 | Project timeline delayed<br>Concept plan 2021/ 2022<br>Detailed Design 2023<br>Construction 2023/2024<br>Earliest public access: 2023 |
| <b>Achieve Council’s Strategic Priority for 2021-2022</b> | Yes   | Partial  | Partial   |
| <b>Additional Project Implications</b>                    | Project continuity  | Lost momentum in the public consultation engagement process  | Cost may increase. Maintain continuous public engagement process.   |



## STAFF REPORT

**To:** Council

**File No.:** 3360-20-2102

**From:** Chief Administrative Officer

**Date:** November 1, 2021

**Subject:** Updated Proposal - Zoning Amendment Bylaw No. 3030 - 3040 Kilpatrick Avenue

### PURPOSE:

The purpose of this report is to provide Council with an overview of an updated proposal for a Zoning Amendment to rezone the property legally described as Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977 (3040 Kilpatrick Avenue) from Comprehensive Development Twenty-Six (CD-26) to Comprehensive Development Twenty-Six A (CD-26A) to facilitate multi residential development.

### CAO RECOMMENDATIONS:

That based on the November 1<sup>st</sup>, 2021 staff report "Updated Proposal - Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue" and the September 27<sup>th</sup>, 2021 staff report "Updated Proposal - Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue" and the September 7<sup>th</sup>, 2021 staff report "Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue" Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3030, 2021; and

That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw.

Respectfully submitted,

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

### BACKGROUND:

A detailed report of the subject proposal entitled Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue was submitted to Council for consideration at the September 7<sup>th</sup>, 2021 meeting. Council chose to defer consideration with a request for more information about proposed amenity contribution and bicycle parking. This information was considered at the September 27<sup>th</sup>, 2021 meeting before Council directed staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw. A Public Hearing was scheduled and advertised by City staff and then postponed after an error in the plans provided by the applicant was identified, along with the applicant



Figure 1: Subject Property and Context

making additional minor design changes to the building, which would require revisions to draft Zoning Amendment Bylaw No. 3030 be considered by Council before a Public Hearing.

## DISCUSSION:

### Fifth Floor

The fifth floor, as had been proposed, exceeded the front setback on the draft zoning amendment bylaw. An applicant submission used in developing the draft zone had shown incorrect fifth floor measurements due to a scaling error. The applicant has adjusted the proposal to pull the fifth floor built area back to comply with the 20.5 m setback as had been specified in the draft zone, except for a roof projection for weather protection. **Figure 2** below contrasts 5<sup>th</sup> floor plans. Top floor stepping at the rear is limited to corners, consistent with Buildings 1 and 2, the enclosed front hallway becomes an open covered area, and stair cases move back, most notably the south staircase. To allow for a substantial roof projection, the draft zone now specifies a 17.0 m front setback for that portion of a building with a height greater than 11.5 m.

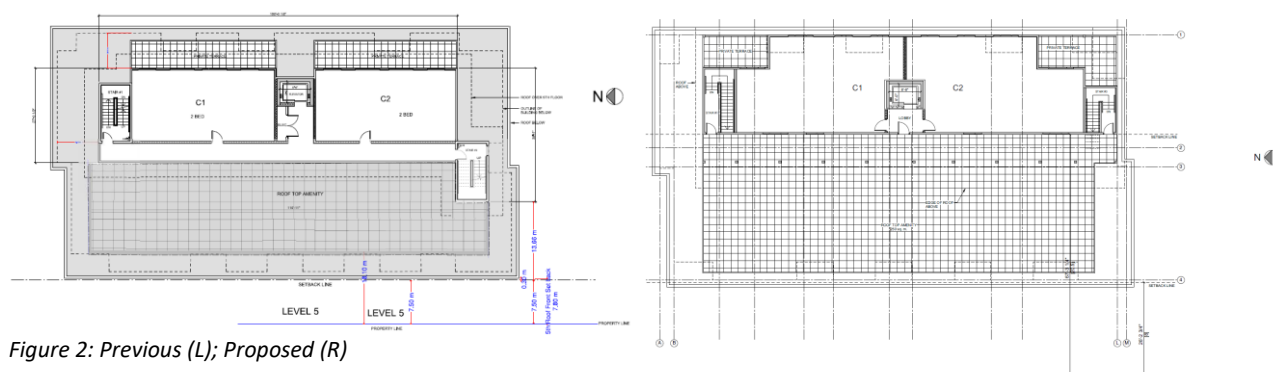


Figure 2: Previous (L); Proposed (R)

### Underground Parking and North Side Setback

Slight modifications to underground parking increase space for refuse and utility rooms and comply with the Off-street Parking and Loading section requirements of the previous Bylaw No. 3030 draft. New drawings also clarify that the underground structure pierces the 9.5 m north side setback. Draft Zoning Amendment Bylaw No. 3030 now requires a north side setback of at least 9.5 m except for underground parking structure which shall be at least 6.5 m.

### Front and South Side Setbacks

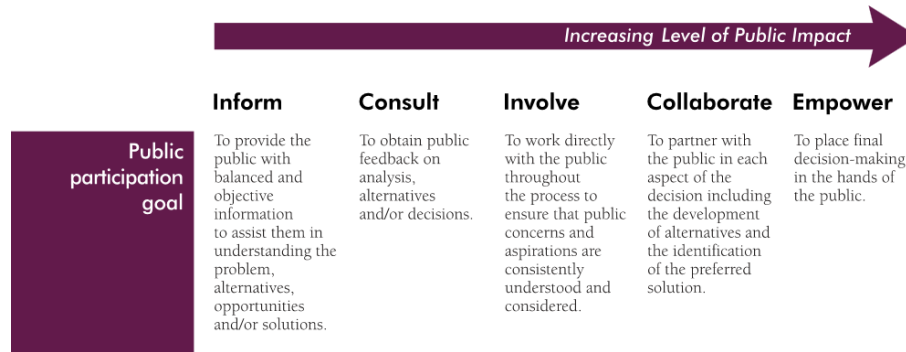
The applicant requested that the front yard setback for the bottom four floors be reduced from the previously proposed 8.0 m to 7.5 m to increase the margin for error. The intent remains to site the building as proposed, at 8.2 m from the front lot line. 7.5 m is consistent with the front yard setback for lower floors for the existing CD-26 zone. Similarly, to add room for error on the south side, a setback of 13.0 m is proposed, rather than 13.5 m. The south staircase reconfiguration brings a tight north/south building fit with setbacks as previously proposed; alternatively exceeding the 9.5 m north side setback would be more problematic for access and visibility, so adding some “wiggle room” on the south side is a better option.

## REFERENCES AND IMPLICATIONS:

Financial, administrative and asset management implications were presented in the September 7<sup>th</sup> report to Council, along with references to 2019-2022 strategic priorities, the Official Community Plan, and the Regional Growth Strategy. For reference, due to the changes requested and errors in the submitted elevations, the original public hearing must be rescheduled and the costs related to the required additional advertising are borne by the applicant in addition to the original fees for the application.

## CITIZEN/PUBLIC ENGAGEMENT:

Staff will “consult” the public based on the IAP2 Spectrum of Public Participation:



Should Zoning Amendment Bylaw No. 3030, 2021 receive First and Second Readings, a statutory public hearing will be held to obtain public feedback in accordance with the *Local Government Act*. Prior public engagement was presented in the September 7<sup>th</sup> and September 27<sup>th</sup> Council reports.

**OPTIONS:**

**OPTION 1: (Recommended)**

That based on the November 1<sup>st</sup>, 2021 staff report “Updated Proposal - Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue”, the September 27<sup>th</sup>, 2021 staff report “Updated Proposal - Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue” and the September 7<sup>th</sup>, 2021 staff report “Zoning Amendment Bylaw No. 3030 – 3040 Kilpatrick Avenue” Council approve OPTION 1 and proceed to First and Second Readings of Zoning Amendment Bylaw No. 3030, 2021; and

That Council direct staff to schedule and advertise a statutory Public Hearing with respect to the above referenced bylaw.

**OPTION 2:** Defer consideration of Bylaw No. 3030 with a request for more information.

**OPTION 3:** Defeat Bylaw No. 3030.

Prepared by:

Mike Grimsrud,  
Planner II

Reviewed by:

Matthew Fitzgerald, RPP, MCIP  
Manager of Development Planning

Concurrence by:

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

**Attachments:**

Schedule No. 1: Draft Zoning Amendment Bylaw No. 3030

Schedule No. 2: Plans and Project Information





## Attachment A

### Part 53 - Comprehensive Development Twenty-Six A Zone (CD- 26A) (3040 Kilpatrick Ave.)

#### 8.53.13 Intent

The CD-26A Zone is intended to accommodate a multi residential development on the property legally described as Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977. This property shall be developed substantially in accordance with Schedules A, B, and C, which form part of this zone

#### 8.53.14 Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

- (1) *Multi Residential*
- (2) *Home Occupation*

#### 8.53.15 Lot Coverage

A *lot* shall not be covered by buildings to a greater extent than 20% of the total area of the *lot*

#### 8.53.16 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 0.82

#### 8.53.17 Minimum Lot Size

A *lot* shall have an area of not less than 0.40 hectares

#### 8.53.18 Minimum Lot Frontage

A lot shall have a *frontage* of not less than 60.0 m

#### 8.53.19 Setbacks

Except where otherwise specified in this bylaw the following minimum *building setbacks* shall apply:

- (1) *Front Yard*: 7.5 m for that portion of a building with a height less than 11.5 m and for railings above and affixed to said portion  
17.0 m for that portion of a building with a height greater than 11.5 m  
Despite the required *front yard setbacks* above, architectural fence details may project into the front yard setback up to 1.5 m with a height up to 2.0 m
- (2) *Rear Yard*: 18.0 m except for underground parking structures which shall be at least 14.0 m

- (3) *Side Yard*: 9.5 m north side except for underground parking structure which shall be at least 6.5 m  
13.0 m south side

### 8.53.20 Height of Buildings

Maximum *building height* shall be in accordance with Schedule B and includes the elevator and roof top mechanical systems. Maximum *building height* is 15.0 m to roof parapet and 17.0 m to top of elevator measured from curb height. For clarity, the curb height is determined as the average curb height along the lot frontage

### 8.53.21 Useable Open Space

*Useable open space* must be provided and include at minimum:

- (1) 70 m<sup>2</sup> play area as shown in Schedule A
- (2) 250 m<sup>2</sup> rooftop amenity area
- (3) Patios or balconies for averaging 9 m<sup>2</sup> per unit, with a minimum size of 4.5 m<sup>2</sup>

### 8.53.22 Off-Street Parking and Loading

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) 52 *parking spaces* shall be provided for 41 dwelling units on the property and corresponding visitor parking
- (2) 33 *parking spaces* shall be provided for 3080 Kilpatrick Avenue commercial and residential use
- (3) Minimum parking stall dimensions are 2.6 m in width and 5.5 m in length for standard stalls
- (4) Minimum aisle width in the underground parking structure can be reduced to 6.7 m in accordance with Schedule C
- (5) Minimum additional space for *parking spaces* and manoeuvring aisles where abutting a wall or building can be reduced in accordance with Schedule C
- (6) No more than 25% of *parking spaces* can be designated as small car *parking spaces*
- (7) Bicycle parking facilities must be provided at a rate of one secure stall per unit

### 8.53.23 Landscaping and Screening

In addition to the Landscape Requirements identified in Part 14 of this bylaw, the following landscape requirements shall be met:

- (1) A landscaped area of not less than 4.0 m in width shall be provided inside all property lines adjoining residential use and public parkland except reduced widths shown in Schedule A
- (2) Where a *lot* in this zone adjoins a *street*, a landscaped area of at least 7.5 m in width extending along the entire frontage of the property shall be provided inside the property line except reduced widths shown in Schedule A
- (3) Storage areas, garbage and recycling containers shall be screened and gated to a minimum *height* of 2 m by a *landscaping* screen or solid decorative *fence* or a combination thereof.

**Schedule A**

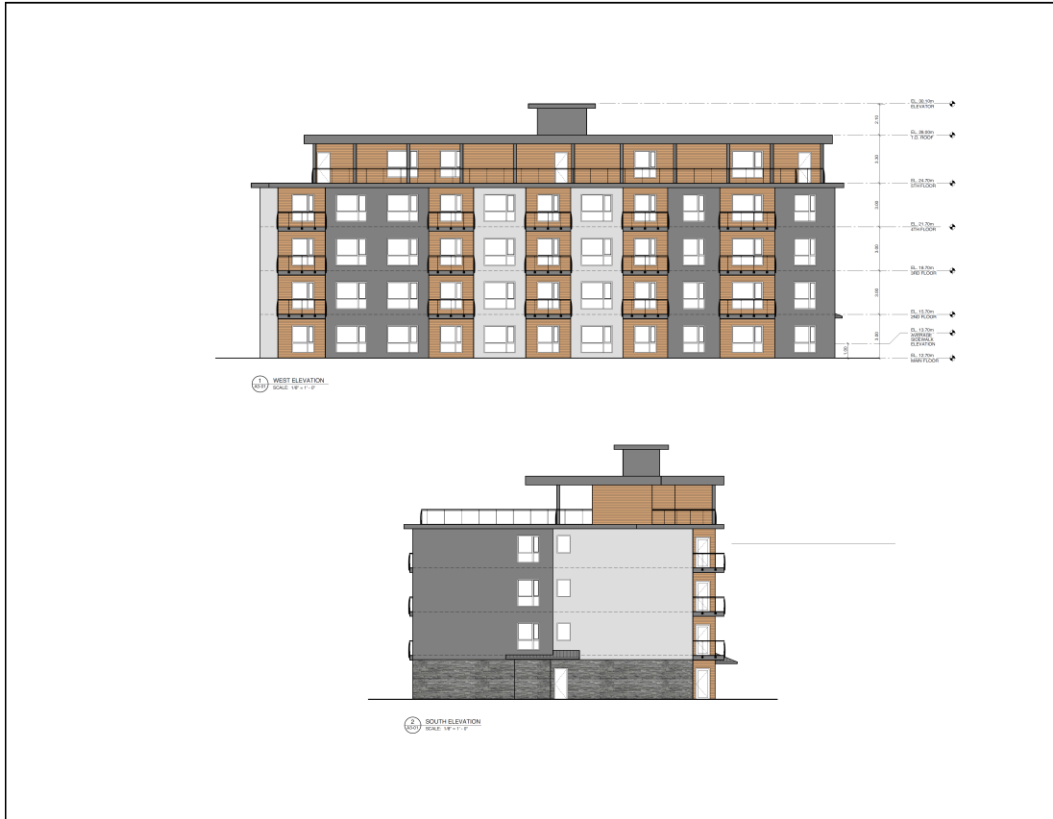
Note: Please refer to full size drawings in file 3360-20-2102



|  |   |
|--|---|
| <p><b>Brad Humphrey Architect</b><br/>                 1000 WESTERN AVENUE<br/>                 VANCOUVER, BC V6E 2E6<br/>                 TEL: 604.681.9139</p> |   |
| <p><b>CLIENT TITLE</b><br/>                 NEWPORT VILLAGE COURTENAY DEVELOPMENTS LTD.</p>  |   |
| <p><b>PROJECT TITLE</b><br/>                 BUILDING 3 SITE PLAN</p>  |   |
| <p><b>DATE</b><br/>                 21 OCT 2021</p>  | <p><b>SCALE</b><br/>                 1/8" = 1'-0"</p> |
| <p><b>PROJECT NUMBER</b><br/>                 A1-01</p>  |   |

**Schedule B**

Note: Please refer to full size drawings in file 3360-20-2102



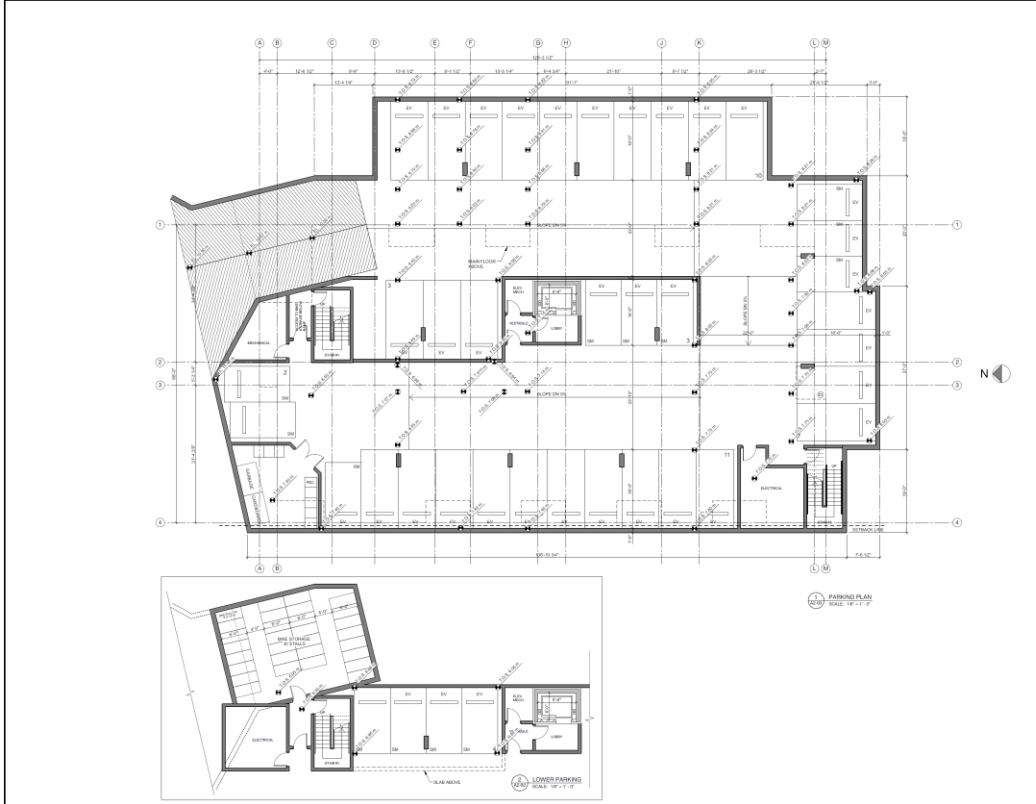
|   |         |             |
|---|---------|-------------|
| DATE & REVISION APPLICATION   |         | 21 OCT 2021 |
| DATE  |         | 2021        |
| NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.  |         |             |
| <b>Brad Humphrey Architect</b><br>1125 Thomas Avenue,<br>Coquitlam, Alberta<br>V3K 2L4<br>Tel: 780.817.1578 |         |             |
| PROJECT TITLE   |         |             |
| BUILDING 3 RESIDENTIAL  |         |             |
| DRAWING TITLE   |         |             |
| ELEVATIONS:<br>WEST & SOUTH   |         |             |
| DATE  | SCALE   | DATE & TIME |
| 2021  | 1/8\"/> |             |



|   |         |             |
|---|---------|-------------|
| DATE & REVISION APPLICATION   |         | 21 OCT 2021 |
| DATE  |         | 2021        |
| NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.  |         |             |
| <b>Brad Humphrey Architect</b><br>1125 Thomas Avenue,<br>Coquitlam, Alberta<br>V3K 2L4<br>Tel: 780.817.1578 |         |             |
| PROJECT TITLE   |         |             |
| BUILDING 3 RESIDENTIAL  |         |             |
| DRAWING TITLE   |         |             |
| ELEVATIONS:<br>EAST & NORTH   |         |             |
| DATE  | SCALE   | DATE & TIME |
| 2021  | 1/8\"/> |             |

**Schedule C**

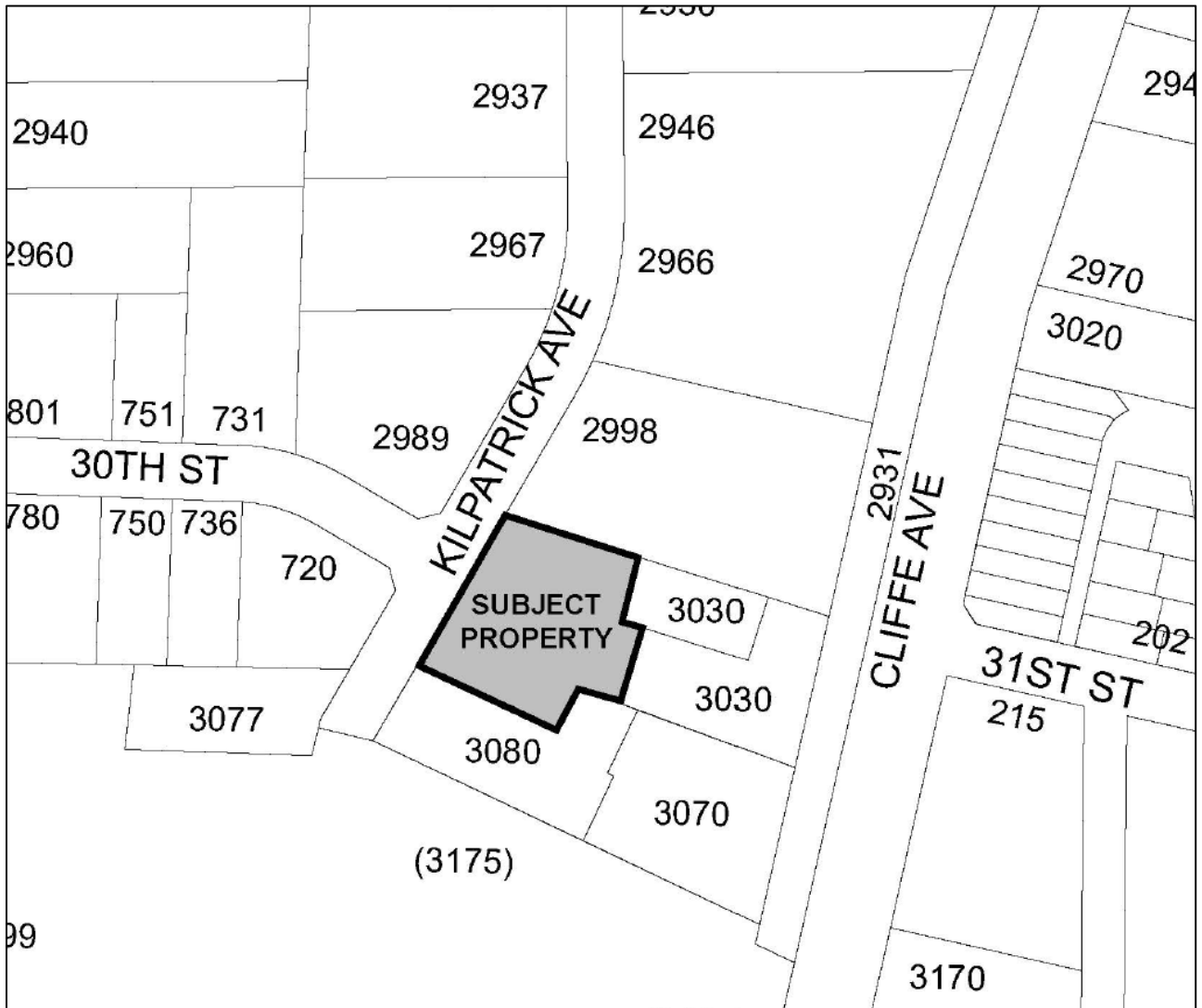
Note: Please refer to full size drawings in file 3360-20-2102



|   |                       |                                       |
|---|-----------------------|---------------------------------------|
| NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.  |                       |                                       |
| <b>Brad Humphrey Architect</b><br>1325 Thomas Avenue<br>College Park, Atlanta<br>GA 30089<br>Tel 770.837.1578 |                       |                                       |
| PROJECT TITLE<br>BUILDING 3 RESIDENTIAL   |                       |                                       |
| DRAWING TITLE<br>PARKING PLAN   |                       |                                       |
| DATE<br>08/14/21  | SCALE<br>1/8" = 1'-0" | REV. DATE<br>08/14/21 (parking 01-21) |
| PROJECT NO.<br>3360-20-2102   |                       | SHEET NO.<br>A2-00                    |

|   |                       |  |
|---|-----------------------|--|
| NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.  |                       |  |
| <b>Brad Humphrey Architect</b><br>1325 Thomas Avenue<br>College Park, Atlanta<br>GA 30089<br>Tel 770.837.1578 |                       |  |
| PROJECT TITLE<br>BUILDING 3 RESIDENTIAL   |                       |  |
| DRAWING TITLE<br>MAIN FLOOR PLAN  |                       |  |
| DATE<br>08/14/21  | SCALE<br>1/8" = 1'-0" | REV. DATE<br>08/14/21 (main floor 01-21) |
| PROJECT NO.<br>3360-20-2102   |                       | SHEET NO.<br>A2-01                       |

## Attachment B



**Schedule No. 2: Plans and Project Information**

**SITE STATISTICS**  
 PROJECT GIVING ADDRESS: 3040 KILPATRICK AVE., COQUITAMA B.C.  
 LEGAL DESCRIPTION: LOT11 SECTION 07 COXAK DISTRICT PLAN B979971 EXCEPT AIR SPACE PLAN B911977

**ZONING**  
 ZONING: A1-00  
 SITE GROUND: 0.00%  
 FLOOR: 0.00%  
 F.A.R.: 0.00

**LOCATION PLAN**

**HEIGHT TABLE**

| HEIGHT  | ALLOWED | PROPOSED | NOTES |
|---------|---------|----------|-------|
| 14.50M  | 14.50M  | 14.50M   |       |
| 15.00M  | 15.00M  | 15.00M   |       |
| 15.50M  | 15.50M  | 15.50M   |       |
| 16.00M  | 16.00M  | 16.00M   |       |
| 16.50M  | 16.50M  | 16.50M   |       |
| 17.00M  | 17.00M  | 17.00M   |       |
| 17.50M  | 17.50M  | 17.50M   |       |
| 18.00M  | 18.00M  | 18.00M   |       |
| 18.50M  | 18.50M  | 18.50M   |       |
| 19.00M  | 19.00M  | 19.00M   |       |
| 19.50M  | 19.50M  | 19.50M   |       |
| 20.00M  | 20.00M  | 20.00M   |       |
| 20.50M  | 20.50M  | 20.50M   |       |
| 21.00M  | 21.00M  | 21.00M   |       |
| 21.50M  | 21.50M  | 21.50M   |       |
| 22.00M  | 22.00M  | 22.00M   |       |
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| 27.00M  | 27.00M  | 27.00M   |       |
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| 28.00M  | 28.00M  | 28.00M   |       |
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| 29.00M  | 29.00M  | 29.00M   |       |
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| 31.00M  | 31.00M  | 31.00M   |       |
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| 33.00M  | 33.00M  | 33.00M   |       |
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| 34.00M  | 34.00M  | 34.00M   |       |
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| 37.00M  | 37.00M  | 37.00M   |       |
| 37.50M  | 37.50M  | 37.50M   |       |
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| 38.50M  | 38.50M  | 38.50M   |       |
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| 41.00M  | 41.00M  | 41.00M   |       |
| 41.50M  | 41.50M  | 41.50M   |       |
| 42.00M  | 42.00M  | 42.00M   |       |
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| 44.00M  | 44.00M  | 44.00M   |       |
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| 49.00M  | 49.00M  | 49.00M   |       |
| 49.50M  | 49.50M  | 49.50M   |       |
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| 50.50M  | 50.50M  | 50.50M   |       |
| 51.00M  | 51.00M  | 51.00M   |       |
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| 54.00M  | 54.00M  | 54.00M   |       |
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| 58.00M  | 58.00M  | 58.00M   |       |
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| 63.00M  | 63.00M  | 63.00M   |       |
| 63.50M  | 63.50M  | 63.50M   |       |
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| 65.00M  | 65.00M  | 65.00M   |       |
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| 66.50M  | 66.50M  | 66.50M   |       |
| 67.00M  | 67.00M  | 67.00M   |       |
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| 69.00M  | 69.00M  | 69.00M   |       |
| 69.50M  | 69.50M  | 69.50M   |       |
| 70.00M  | 70.00M  | 70.00M   |       |
| 70.50M  | 70.50M  | 70.50M   |       |
| 71.00M  | 71.00M  | 71.00M   |       |
| 71.50M  | 71.50M  | 71.50M   |       |
| 72.00M  | 72.00M  | 72.00M   |       |
| 72.50M  | 72.50M  | 72.50M   |       |
| 73.00M  | 73.00M  | 73.00M   |       |
| 73.50M  | 73.50M  | 73.50M   |       |
| 74.00M  | 74.00M  | 74.00M   |       |
| 74.50M  | 74.50M  | 74.50M   |       |
| 75.00M  | 75.00M  | 75.00M   |       |
| 75.50M  | 75.50M  | 75.50M   |       |
| 76.00M  | 76.00M  | 76.00M   |       |
| 76.50M  | 76.50M  | 76.50M   |       |
| 77.00M  | 77.00M  | 77.00M   |       |
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| 83.00M  | 83.00M  | 83.00M   |       |
| 83.50M  | 83.50M  | 83.50M   |       |
| 84.00M  | 84.00M  | 84.00M   |       |
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| 87.00M  | 87.00M  | 87.00M   |       |
| 87.50M  | 87.50M  | 87.50M   |       |
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| 89.50M  | 89.50M  | 89.50M   |       |
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| 94.00M  | 94.00M  | 94.00M   |       |
| 94.50M  | 94.50M  | 94.50M   |       |
| 95.00M  | 95.00M  | 95.00M   |       |
| 95.50M  | 95.50M  | 95.50M   |       |
| 96.00M  | 96.00M  | 96.00M   |       |
| 96.50M  | 96.50M  | 96.50M   |       |
| 97.00M  | 97.00M  | 97.00M   |       |
| 97.50M  | 97.50M  | 97.50M   |       |
| 98.00M  | 98.00M  | 98.00M   |       |
| 98.50M  | 98.50M  | 98.50M   |       |
| 99.00M  | 99.00M  | 99.00M   |       |
| 99.50M  | 99.50M  | 99.50M   |       |
| 100.00M | 100.00M | 100.00M  |       |

**NEWPORT BUILDING 3 UNIT SUMMARY**

| UNIT TYPE  | A      | A1       | A2       | A3     | C1       | C2       | B        | B1       | B2       | B4       | B5     | Studio   | TOTALS    | SF/FLOOR  |
|------------|--------|----------|----------|--------|----------|----------|----------|----------|----------|----------|--------|----------|-----------|-----------|
| 1ST        | 1      | 1        | 1        | 1      |          |          | 3        | 2        | 1        | 1        | 1      |          | 9         | 6,154.42  |
| 2ND        | 1      | 1        | 1        |        |          |          | 3        | 2        | 1        | 1        | 1      |          | 10        | 6,934.89  |
| 3RD        | 1      | 1        | 1        |        |          |          | 3        | 2        | 1        | 1        | 1      |          | 10        | 6,934.89  |
| 4TH        | 1      | 1        | 1        |        |          |          | 3        | 2        | 1        | 1        | 1      |          | 10        | 6,934.89  |
| 5TH        | 1      | 3        | 3        | 1      | 1        | 1        | 12       | 8        | 4        | 3        | 1      | 3        | 41        | 29,270.20 |
| SF/UNIT    | 967.18 | 933.32   | 1,107.76 | 793.11 | 1,132.76 | 1,178.35 | 608.56   | 641.21   | 653.40   | 605.41   | 607.63 | 466.90   | 713.91    |           |
| TOTAL SF   | 967.18 | 2,799.96 | 3,322.28 | 793.11 | 1,132.76 | 1,178.35 | 7,542.72 | 5,129.68 | 2,613.60 | 1,816.23 | 607.63 | 1,400.70 | 29,270.20 |           |
| BED/UNIT   | 2      | 2        | 2        | 1      | 2        | 2        | 2        | 1        | 1        | 1        | 1      | 1        | 12        |           |
| TOTAL BEDS | 2      | 6        | 6        | 1      | 2        | 2        | 12       | 8        | 4        | 3        | 1      | 3        | 50        |           |
| BATH/UNIT  | 2      | 2        | 2        | 1      | 2        | 2        | 2        | 1        | 1        | 1        | 1      | 1        | 12        |           |
| TOTAL BATH | 2      | 6        | 6        | 1      | 2        | 2        | 12       | 8        | 4        | 3        | 1      | 3        | 50        |           |

**UNIT MIX SCHEDULE**

| UNIT  | STUDIO | 1 BED | 2 BED | TOTAL |
|-------|--------|-------|-------|-------|
| 1ST   | 0      | 7     | 2     | 9     |
| 2ND   | 1      | 7     | 2     | 10    |
| 3RD   | 1      | 7     | 2     | 10    |
| 4TH   | 1      | 7     | 2     | 10    |
| 5TH   | 0      | 6     | 2     | 8     |
| TOTAL | 3      | 28    | 10    | 41    |

**AREA CALCULATIONS**

| UNIT  | UNITS     | EXT      | VERTICAL | EXT WALL | TOTAL     | FAR       |
|-------|-----------|----------|----------|----------|-----------|-----------|
| 1ST   | 6,154.42  | 1,365.99 | 286.31   | 0.00     | 7,796.72  | 7,796.72  |
| 2ND   | 6,934.89  | 816.34   | 310.70   | 0.00     | 8,061.93  | 7,751.23  |
| 3RD   | 6,934.89  | 816.34   | 310.70   | 0.00     | 8,061.93  | 7,751.23  |
| 4TH   | 6,934.89  | 816.34   | 310.70   | 0.00     | 8,061.93  | 7,751.23  |
| 5TH   | 2,311.11  | 159.70   | 299.38   | 0.00     | 2,770.19  | 2,470.81  |
| TOTAL | 29,270.20 | 3,974.71 | 1,511.99 | 0.00     | 34,656.90 | 33,194.91 |

**ROOF TOP EXTENSION AMINITY**

| ROOF TOP EXTENSION AMINITY | 2,691.00 |
|----------------------------|----------|
| TOTAL                      | 2,691.00 |

**PARKING BUILDING 3:**

| BUILDING   | REQUIRED  | PROVIDED  | UNDERGROUND | OFF-STREET |
|------------|-----------|-----------|-------------|------------|
| BUILDING 3 | 52 STALLS | 52 STALLS | 40          | 12         |
| TOTAL      | 52 STALLS | 52 STALLS | 40          | 12         |

**PARKING SUMMARY**

| REGULAR      | SMALL        | H/C          | DRIVE BLE | DRIVE BLE | NOTE                |
|--------------|--------------|--------------|-----------|-----------|---------------------|
| 2,600 x 5.5m | 2,500 x 4.6m | 2,800 x 5.5m | 6.7m      | 40        | 25% of total stalls |
| 27           | 13           | 0            | 1         | 1         |                     |
| 40           | 13           | 1            | 1         | 52        |                     |
| 40           | 13           | 1            | 1         | 52        |                     |

**PROJECT INFO**

**BUILDING 3 RESIDENTIAL**

PROJECT INFO

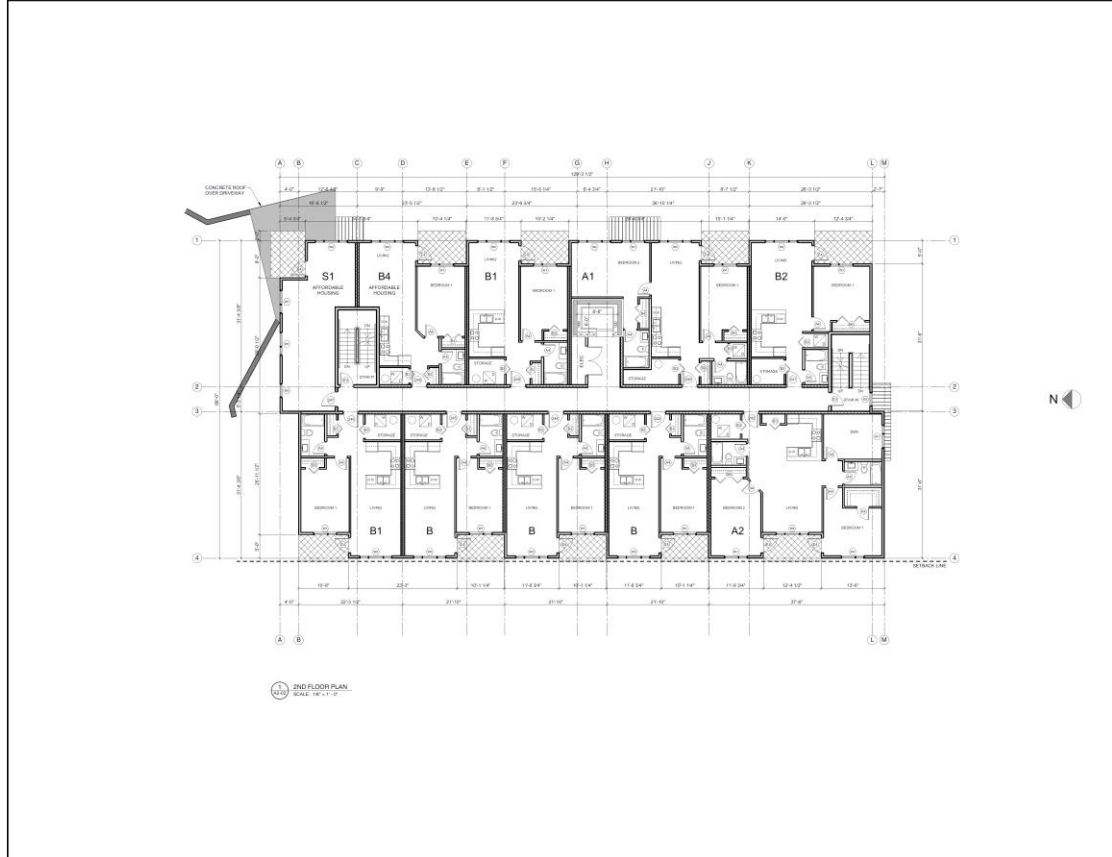
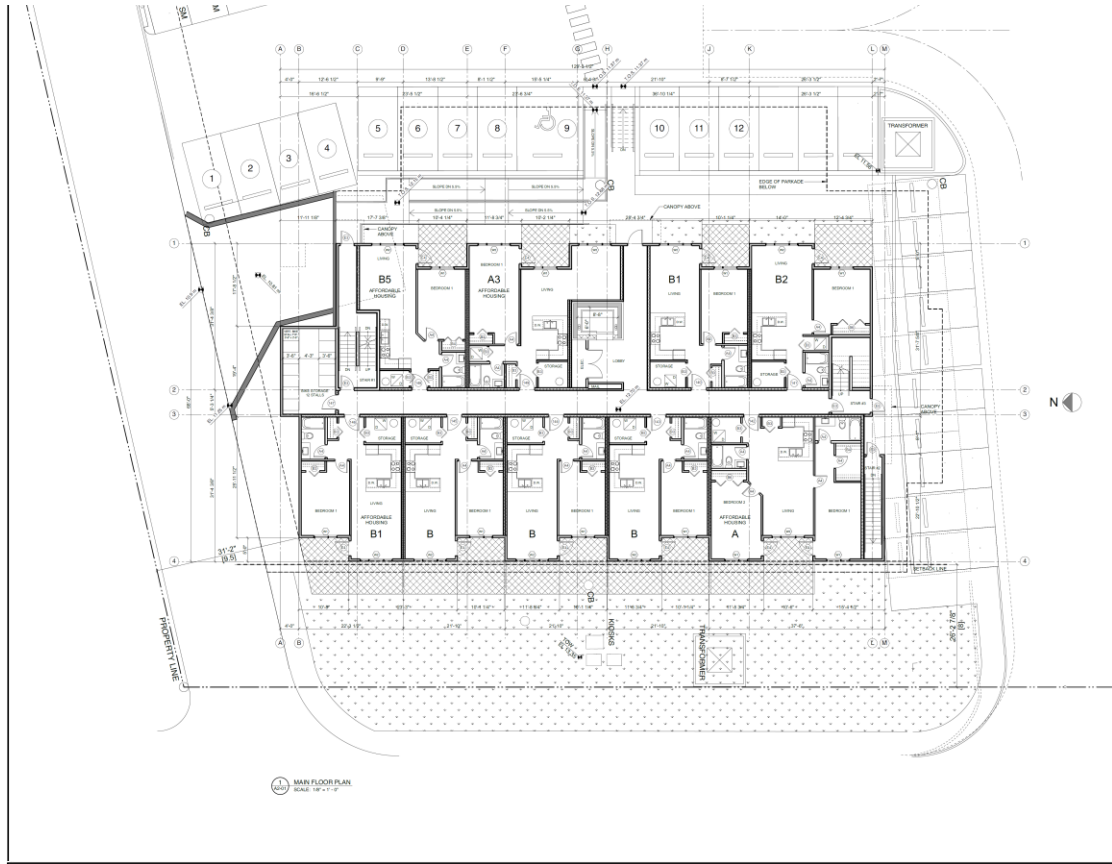
PROJECT NO: A1-00

**BRAD HUMPHREY ARCHITECT**

1520 THOMAS AVE  
 COQUITAMA, BC  
 TEL: 760.817.1578

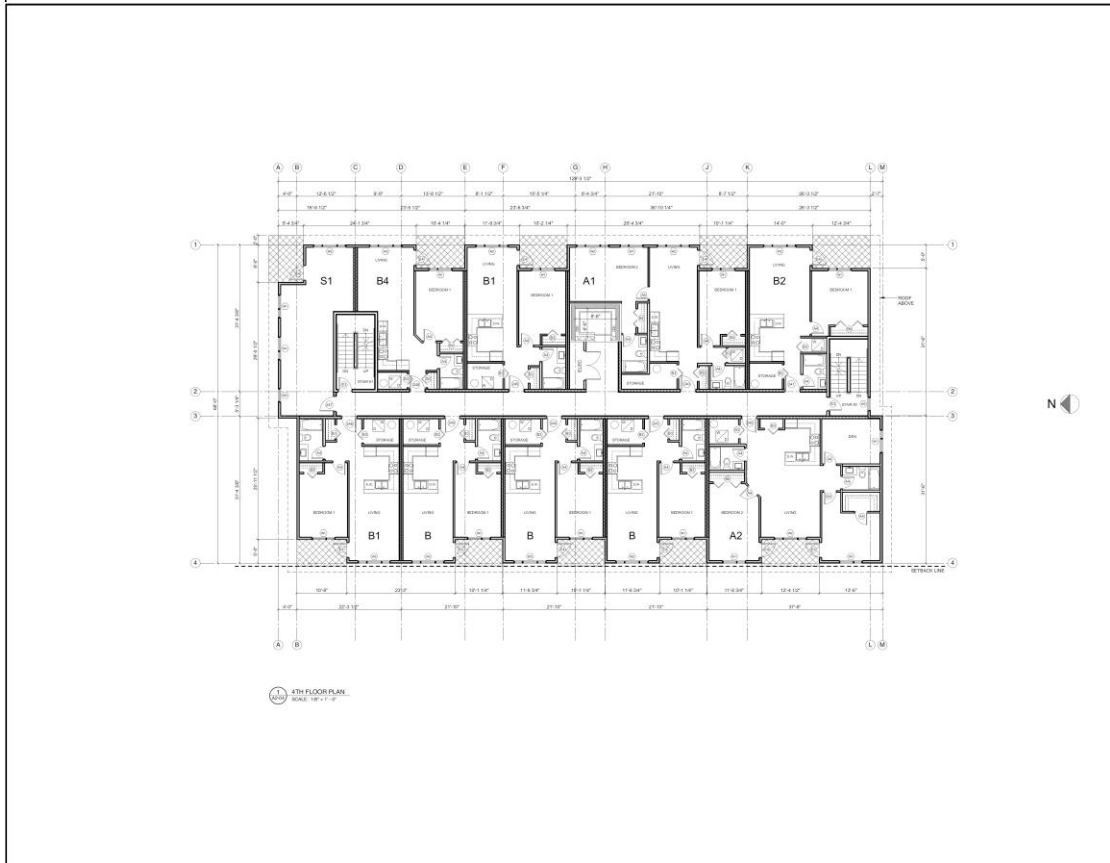
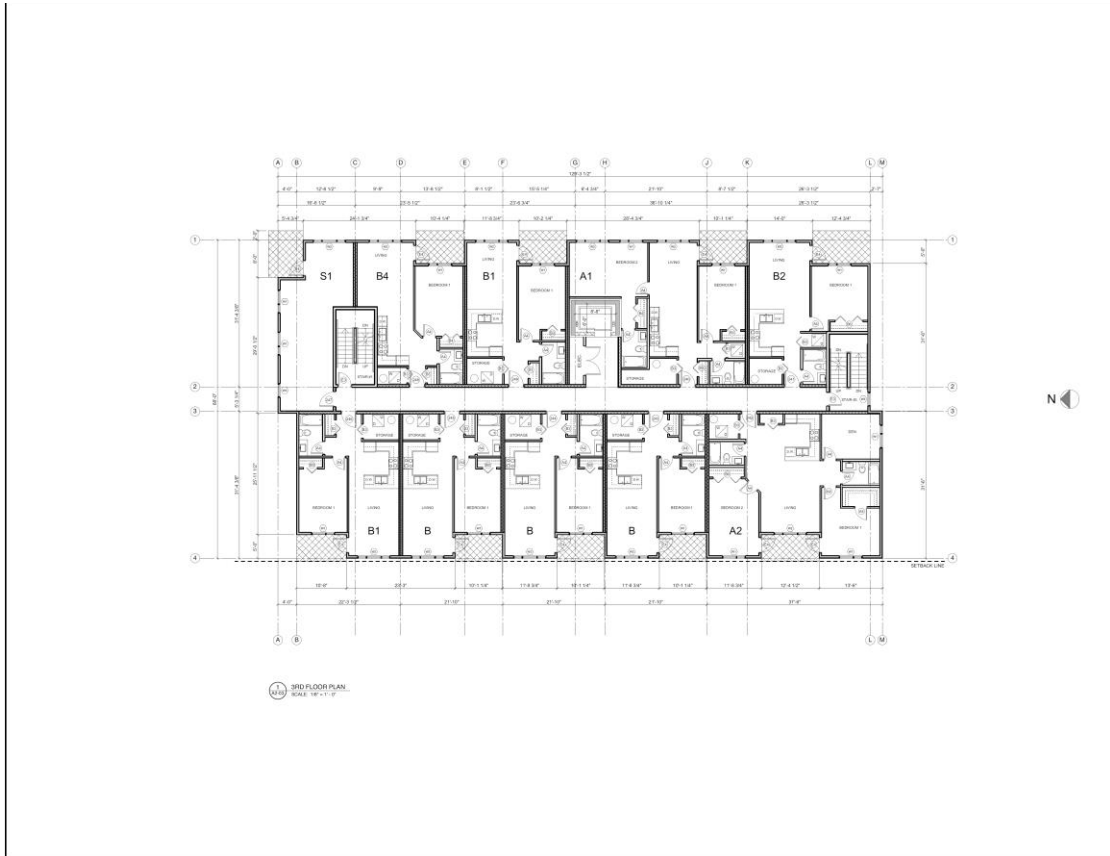
**COX & NEWMAN APPLICATION**

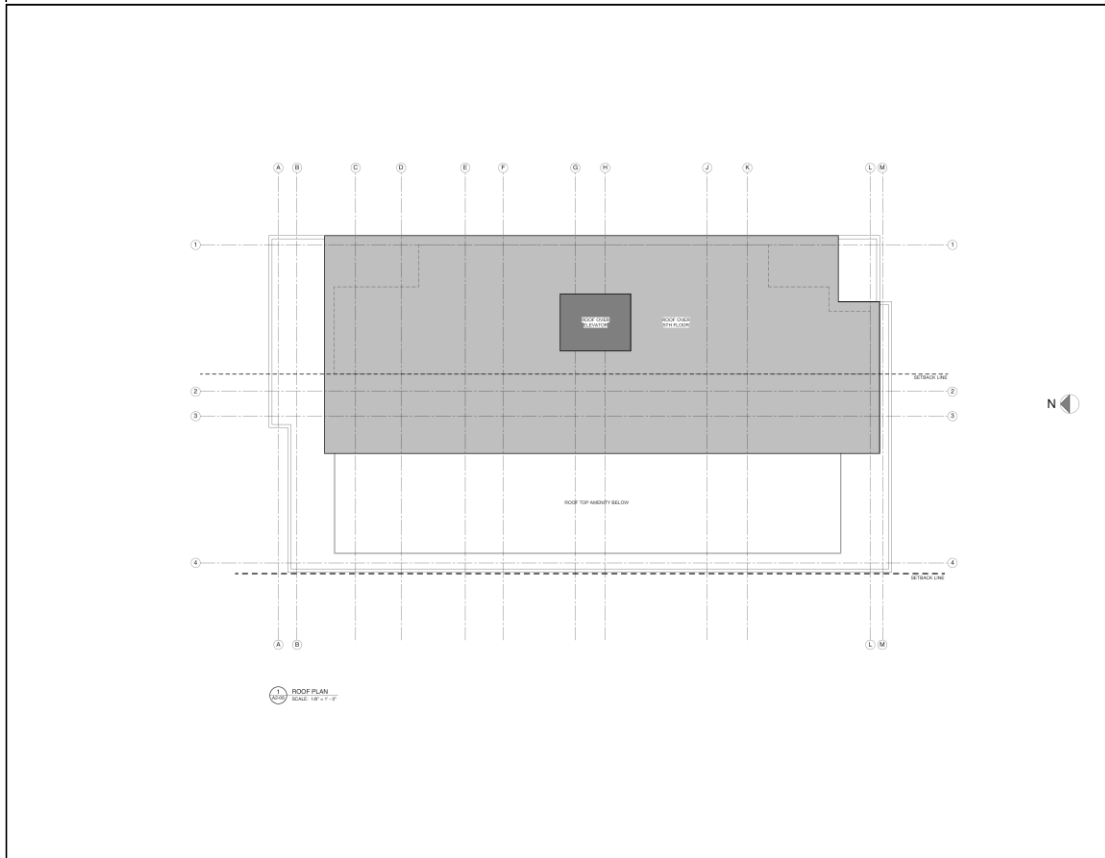
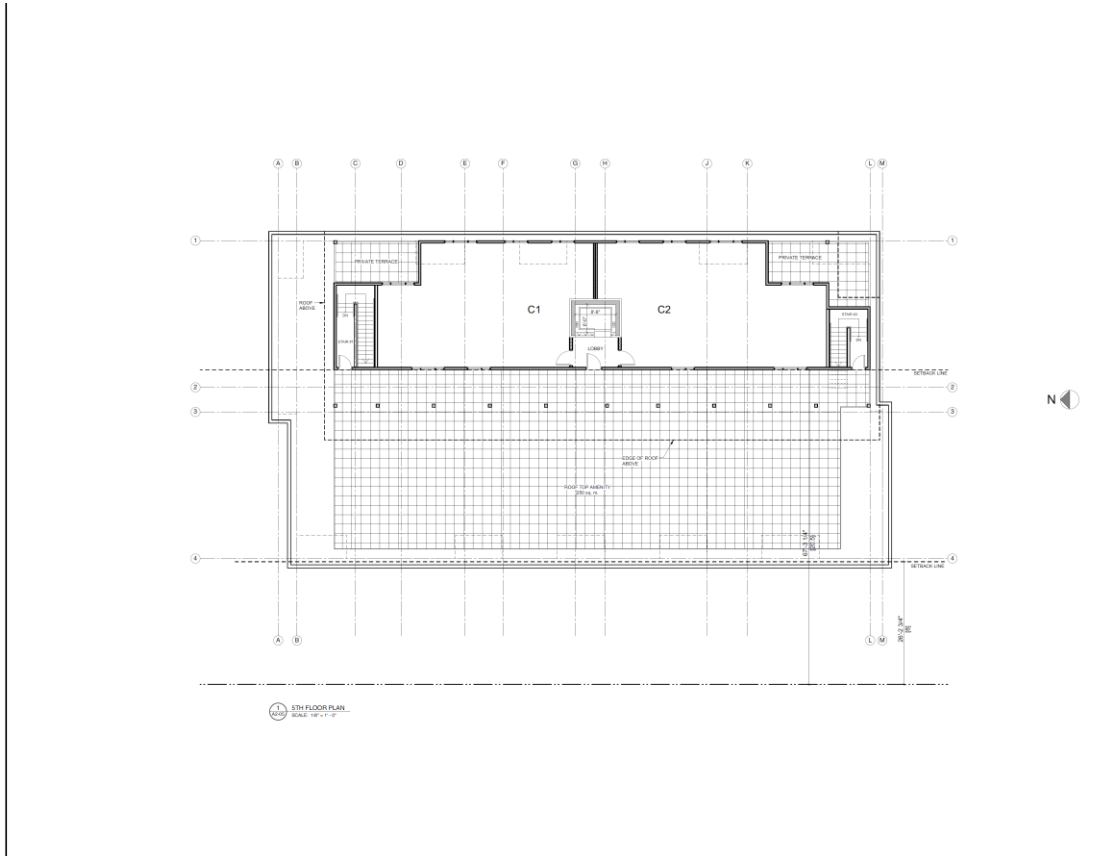
DATE: 27 OCT 2021



|   |                        |   |
|---|------------------------|---|
| DCP & RESIDING APPLICATION: 21 OCT 2021<br>DATE: 2021   |                        |   |
| CLIENT:<br>NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.   |                        |   |
| ARCHITECT:<br>Brad Humphrey Architect<br>1325 Thomas Avenue,<br>Coquitlam, Alberta<br>V3K 2L4<br>Tel 780.817.1578 |                        |   |
| PROJECT TITLE:<br>BUILDING 3 RESIDENTIAL  |                        |   |
| DRAWING TITLE:<br>MAIN FLOOR PLAN   |                        |   |
| SHEET:<br>802M  | SCALE:<br>1/8" = 1'-0" | PLOT DATE:<br>2021 01 04 10:21<br>ADDRESS NO.:<br>A2-01 |
| DCP & RESIDING APPLICATION: 21 OCT 2021<br>DATE: 2021   |                        |   |
| CLIENT:<br>NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD.   |                        |   |
| ARCHITECT:<br>Brad Humphrey Architect<br>1325 Thomas Avenue,<br>Coquitlam, Alberta<br>V3K 2L4<br>Tel 780.817.1578 |                        |   |
| PROJECT TITLE:<br>BUILDING 3 RESIDENTIAL  |                        |   |
| DRAWING TITLE:<br>2ND FLOOR PLAN  |                        |   |
| SHEET:<br>802M  | SCALE:<br>1/8" = 1'-0" | PLOT DATE:<br>2021 01 04 10:21<br>ADDRESS NO.:<br>A2-02 |







|  |                        |                                |
|--|------------------------|--------------------------------|
| DCP & DESIGN APPLICATION: 21 OCT 2021<br>DATE: _____<br>DRAWN BY: _____<br>CHECKED BY: _____<br>APPROVED BY: _____<br>NEWPORT VILLAGE COHESION DEVELOPMENTS LTD. |                        |                                |
| Brad Humphrey Architect<br>1325 Thomas Avenue,<br>Coquitlam, Alberta<br>V7K 2L4<br>Tel 780.817.1578  |                        |                                |
| PROJECT TITLE:<br>BUILDING 3 RESIDENTIAL   |                        |                                |
| DRAWING TITLE:<br>5TH FLOOR PLAN   |                        |                                |
| SHEET NO:<br>5TH   | SCALE:<br>1/8" = 1'-0" | FILE DATE:<br>2021 09 10 10:21 |
| A2-05  |                        |                                |

|  |                        |                                |
|--|------------------------|--------------------------------|
| DCP & DESIGN APPLICATION: 21 OCT 2021<br>DATE: _____<br>DRAWN BY: _____<br>CHECKED BY: _____<br>APPROVED BY: _____<br>NEWPORT VILLAGE COHESION DEVELOPMENTS LTD. |                        |                                |
| Brad Humphrey Architect<br>1325 Thomas Avenue,<br>Coquitlam, Alberta<br>V7K 2L4<br>Tel 780.817.1578  |                        |                                |
| PROJECT TITLE:<br>BUILDING 3 RESIDENTIAL   |                        |                                |
| DRAWING TITLE:<br>ROOF PLAN  |                        |                                |
| SHEET NO:<br>5TH   | SCALE:<br>1/8" = 1'-0" | FILE DATE:<br>2021 09 10 10:21 |
| A2-06  |                        |                                |



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council

**File No.:** 3090-20-2104

**From:** Chief Administrative Officer

**Date:** November 1, 2021

**Subject:** Development Variance Permit No. 2104 – 3208 Klanawa Crescent

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### **PURPOSE:**

The purpose of this report is for Council to consider the issuance of a Development Variance Permit to reduce the minimum rear yard setback for the planned house to be constructed on the property.

### **CAO RECOMMENDATIONS:**

THAT based on the November 1, 2021 staff report, “Development Variance Permit No. 2104 – 3208 Klanawa Crescent”, Council approve OPTION 1 and issue Development Variance Permit No. 2104.

Respectfully submitted,

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

### **BACKGROUND:**

The subject property is located within the Northridge Estates subdivision located northeast of the intersection of Mission Road and Klanawa Crescent. Surrounding the properties are established residential subdivisions along Cascara Crescent, Salal Place, Mission Road and Crown Isle Boulevard that are zoned for single family residential use. Forested lands in the Agricultural Land Reserve (ALR) exist to the north of the subdivision and to southwest there is a mix of light industrial and institutional uses.

Sanitary sewage services for the subdivision will be provided by the Greenwood Trunk facility which is currently under construction. The developer has completed presales of many of the lots which allows the builders to begin construction, however, title transfer and occupancy of the houses will not be permitted until the subdivision is either connected to the Greenwood Trunk or the developer constructs a lift station and forcemain to service the lots.



Figure 1: Subject Property (Lot 13 outlined in red)

**DISCUSSION:**

The proposal is located within the Residential One S Zone (R-1S) and is designated Urban Residential within the Official Community Plan (OCP). The R-1S zone allows a minimum lot size of 650m<sup>2</sup> or 725m<sup>2</sup> for corner lots. The subject lot is near the minimum area with the exact lot size shown in Table No. 1 below.

The applicant is applying to construct a house with a secondary suite which is intended to be occupied by the applicant’s mother. The applicant notes that a relaxation of the rear yard setback is being sought in order to accommodate a deck that will provide covered outdoor amenity space and storage space for mobility equipment in close proximity to the suite’s entrance. The applicant’s letter of rationale is referenced in **Attachment No. 2.**

Table No. 1 summarizes the requested variance. In all zones building elements such as eaves, porches, and decks are allowed to project into the required setback to a maximum of 0.6m. Since variances are measured from the closest building element to the property line, the variance request has been adjusted to include the projecting feature (i.e. deck).

| Rear Yard Setback Single Residential Lot | Required | Proposed Variance (factoring in projection) | Current Lot Size (Subdivision Plan EPP102825) |
|--|----------|---|---|
| Lot 13                                   | 12.0m    | 10m   | 658.3m <sup>2</sup>                           |

Table No.1: Proposed Variance

Adjacent Agricultural Lands

In 2017 the subject lands were rezoned from Residential One B (R-1B) to Residential One S (R-1S) and Public Assembly Two (PA-2) to permit single family dwellings with secondary suites and City Parkland.

During the rezoning process the Planning Division referred the application to the Ministry of Agriculture (MoA) and consulted in detail about the required buffering between the future residential lots and the

adjacent farmland to the north. MoA’s recommended buffer is outlined in MoA’s Guide to Edge Planning and calls for a 15m wide vegetated buffer with an additional 15m building setback (30m total buffer from the ALR land to the building) as seen in Table No. 2 below.

|  | Ministry of Agriculture Recommendation | Development Proposal on Lot 13   |
|--|--|--|
| Buffer Width   | 15 m                                   | 15 m<br>(represented by 15m City Trail (parkland) running along the northern property boundary)  |
| Building Setback                                       | 15 m                                   | 10 m<br>(proposed rear yard building setback)  |
| Total Distance from Back of House to Agricultural Land | 30 m                                   | 25 m<br>(represented by 15m City Trail (parkland) running along the northern property boundary combined with rear yard building setback distance of 10m) |

Table No. 2. Agricultural Buffering and Development Proposal (Lot 13)

Additionally, the City, based on MoA’s recommendation, is requiring that lot owners install fencing on the subject lots (as seen in Figure No. 2) and for the developer to install ALR signage along the northern property boundary adjacent to the farmland. These requirements have been secured through a covenant registered on the land.

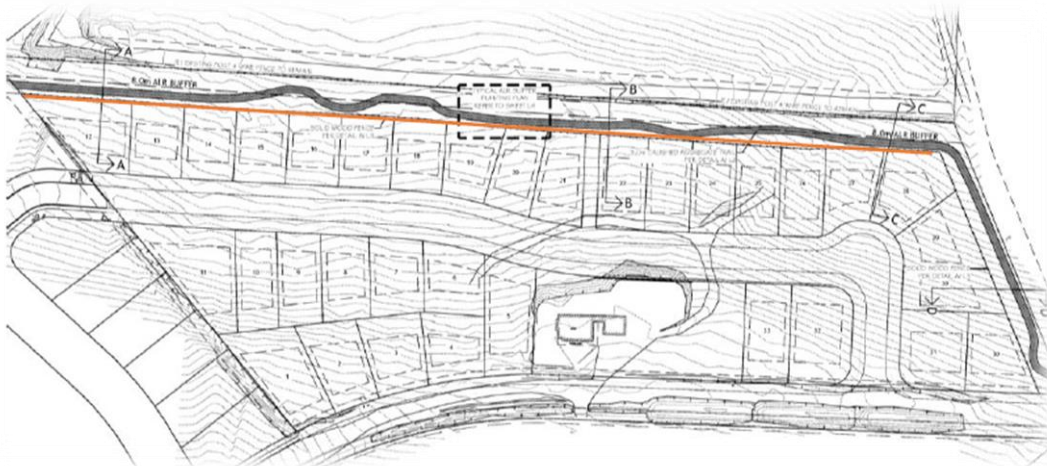


Figure 2: Schedule B, Covenant #CA6418526 (area where fencing is required is highlighted in orange)

Staff note that the variance on the lot, if approved, still provides a buffer of 25m (inclusive of the 15m vegetated trail and the applicant’s proposed 10m rear yard building setback). Staff feel that the width of the buffer is adequate and remains consistent with the intent of buffering established during the rezoning in 2017.

Staff have no concerns with the request to vary the rear yard setback as it will have minimal impact on the character of the streetscape and it promotes design flexibility for the single family residences. Also, the

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proposal respects the previously established tree retention area and maintains an appropriate buffer from the ALR lands to the north. **Staff assess the requested variance as supportable.**

**FINANCIAL IMPLICATIONS:**

There are no direct financial implications related to the processing of this Development Variance Permit as the fees are designed to offset administrative costs. The application fee for the DVP was \$1,000.

**ADMINISTRATIVE IMPLICATIONS:**

Processing development variance permits is a statutory component of the work plan. Staff has spent approximately 25 hours processing this application to date. Should the proposed development variance permit be approved, an additional two hours of staff time will be required to register the permit and close the file. Additional staff time will be required to process subsequent subdivision and building permit applications including inspections.

**ASSET MANAGEMENT IMPLICATIONS:**

There are no immediate asset management implications related to the proposed application.

**2019 - 2022 STRATEGIC PRIORITIES REFERENCE:**

- Communicate appropriately with our community in all decisions we make
- ▲ Encourage and support housing diversity

The November 2019 Strategic Priorities Check-in also identified the following references under the “Next Council Priorities” subsection:

- Housing Need Assessment

**OFFICIAL COMMUNITY PLAN REFERENCE:**

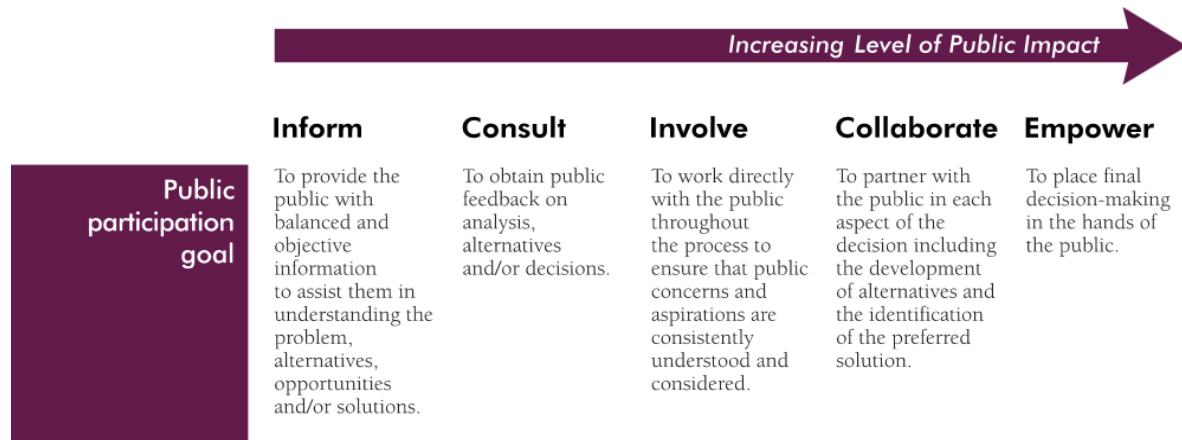
The subject property is designated as “Urban Residential” in the OCP and consistent with the policy direction provided.

**REGIONAL GROWTH STRATEGY REFERENCE:**

The proposed development is located within the core settlement area outlined in the Comox Valley Regional Growth Strategy. The Regional Growth Strategy states that at least 90 percent of growth in the Comox Valley should be directed to Core Settlement Areas.

**CITIZEN/PUBLIC ENGAGEMENT:**

As per Council’s direction, under the IAP2 Spectrum of Public Participation the level of public input that has been undertaken is “Consult”.



The applicant mailed out a public information meeting package on September 14, 2021 to adjacent property owners and occupiers and one public comment was received. The information contained in the public information package including one public comment provided in **Attachment No. 5**.

In accordance with *the Local Government Act*, the City has notified property owners and occupants within 30 metres of the subject property of the requested variances and provided the opportunity to submit written feedback. To date, staff has received no responses.

**OPTIONS:**

**OPTION 1: (Recommended)**

THAT based on the November 1, 2021 staff report, "Development Variance Permit No. 2104 – 3208 Klanawa Crescent", Council approve OPTION 1 and issue Development Variance Permit No. 2104.

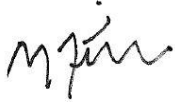
**OPTION 2:** Defer consideration of Development Variance Permit No. 2104 pending receipt of further information.

**OPTION 3:** Not approve Development Variance Permit No. 2104.

Prepared by:

Dana Beatson, RPP, MCIP  
Planner II - Development Planning

Reviewed by:



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Matthew Fitzgerald, RPP, MCIP  
Manager of Development Planning

Concurrence by:



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

Attachments:

- Attachment No. 1: Draft Development Variance Permit No. 2104 and Associated Schedules
- Attachment No. 2: Approved Subdivision Plan, EPP102825
- Attachment No. 3: Applicant's Letter of Rationale
- Attachment No. 4: Public Information Package and Public Comment
- Attachment No. 5: Sustainability Evaluation Checklist



**Attachment 1: Draft Development Variance Permit No. 2104**

**THE CORPORATION OF THE CITY OF COURTENAY**

**Permit No.** 3090-20-2104

**DEVELOPMENT VARIANCE PERMIT**

**To issue a Development Variance Permit**

**To:** Name: 0953484 B.C. LTD., INC.NO. BC0953484  
Address: 101 - 1930 Island Diesel Way  
Nanaimo, BC  
V9S 5W8

**Properties to which permit refers:**

Legal: Lot 13 District Lot 236 Comox District Plan EPP102825  
Civic: 3208 Klanawa Crescent

**Conditions of Permit:**

Permit issued to for the property legally described as Lots 13, District Lot 236 Comox District Plan EPP102825 with the following variance to the *City of Courtenay Zoning Bylaw No. 2500, 2007*:

8.1.61 Setbacks

(2) Reduce the minimum rear yard setback from 12m to 10m.

Development Variance Permit No. 2104 is subject to the following condition:

- That prior to issuance of a building permit, that Geotechnical Covenant CA8847889 be modified to reflect the Project Engineer's revised minimum offset requirements between the building foundation and rock pit on the subject lot.

**Time Schedule of Development and Lapse of Permit**

That if the permit holder has not substantially commenced the construction authorized by this permit within (12) months after the date it was issued, the permit lapses.

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Date

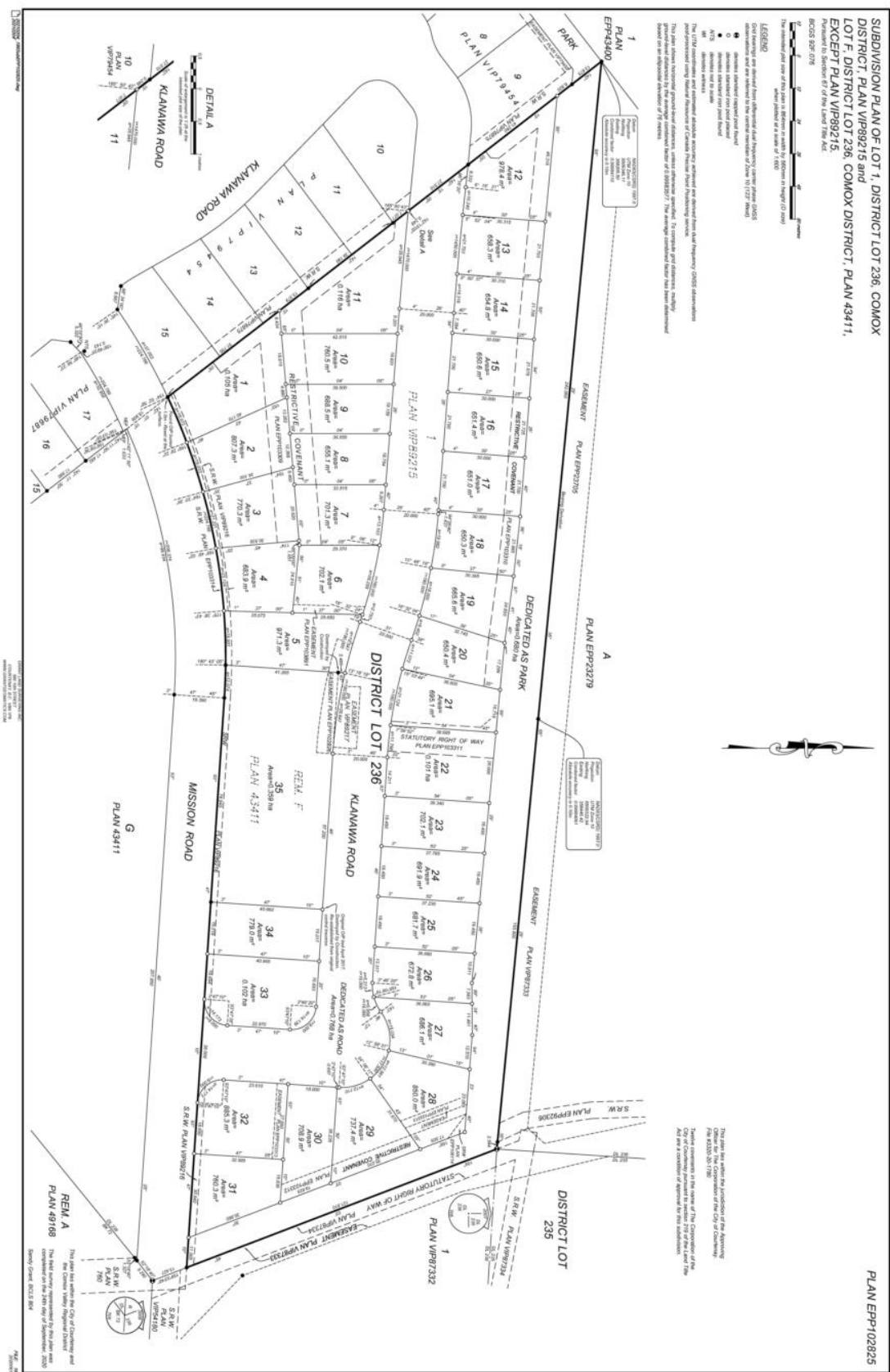
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Corporate Officer





Attachment No. 2: Subdivision Plan EPP102825



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**Attachment No. 3: Applicant's Letter of Rationale**

David & Leslee Giffin  
2290 Waveland Rd.  
Courtenay, BC. V9J 1X8

June 15, 2021

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

Written Summary for Board of Variance Application

We are requesting a variance for Lot #13 Klanawa Crescent, Lot 1, District Lot 236, Comox District, Plan VIP89215 (3208 Klanawa Crescent). We are asking for a relaxation of the 12 metre rear set back specified in Section 8.1.61 to a 9.94 metre rear set back. This is so we can accommodate a wheelchair staging area for the suite that will be occupied by our 90-year-old mother. This variance will allow a much safer area due to the steep slope of the lot running front to back.

Our mother currently lives on her own in Richmond. She suffers from a debilitating spinal condition that has recently made it necessary for her to use a wheelchair. Her quality of life and overall health has suffered a great deal since COVID 19 started, and as a result, we have made the decision to build a suite in our home so we can provide for her medical needs. We believe having her close will improve her health and quality of life considerably as she will no longer be isolated on her own. Having a covered area that is large enough to accommodate a wheelchair will allow her to enjoy an outdoor space and it will also provide an area to store her wheelchair and scooter that is protected from the weather.

Sincerely,  
David & Leslee Giffin

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**Attachment No. 4: Public Information Package and Public Comment**

**PUBLIC INFORMATION MAILOUT FOR DEVELOPMENT VARIANCE APPLICATION**

Applicant Information:

David & Leslee Giffin  
2290 Waveland Rd.  
Courtenay, BC. V9J 1X8  
Ph: 250-319-0931  
E-Mail: david@tincontracting.com

September 14, 2021

Owner/Occupant  
Address

Dear Sir/Madam:

We are requesting a development variance for **3208 Klananwa Crescent** (Lot #13 District Lot 236, Comox District Plan EPP10285). **We are asking for a relaxation of the 12-metre rear set back specified in Section 8.1.61 (2) to a 10.0 metre rear set back.** This is so we can accommodate a wheelchair staging area for the suite that will be occupied by our 90-year-old mother. Having a covered area that is large enough to accommodate a wheelchair will allow her to enjoy an outdoor space and it will also provide an area to store her wheelchair and scooter that is protected from the weather. This variance will allow a much safer area due to the steep slope of the lot running front to back.

Please see the attached map and site survey for your review. Our application submission and relevant documents can be viewed by accessing the City's Development Applications Website [www.courtenay.ca/devapptracker](http://www.courtenay.ca/devapptracker) (search by file number or address).

Should you have any questions or concerns regarding our application, we ask that you please return your comments by September 30, 2021.

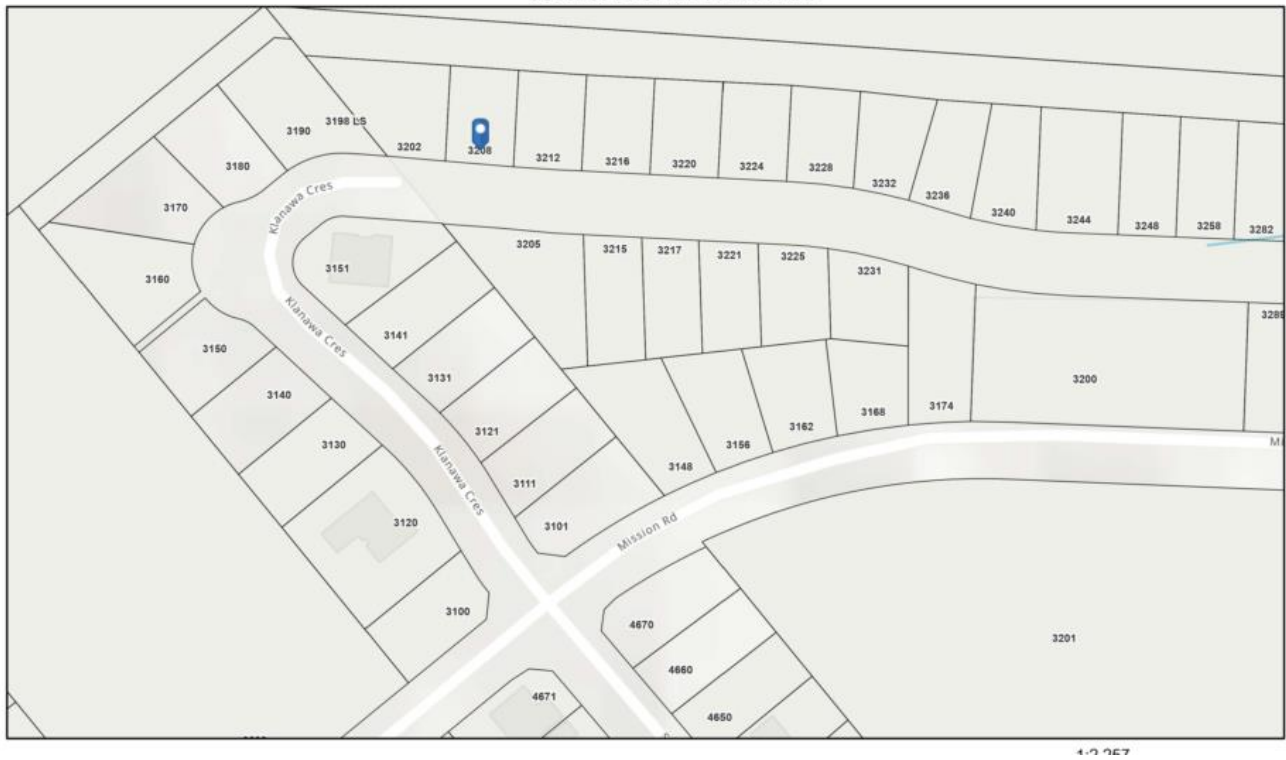
Comments can be submitted by any of the following methods:

- Mail comments to 2290 Waveland Rd. Courtenay, BC V9J 1X8
- Email your comments to [david@tincontracting.com](mailto:david@tincontracting.com) or [lesleegiffin@gmail.com](mailto:lesleegiffin@gmail.com)
- Call 250-319-0931 anytime between hours of 8 am and 8 pm
- Public comments can also be submitted to the city at [planning@courtenay.ca](mailto:planning@courtenay.ca)

Sincerely,  
David & Leslee Giffin



**SUBJECT PROPERTY AREA MAP**



4-2-2017



Sept 24/21

Attn  
Planning Dept  
City of Courtenay  
Haley

Attn Planning Dept: City of Courtenay  
Regarding request for development variance:  
3208 Klanawa Crescent Lot #13 DL236

As the adjacent neighbour impacted by any variance to rear set backs, we do not support the variance being granted. Any such variance granted will impact agricultural activities that can be carried out in the ALR of our property. The original rear set back was set to support the URBAN INTERFACE WITH AGRICULTURAL USES WITHIN THE ALR.

THE Proposed uses and reasons presented for the variance at most would be for a few years only. Our Agricultural uses and potential impacts of lessening the agricultural set backs are for decades of use to come.

Sincerely

**Attachment No. 5: Sustainability Evaluation Checklist**



**CITY OF COURTENAY**  
**Development Services**  
 830 Cliffe Avenue  
 Courtenay, BC, V9N 2J7  
 Tel: 250-703-4839 Fax: 250-334-4241  
 Email: [planning@courtenay.ca](mailto:planning@courtenay.ca)

**SUSTAINABILITY  
 EVALUATION**

COMPLIANCE CHECKLIST

The following checklist provides a quick reference list of required sustainability criteria that, where applicable, shall be satisfied for all development applications including Official Community Plan (OCP) and Zoning Bylaw amendments, Development Permits, Development Variance Permits, Tree Cutting and Soil Removal Permits, Agricultural Land Reserve and Subdivision applications. These criteria are established to ensure that the goals and objectives of the OCP are satisfied. Please briefly state in the "Description" column how the application achieves the stated criterion. Where an element of the development proposal does not comply with a sustainability criterion, a justification stating the divergence and the reason shall be made. A separate sheet may be used to provide comment. **Incomplete forms will result in application delays.**

The Sustainability Evaluation Checklist Policy states: *Proposed developments will be considered where a development:*

- a. provides substantial benefits to the City;
- b. will not negatively impact on the City's infrastructure, neighborhood or environment;
- c. new development that supports destination uses such as the downtown, Riverway Corridor or a Comprehensive Planned Community;
- d. Meets applicable criteria set out in the OCP.

The complete Sustainability Evaluation Checklist policy is contained within the City of Courtenay Official Community Plan No. 2387, 2005.

**Project Address:** 3208 Klanawa Crescent **Date:** October 20, 2021

**Applicant:** David & Leslee Giffin **Signature:**

**APPLICATION REQUIREMENTS** To be filled out by applicant

| Land Use. <i>The application:</i>   | Description of how the criteria are met |
|---|---|
| a) Provides a mix of housing types and sizes;                                       | Custom designed single family home      |
| b) Balances the scale and massing of buildings in relation to adjoining properties; | Similar form and character              |
| c) Complements neighboring uses and site topography;                                | High quality single family home         |
| d) Provides or supports mixed used developments or neighborhoods;                   | Adhere's to R-1S zoning                 |
| e) Promotes walking to daily activities and recreational opportunities;             | Backs onto parkland and green space     |
| f) Supports a range of incomes;   | In line with similar new homes          |
| g) Is a positive impact on views and scenery;                                       | Custom designed home and landscaping    |
| h) Preserves and provides greenspace, trails and landscaping;                       | Protected green space areas             |

| <b>Building Design. The application:</b>  | <b>Description of how the criteria are met</b>                       |
|---|--|
| a) Exhibits high standard of design, landscaping and environmental sensitivity;   | Professionally designed landscaping                                  |
| b) Maintains a high standard of quality and appearance;   | Custom designed single family home                                   |
| c) Includes articulation of building faces and roof lines with features such as balconies, entrances, bay windows, dormers and vertical and horizontal setbacks with enhanced colors; | Custom features designed to coordinate and enhance colour selections |
| d) Avoids creating a strip development appearance;  | Custom designed home   |
| e) Satisfies Leadership in Energy and Environmental Design (LEED) certification (or accepted green building best practices);  | Step code 5 compliant  |
| f) Uses environmentally sensitive materials which are energy sensitive or have accepted low pollution standards;  | Step code 5 compliant  |
| g) Builds and improves pedestrian amenities;  | Walking trails and park land   |
| h) Provides underground parking;  | Single family home with enclosed garage                              |
| i) Applies CPTED (Crime Prevention Through Environmental Design) principles;  | Single family home with security                                     |
| <b>Transportation. The application:</b>   | <b>Description of how the criteria are met</b>                       |
| a) Integrates into public transit and closeness to major destinations;  | Walking distance to bus routes                                       |
| b) Provides multi-functional street(s);   | Park land and green spaces provided                                  |
| c) Prioritizes pedestrian and cycling opportunities on the public street system and through the site location that can provide an alternative to public road;                         | Park land and walking trails   |
| d) Provides or contributes towards trail system, sidewalks, transit facilities, recreation area or environmentally sensitive area;  | Walking trails   |
| <b>Infrastructure. The application:</b>   | <b>Description of how the criteria are met</b>                       |
| a) Includes stormwater techniques that are designed to reduce run-off, improve groundwater exchange and increase on-site retention;   | On site engineered storm and water system                            |
| b) Utilizes renewable energy sources (i.e. solar, geothermal) within servable area to City standards;   | High efficiency gas heating and water system                         |

| <b>Character &amp; Identity. <i>The application:</i></b>   | <b>Description of how the criteria are met</b> |
|--|--|
| a) Provides a positive image along waterfront areas and fronting road;   | Custom designed single family home             |
| b) Is designed with quality and variety of features within the project (i.e. street furniture, street lights, signs, curb treatments); | Full curb and gutters and street lighting      |
| c) Provides public and private amenity space;  | Park land and green space                      |
| d) Preserves heritage fixtures;  | Building scheme in place                       |
| e) Orients to views, open space and street;  | Building envelope in place                     |
| <b>Environmental Protection &amp; Enhancement. <i>The application:</i></b>   | <b>Description of how the criteria are met</b> |
| a) Protects riparian areas and other designated environmentally sensitive areas;   | Protected green space                          |
| b) Provides for native species, habitat restoration/improvement;   | Protected trees                                |
| c) Includes tree lined streetscapes.   | Boulevard of trees                             |



## STAFF REPORT

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**To:** Council  
**From:** Chief Administrative Officer  
**Subject:** Greenwood Trunk Sewer Funding Reallocation

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**File No.:** 5335-20 / 5340-02  
**Date:** November 01, 2021

### PURPOSE:

The purpose of this report is to secure the additional funds required to complete the Greenwood Trunk Sewer project by reallocating \$711,100 from existing approved 2021 approved sewer capital projects and \$648,900 from the Sewer Asset Management Reserve, into the Greenwood Trunk Sewer Capital project budget in 2021.

### EXECUTIVE SUMMARY

The Greenwood Trunk Sewer project began construction in June, 2020, and has since been completed to approximately 75% final build-out.

During deep excavation works in September, 2020, a hydraulic breach in the floor of the excavation caused inflow from an underground aquifer. It was determined the soils below the excavation must be remediated prior to installation of the proposed lift station to ensure safety and mitigate environmental impacts. The costs of the efforts to do these works could not be covered under the project's original budget, and so additional funds of \$1,492,500 were requested in March of 2021. Remediation efforts proceeded and were completed May 31st, 2021, and are considered successful, the aquifer breach is now considered repaired.

During re-excavation works in July of 2021, a secondary hydraulic breach with heavy inflow was encountered approximately 0.5m above the base of the completed excavation. Review, including attempted deep well pumping of the aquifer, has determined there is no apparent hydraulic connectivity between this breach and the underlying aquifer. It is believed this breach is sourced from a confined groundwater pocket, such as a sand lens, adjacent to the excavation.

The inflow from the secondary breach must be stopped, and void spaces created by water movement through preferential flow paths filled, to allow for installation of the proposed lift station and ensure its design life viability. A review of options by our engineering consultants has determined grout consolidation to be the best value option for the City. The costs of the efforts to do these works could not be covered under the project's current budget, and additional funds of \$1,360,000 are being requested at this time.

### CAO RECOMMENDATIONS:

THAT based on the November 1<sup>st</sup>, 2021 staff report "Greenwood Trunk Sewer Funding Reallocation" Council approve OPTION 1 and direct Staff to:

Reallocate \$85,000 from South Courtenay Sewer, \$100,000 from Cascara and Klanawa connection to Greenwood, \$306,100 from 1<sup>st</sup> Street Lift Station Replacement, and \$220,000

from Puntledge Sanitary Catchment projects to the Greenwood Trunk Sewer Capital project in 2021; and,

Transfer \$648,900 from the Sewer Asset Management Reserve to the Greenwood Trunk Sewer Capital project in 2021.

Respectfully submitted,



Geoff Garbutt, MCIP RPP  
Chief Administrative Officer

**BACKGROUND:**

The installation of the Greenwood Trunk sewer project, consisting of approximately 600m of gravel roadway, 1.6km of gravity main, 1.7km of pressure main, a lift station, and other supporting works, began in early June, 2020. By utilizing multiple crews, all of the access road had been roughed in, and 1.3km of gravity & 800m of pressure main had been installed in the first 3 months of construction. At this time (early September), the project was projected to finish on-time and approximately \$473,000 below its original \$4,100,000 budget.

In September, 2020, during lift station installation, a hydraulic breach was encountered within the excavation floor. The breach was found to have hydraulic connectivity to a significant underground aquifer, and it was determined the soils below the proposed excavation must be remediated prior to installation of the proposed lift station to ensure safety and mitigate environmental impacts. These remediation efforts were completed in July of 2021 and are considered successful, the aquifer breach is now considered repaired.

**DISCUSSION:**

Re-excavation for the lift station installation proceeded on July 5<sup>th</sup>, 2021. Excavation works extended to the base of the proposed excavation and was considered complete on the morning of July 7<sup>th</sup>, 2021, notwithstanding a small hydraulic breach in the sidewall of the excavation approximately 0.5m above the base. However, the inflow from this hydraulic breach increased throughout the day until reaching an unmanageable rate in the late afternoon.

Aquifer connectivity was again suspected, and deep well pumps were reactivated and engaged on July 8<sup>th</sup>, 2021, to manage flow. However, the static water elevation within the open excavation was not affected by this pumping, and it was later disengaged, which also had no noted effect. Due to this process, it is inferred that the inflow does not have hydraulic connectivity to the aquifer previously encountered, and instead is a confined groundwater pocked, such as a sand lens, adjacent to the excavation.

Due to the rate of inflow from the hydraulic breach, it would not be possible to safely proceed with works within the excavation using standard dewatering techniques. Further, the movement of groundwater towards the breach carries fines from the in situ soils leaving an unknown quantity or volume of void spaces adjacent to the installation. These void spaces could undermine the lift station's engineered backfill,

with the potential of reduced design life or even catastrophic failure due to tank floatation, if installed without remediation.

**PROPOSED SOLUTION:**

Due to its high chance of success, low geotechnical and environmental risks, and reasonable relative costs, grout improvement using grout consolidation is the recommended solution.

Once the existing excavation is dewatered and backfilled, the work will involve drilling down to a pre-determined depth at multiple locations around the excavation and injecting grout through the drill rod, filling any void spaces. Although it is impossible to accurately calculate the number of drilling locations required or the grout uptake at each, our consultants have estimated approximately 40-45 drill locations and 1200 bags of grout will be utilized. It is recommended by our consultants that aquifer dewatering pumps be engaged during this process to allow an additional factor of safety while introducing pressurized grouts to the in situ soils. Once the grout is reasonably cured, construction of the lift station may continue as originally planned, generally in conformance with the Issued for Construction design drawings.

**IMPLICATIONS IF NOT ADDRESSED:**

Leaving this project incomplete would entail long-term maintenance responsibilities in handling the artesian flows arising from the base of the excavation, including infrastructure to direct flows and mitigate downstream environmental concerns to fish habitats. Approval from the Ministry of Forests, Lands, and Natural Resource Operations would be required for permanent flows, and this is not guaranteed. Additional maintenance would be required on the approximately 3.2km of pipe installed as part of this project, which would have no outlet.

Further, without completion of this project, existing overburdened sanitary sewer infrastructure would not be relieved, including the planned ability to decommission three existing lift stations, and additional capacity for future development in the area would not be realized.

**SCHEDULE & FINANCIAL IMPLICATIONS:**

Prior to September 10<sup>th</sup>, 2020, when the original breach was encountered, the project was on track to achieve substantial completion, under budget, in December of 2020. All other site works not reliant on the lift station installation have been completed in the interim to mitigate schedule impacts. Remediation of the initial and secondary hydraulic breaches have caused delay, as seen in Table 1 below of the modified project schedule through completion.

**Table 1: Modified Project Schedule**

| SCHEDULE                      |      |     |     |     |      |     |     |     |     |     |     |     |
|-------------------------------|------|-----|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|
|                               | 2021 |     |     |     | 2022 |     |     |     |     |     |     |     |
| Schedule Item                 | May  | Jun | Jul | Aug | Sep  | Oct | Nov | Dec | Jan | Feb | Mar | Apr |
| Previous Remediation Works    |      |     |     |     |      |     |     |     |     |     |     |     |
| Construction Works            |      |     |     |     |      |     |     |     |     |     |     |     |
| Secondary Breach              |      |     |     |     |      |     |     |     |     |     |     |     |
| Well Dewatering               |      |     |     |     |      |     |     |     |     |     |     |     |
| Remediation Engineering       |      |     |     |     |      |     |     |     |     |     |     |     |
| Staff Report to Council       |      |     |     |     |      |     |     |     |     |     |     |     |
| Site Preparation & Dewatering |      |     |     |     |      |     |     |     |     |     |     |     |
| Breach Remediation            |      |     |     |     |      |     |     |     |     |     |     |     |
| Lift Station Installation     |      |     |     |     |      |     |     |     |     |     |     |     |
| Substantial Completion        |      |     |     |     |      |     |     |     |     |     |     |     |

Table 2 below provides a summary of the project costs anticipated due to the hydraulic breach. It is estimated the project shall require \$1,360,000 in additional funds to complete. It is noted that due to the nature of this work and the impossibility of estimating grout uptake, there is a high potential for variability of the final costs.

**Table 2: Additional Costs**

| Cost Item                        | Firm(s)   | Services Provided  | Cost                   |
|----------------------------------|---|--|------------------------|
| <b>Initial Breach Response</b>   | Multiple  | -well activation and dewatering<br>-environmental review<br>-site and topographic adjustments                              | \$101,850.00           |
| <b>Sub-Consulting</b>            | Urban Systems<br>Waterline Resources<br>Thurber Engineering | -well and dewatering review and oversight<br>-remediation engineering<br>-contract administration                          | \$92,750.00            |
| <b>Prime Contractor</b>          | Leighton Contracting<br>Current Environmental               | -supporting site and dewatering works<br>-site management and safety oversight<br>-environmental monitoring and management | \$500,000.00           |
| <b>Drilling Contractor</b>       | Fyfe Well Services  | -deep well dewatering oversight<br>-well pump rentals  | \$140,000.00           |
| <b>Reclamation Contractor</b>    | Western Grater Contracting                                  | -grout consolidation works   | \$200,000.00           |
| <b>Miscellaneous Delay Costs</b> | Multiple  | -interim equipment rentals<br>-interim environmental monitoring<br>-interim water management                               | \$200,000.00           |
| <b>Sub-Total</b>                 |   |  | <b>\$1,234,600.00</b>  |
| <b>Contingency</b>               |   | 15% contingency (on uncompleted works).  | \$125,400.00           |
| <b>TOTAL</b>                     |   | <b>Additional funds requested (rounded).</b>   | <b>\$ 1,360,000.00</b> |



Staff are pursuing all options available to mitigate the above additional costs for this unforeseen geo-technical site condition.

**FINANCIAL IMPLICATIONS:**

Council passed the following resolution on March 15, 2021 to address the original budget amendment related to the first hydraulic breach:

**Moved By** McCollum

**Seconded By** Frisch

“THAT based on the March 15<sup>th</sup>, 2021 staff report “Greenwood Trunk Sewer Funding Reallocation” Council approve OPTION 1 and direct Staff to:

1. Reallocate \$1,000,000 from the New Works Reserve – Community Gas Tax Funds into the Greenwood Trunk Sewer Capital project fund in 2021; and,
2. Reallocate \$492,500 from the prior year Sewer Operating surplus into the Greenwood Trunk Sewer Capital project fund in 2021.”

**Carried**

Through the recent strategic planning session with Council, staff were asked to revisit the allocation of \$1,000,000 of these Community Works (Gas Tax) funds and provide alternate options/impacts to the sewer fund if other sources of reserve funding were utilized instead. This discussion has also been considered in developing the financial implications of the secondary breach and incorporated into the financial implications and options.

Staff are currently working on the 2022-2026 Sewer Fund Financial Plan which is also impacted by the Comox Valley Regional District sewer requisition and has not been finalized at this stage. Therefore the following impacts on the 2022 user fee are only estimates at this point and would be confirmed through the upcoming budget process.

Option 1:

- Do not change the original approved funding recommendation for breach #1 and continue to utilize \$1,000,000 of Community Works (Gas Tax) funds.
- Reallocate \$711,100 from existing 2021 approved sewer capital projects to the Greenwood Trunk project as follows:

| Project description                               | 2021 Available Funds |
|---|----------------------|
| South Courtenay Sewer System                      | 85,000               |
| Sewer Cascara and Klanawa connection to Greenwood | 100,000              |
| Sewer - 1st Street Lift Station Replacement       | 306,100              |
| Puntledge Sanitary Catchment Replacement          | 220,000              |
| <b>Total 2021 Reallocation</b>                    | <b>711,100</b>       |

- Transfer \$648,900 from the Sewer Asset Management Reserve, leaving an estimated yearend balance of \$1.4M in the reserve.
- Estimated 2022 user fee would increase by 7.5% (\$26.37/HH) and 5.5% increase to each year following in the 5 year financial plan.

Option 2:

- Do not change the original approved funding recommendation for breach #1 and continue to utilize \$1,000,000 of Community Works (Gas Tax) funds.
- Utilize another \$1,000,000 of Community Works (Gas Tax) funds.
- Transfer \$360,000 from the Sewer Asset Management Reserve, leaving an estimated yearend balance of \$1.7M in the reserve.
- Estimated impact to the 2022 user fee would result in a 5% increase (\$17.58/HH) and 5% increase to each year following in the 5 year financial plan.

Option 3:

- Amend the original approved funding recommendation for breach #1 to utilize \$1,000,000 of the Sewer Asset Management Reserve instead of Community Works (Gas Tax) funds and repay the reserve in 2022.
- Reallocate \$711,100 from existing 2021 approved sewer capital projects to the Greenwood Trunk project as follows:

| Project description                               | 2021 Available Funds |
|---|----------------------|
| South Courtenay Sewer System                      | 85,000               |
| Sewer Cascara and Klanawa connection to Greenwood | 100,000              |
| Sewer - 1st Street Lift Station Replacement       | 306,100              |
| Puntledge Sanitary Catchment Replacement          | 220,000              |
| <b>Total 2021 Reallocation</b>                    | <b>711,100</b>       |

- Transfer \$648,900 from the Sewer Asset Management Reserve, leaving an estimated yearend balance of \$449,000 in the reserve.
- Estimated 2022 user fee would increase by 25% (\$87.90/HH) and 0% increase to each year following in the 5 year financial plan.

The Canada Community-Building Fund (formerly the federal Gas Tax Fund) provides predictable, long-term and stable funding to local governments in British Columbia for investment in infrastructure and capacity building projects. The City of Courtenay receives approximately \$1.1 Million each year through the Community Works stream of this fund. These funds are allocated to eligible projects each year through the budget process. Eligible projects include investments in infrastructure for its construction, renewal, or material enhancement including wastewater collection including wastewater collection.

Each year, the City must report on the actual use of these funds. In 2020 municipalities were surveyed and asked to confirm that any unspent funds currently sitting in a reserve would be used up by 2024 when the existing ten year agreement expires. A new ten year agreement is uncertain at this time. The City received

an additional one time extra top up payment in 2021 of \$1.1M, leaving an estimated yearend balance of \$2.37M assuming there is no change to the breach #1 funding.

#### **ADMINISTRATIVE IMPLICATIONS:**

The Greenwood Trunk Sewer Project is led by Engineering Services, with support from other City Departments. Consultants with technical knowledge specific to this work have been and will be utilized to develop and implement detailed designs and processes. Estimated costs associated with external consultants are included in the project capital budget.

#### **ASSET MANAGEMENT IMPLICATIONS:**

The Greenwood Trunk Sewer project is an important project required to support growth in East Courtenay, to enhance capacity and support continued development. This project has been vetted through the Asset Management Working Group, approved by the CAO, and identified as a high priority project.

The City's Sewer Master Plan identifies the Greenwood Trunk as the number 1 priority project. The construction of this trunk main has a number of significant positive impacts to the City's wastewater collection system, but also to the Sewage Commission infrastructure and the environment.

1. When constructed, the Greenwood trunk will allow the City to decommission three (3) smaller lift stations and redirect those flows into the CVRD trunk main on Anderton Road. The CVRD (approved Sewage Commission project in 2019) completed their section in anticipation of the City's project. The new lift station along the Greenwood trunk has been designed with improved technology and monitoring (SCADA) and will be much more efficient than the older three lift stations.
2. When constructed, the Greenwood trunk will allow the City to re-direct substantial flows away from the Regional Courtenay lift station, helping to alleviate capacity concerns.

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

**As part of the 2019 Strategic Priorities Chart a list of Council's NOW/NEXT priorities were adopted.  
Strategic Priorities 2019 - 2022**

As part of the Strategic Priorities for 2019 - 2022 the following are relevant to the Greenwood Trunk Sewer Project:

##### **We proactively plan and invest in our natural and built environment**

- Focus on asset management for sustainable service delivery
- ▲ Look for regional infrastructure solutions for shared services
- ▲ Support social, economic and environmental sustainability solutions

##### **We continually invest in our key relationships**

- ▲■ Advocate and cooperate with local and senior governments on regional issues affecting our community
- ▲ Support improving accessibility to all City Services

Operational Strategies:

- Engineering Services - Greenwood Sewer Trunk Construction
- Financial Services – Community Works Fund – Gas Tax Options Report

**OFFICIAL COMMUNITY PLAN REFERENCE:**

Section 6.3 Sanitary Sewer Treatment states to follow policies to reduce infiltration, consider downstream capacity of existing sewer mains, and to provide an effluent network that is limited to areas within the City's municipal boundaries.

**REGIONAL GROWTH STRATEGY REFERENCE:**

These sewer projects provide the public with infrastructure that addresses public health needs and concerns and provides equal service to all residents within the municipality and region (per Comox Valley Regional Growth Strategy Bylaw No. 120, 2010, part 3.2.5, Objective 5-D on Page 56).

**OPTIONS:**

- Option 1: THAT based on the November 1<sup>st</sup>, 2021 staff report "Greenwood Trunk Sewer Funding Reallocation" Council approve OPTION 1 and direct Staff to:
- Reallocate \$85,000 from South Courtenay Sewer, \$100,000 from Cascara and Klanawa connection to Greenwood, \$306,100 from 1<sup>st</sup> Street Lift Station Replacement, and \$220,000 from Puntledge Sanitary Catchment projects to the Greenwood Trunk Sewer Capital project in 2021; and,
- Transfer \$648,900 from the Sewer Asset Management Reserve to the Greenwood Trunk Sewer Capital project in 2021.
- Option 2: Reallocate \$1,000,000 of Community Works (Gas Tax) funds towards the Greenwood Trunk Sewer Capital project in 2021; and,
- Transfer \$360,000 from the Sewer Asset Management Reserve to the Greenwood Trunk Sewer Capital project in 2021.
- Option 3: Transfer \$1,000,000 of Community Works (Gas Tax) funds previously approved in the 2021-2025 financial plan back to the New Works Reserve Community Gas Tax Funds from the Greenwood Trunk Sewer Capital project in 2021; and
- Reallocate \$85,000 from South Courtenay Sewer, \$100,000 from Cascara and Klanawa connection to Greenwood, \$306,100 from 1<sup>st</sup> Street Lift Station Replacement, and \$220,000 from Puntledge Sanitary Catchment projects to the Greenwood Trunk Sewer Capital project in 2021; and,

Transfer \$1,648,900 from the Sewer Asset Management Reserve to the Greenwood Trunk Sewer Capital project in 2021.

Option 4: Refer back to Staff for further review.

Prepared by:



Sean Hayes, ASCT, CAPM  
Engineering Technologist

Reviewed by:



Chris Davidson, P.Eng., PMP  
Director of Engineering Services

Reviewed by:



Jennifer Nelson, CPA, CGA  
Director of Financial Services

Concurrence by:



Geoff Garbutt, MCIP RPP  
Chief Administrative Officer

**ATTACHMENTS:**

- Attachment #1: Urban Systems – Greenwood Trunk Sewer - Leak Repair Options
- Attachment #2: 2021-2025 Approved Sewer Capital Financial Plan

DATE: October 19, 2021  
TO: Sean Hayes, City of Courtenay  
CC: Chris Davidson, Director of Engineering; Steve Brubacher; Steven Coulter - Thurber Engineering  
FROM: Nolan DeWitt, Eric Sears  
FILE: 3222.0048.02  
SUBJECT: Greenwood Trunk Sewer Pump Station - Jet Grout Leak Repair Options

## 1.0 EVALUATION OF REPAIR OPTIONS

As you are aware, during excavation for the lift station installation on July 7<sup>th</sup>, 2021, groundwater was noted to be entering the excavation through the jet grout wall in an apparent leak. The water continued and increased to a point where installation of the lift station was not achievable. However, the source of the water entering the excavation has not been able to be confirmed. Thurber Engineering reviewed the leak in the jet grout from a geotechnical perspective and identified options to assess and potentially repair apparent voids in the jet grouting to be able to install the lift station. In addition to this, Southwest Contracting (SWC), who performed the initial jet grouting of the lift station, has proposed a potential solution that they have indicated could potentially repair voids in the jet grout walls. Thurber prepared the attached memo dated July 22, 2021, which outlines the background, their assessment, and considerations for remediation.

Based on pumping of the deep well pumps after the issuance of the July 22<sup>nd</sup> Thurber memo it appears that the water entering the excavation is not directly connected to the aquifer beneath the excavation. This has been assumed based on no visible reduction of water entering the excavation with the deep well dewatering pumps in operation, and the aquifer levels below that bottom of the excavation.

Through further discussions and review of the information there have been 2 options for remediation that have come forward and are discussed below. The options presented are:

1. Tremie Grouting; and
2. Grout Consolidation,

We have discussed the above two options with Leighton Contracting as well as reached out to a specialist grouting contractor (Wester Grater) to inform the details and budget costs of the two options and have summarized these options further based on cost, schedule, and risk, which are outlined in further detail below.

### 1.1 TREMIE GROUT OPTION ANALYSIS

The first option is a tremie grout option as proposed by SWC who provided the initial jet grouting services to the project. The option includes mobilization to site with grout pumping equipment and a plan to locally fill the voids from within the lift station excavation. This is a similar proposal to what was proposed and completed for the water leak near Anderton Road.

As noted in the Thurber memo, there are significant concerns with this approach as they do not believe that this will be able to completely fill voids that have been produced by the flowing water. These concerns have also been noted by Leighton with respect to potential environmental management, water control, excavation safety, and voids beyond what is apparent within the jet grout wall.

SWC has indicated they anticipate a 3-5 day schedule on site to complete the work, and it is understood that Leighton will have additional preparation and support works beforehand which would include dewatering the excavation, excavation preparation, deep well dewatering, environmental controls, and water management. The

extent of the support works is understood to be variable and would need to be adjusted as the works progress based on how things unfold.

SWC provided an estimate for the tremie grout scope of approximately \$20,000, based on the 3-5 day schedule. However, it is understood that Leighton's preparation and support works for this option could be upwards of \$150,000 to \$200,000, pending the success of the tremie grouting and level of environmental and water management controls that would be needed to be put in place. This total includes deep well dewatering for a week during tremie grouting. SWC has previously indicated a short lead time for mobilization, though it is understood Leighton will need to complete site preparation and have environmental controls in place prior to SWC mobilization. One of the major unknown risks at this point is uncontrolled water management. There is a concern that with the tremie process grout will potentially mix with the water in the excavation which could result in that water not being able to be released to the environment. Southwest has indicated that the "setup" of the grout should be relatively fast, but the risk of uncontrolled grout water remains a risk and unknown at this time. An event of uncontrolled grout water is a significant environmental risk.

As noted by Thurber another risk with this approach is that given the source of water is not known these efforts may not stop the flow of water into the excavation and result in the need for additional remediation efforts. If this work is successful Thurber still recommends further investigation as part of the lift station installation to inform if any other measures are needed for the long-term water management.

## 1.2 GROUT CONSOLIDATION OPTION ANALYSIS

Thurber has also recommended a solution involving grout consolidation. The works involve drilling down to a pre-determined depth at multiple locations around the outside of the jet grout formation, and injecting grout through the drill rod. Grout is injected to fill any voids behind the formation. Based on an initial configuration Thurber has suggested this could be completed at approximately 40-45 locations around the perimeter of the jet grout ring, with the goal of filling any voids present outside of the ring.

This scope of work has been reviewed with Western Grater, a specialize grouting firm who are located in Victoria. Southwest does not perform this work. It is understood that Western Grater would utilize a small crew and rock drill to complete the work. Schedule duration is dependent on number of drill holes required and overall grout uptake but is estimated at approximately 1 month. Western Grater will require a level working surface to drill from, and as such a full backfill of the excavation will be required. This backfill does however reduce the concerns with water.

It is anticipated that Leighton would complete preparation and support works including backfill of the excavation, deep well dewatering, water management and environmental monitoring. The environmental risk and water management controls are anticipated to be reduced in this approach due to the backfilled excavation, but efforts would still need to be put in place as contingencies.

Estimated costs for 1 month of drilling and grout work by Western Grater is approximated at \$200,000. Leighton's site prep, support works and 1 month of deep well dewatering, and re-excavation of the site this could be upwards of approximately \$640,000.

DATE: October 19, 2021

FILE: 3222.0048.02

PAGE: 3 of 6

SUBJECT: Greenwood Trunk Sewer Pump Station - Jet Grout Leak Repair Options

## 1.3 OTHER PROJECT COSTS

In addition to the efforts and costs of the above two options there are other costs that the project has incurred based on the status of the site and the efforts that have been undertaken to control the water and manage the site since the initial breach. These costs are incurred with either option and they include:

- Costs associated with the initial breach of the jet grout columns,
- Delay costs incurred by the contractor for the additional timing of the project,
- Additional consulting costs; and
- Pumping and water management costs.



## 2.0 SUMMARY

The two options have been evaluated based several factors, including cost, schedule, and risk. The below Table provides a summary of the two options.

Table 1 – Options Review Matrix

| Option                 | Details  | Key Benefits  | Risk   | Budget Impact   | Schedule Impact  | Other Considerations   |
|------------------------|--|---|--|---|--|--|
| <b>1. Tremie Grout</b> | Pumping grout into the voids in the jet grout wall using tremie tube and compressor. | <p>Simplified procedure compared to the consolidation grouting.</p> <p>Can be completed by Southwest Contracting, who are familiar with the site.</p> | <p>Only repairs through known void in the jet grout wall. It is anticipated that there could be other voids beyond those visible due to erosion. This could provide weak points in the clay layer and lead to future issues. Thurber has noted there are long-term risks of water flows.</p> <p>Environmental concerns due to consistent uncontrolled flow of water and potential for water and grout to mix. This option would likely include significant water treatment and</p> | <p>Anticipated \$20k for SWC tremie grout scope.</p> <p>Leighton support works including excavation, environmental, water management anticipated to bring total extra cost of \$150-\$200k or higher, depending on environmental controls required. Leighton would also be required to maintain deep well dewatering for the duration of the works.</p> <p>Total Estimated Budget impact is approximately \$170k to \$220k, including 1 week of deep well dewatering.</p> | <p>SWC initially indicated a quick turnaround time, which may be variable based on scheduling.</p> <p>Leighton will require time to set up environmental controls and ready the excavation.</p> <p>Anticipated 3-5-day tremie grout schedule once mobilized.</p> <p>Total expected schedule would be 3 to 4 weeks.</p> | <p>Requires workers within the excavation. Will need confirmation that the excavation is safe to enter.</p> <p>Work may not be successful and result in the need for Option 2 to be completed afterwards.</p> <p>If this work is successful Thurber recommends further investigation as part of the lift station installation to inform if any other measures are needed for the long-term water management.</p> |

# URBAN SYSTEMS MEMORANDUM

DATE: October 19, 2021

FILE: 3222.0048.02

PAGE: 5 of 6

SUBJECT: Greenwood Trunk Sewer Pump Station - Jet Grout Leak Repair Options

| Option                           | Details  | Key Benefits   | Risk  | Budget Impact  | Schedule Impact  | Other Considerations   |
|----------------------------------|--|--|---|--|--|--|
|                                  |  |  | environmental controls.   |  |  |  |
| <b>2. Consolidation Grouting</b> | Injecting grout into the ground via rock drill at 40-45 locations outside the jet grout formation to fill voids in the clay layer. | Aims to fill any voids present from the outside in, leading to a more complete repair. Allows for maximum grout uptake.<br><br>Reduced environmental risk. | Lower risk geotechnically and environmentally than Option 1.<br><br>Consolidation grouting has been indicated to be a preferred solution but still comes with uncertainty and risk. | Estimated \$200k for Western Grater scope of works for consolidation grouting<br><br>Leighton support works including site preparation, backfill of the excavation and pumping costs are estimated at \$640k. This assumes that Leighton would also be required to maintain deep well dewatering for the duration of the works<br><br>Leightons's efforts would be expected to vary depending on scheduling efficiency, water management and grout uptake. | Western Grater indicated a 3-4-week lead time for mobilization.<br><br>Leighton site preparation and excavation backfill is anticipated to be complete during WG mobilization time.<br><br>Anticipated 1 month consolidation grouting schedule once mobilized to site. Preparation and support works would be expected to be need 2 weeks prior to the grouting. | Will involve Leighton taking on a new subcontractor they are unfamiliar with.<br><br>The amount of grout uptake is difficult to predict and as such the cost could vary. |

Note: Leighton's cost estimates require verification but are proposed to be completed on a force account basis.

**3.0 NEXT STEPS**

Based on the review, there are 2 options available to remediate the current excavation and water concerns within the excavation. Each option comes with risks and cost considerations. A tremie grout approach appears to be a potentially lower cost and shorter schedule option, however, it may not be successful and would result in the need to complete Option 2 activities afterwards. Option 2 is noted to have the higher likelihood of successful in sealing the excavation as it would attempt to fill voids beyond what is visible in the excavation and is the recommended approach from the Geotechnical Engineers.

If the City were to move ahead with Option 2, we would recommend that the following budgets be carried forward. These efforts have been compiled based on pricing received from the contractors and other known project costs.

| <b>Efforts</b>          | <b>Proposed Budget</b> | <b>Contingency (15%)</b> | <b>Total</b>       |
|-------------------------|------------------------|--------------------------|--------------------|
| Initial Breach Response | \$101,850              |                          | \$101,850          |
| Grout Consolidation     | \$200,000              | \$30,000                 | \$230,000          |
| Leighton Support Works  | \$500,000              | \$75,000                 | \$575,000          |
| Deep Well Pumping       | \$140,000              | \$21,000                 | \$161,000          |
| Project Delay Costs     | \$200,000              |                          | \$200,000          |
| Consulting              | \$92,750               |                          | \$92,750           |
| <b>Total</b>            | <b>\$1,234,000</b>     | <b>\$126,000</b>         | <b>\$1,360,000</b> |

We hope that the information provided in this memo provides a clear picture of the options available to the City and we are available to discuss any of the above with you further.

Sincerely,

**URBAN SYSTEMS LTD.**



Eric Sears, P.Eng.  
Project Manager

/eds  
Enclosure



**THURBER ENGINEERING LTD.**

July 22, 2021

File: 23229

Urban Systems Ltd  
Unit #106, 501 4<sup>th</sup> St  
Courtenay, BC V9N 1H3

Attention: Eric Sears, P.Eng.

**CITY OF COURTENAY  
GREENWOOD SEWER TRUNK – LIFT STATION 1  
EXCAVATION DEWATERING AND GROUNDWATER CONTROL**

Dear Eric:

This report provides a discussion on potential methods to dewater the excavation and provide control of groundwater at the Greenwood Sewer Lift Station #1.

It is a condition of this report that Thurber's performance of its professional services is subject to the attached Statement of Limitations and Conditions.

**1. BACKGROUND**

As discussed in our January 29, 2021 report "Options to Mitigate Pressure Effects" there are artesian groundwater conditions at the Greenwood Sewer Lift Station #1. That report provided options including jet grouting, which was the selected option and has been completed. Recommendations for the jet grouting option were provided in our report "Jet Grouting Recommendations" dated April 19, 2021.

On July 7, 2021 excavation for the lift station inside the jet ground zone was conducted. In the middle of the day, at least one small leak was observed with water entering the jet grout zone. By the end of the workday at about 4 pm, Leighton advised that the rate of inflow had significantly increased and that they were unable to keep the excavation dewatered using sump pumps inside the excavation. Pumping was suspended and by the next morning, Leighton observed that the excavation was about two-thirds full of water.

On July 8, pumping from one of the adjacent depressurization wells had resumed at about 250 GPM. According to Leighton the water in the excavation continued to rise overnight (July 8 to 9). On July 10, the pumping from the second depressurization well resumed at about 250 GPM. Measurements of the aquifer pressures by Waterline on July 10 showed that pressures were about 9.5 m below the original ground surface (i.e., before excavation) which was below the excavation depth of about 8 m. The water levels in the excavation were observed to be slowly lowering by the end of the day.

On July 12, Waterline informed USL that the water pressure in the aquifer was above the base of the excavation due to intermittent pumping over the weekend and advised that the source of the water entering the excavation was the underlying aquifer. On July 12 Leighton noted that the



water level in the excavation was unchanged. We understand that this observation was despite that pumping of the pressurization wells was resumed full-time. By July 15, Leighton had been able to pump most of the water from the excavation. We understand this was completed using sump pumps in the excavation.

## **2. DISCUSSION**

It is not clear what the source of the water entering the excavation is. It may be the underlying Quadra Sand Aquifer, or it could be a permeable soil seam within the till-like aquitard. Water entering the excavation could cause internal soil erosion and formation of voids and preferential flow paths. Evaluating the source of the water would require further geotechnical and groundwater investigations.

During a meeting attended by Thurber, USL and the City of Courtenay on July 19, 2021, the following options were discussed:

1. Further investigation of the geotechnical and groundwater conditions to develop geotechnical recommendations.
2. Pressure grouting the jet grout zone and the soil surrounding the jet grout zone to try and seal the excavation.
3. Tremie grouting in the leakage areas to try and plug the holes in the jet grout zone.

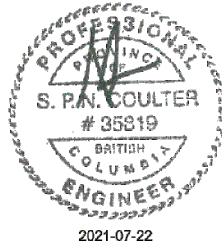
The City indicated that they intend to complete Option 3; tremie grouting the holes in the jet grout zone following procedures similar to what was completed to control water inflows at the Anderton Road sewer trench. Thurber provided recommendations for that area in an email dated February 16, 2021 (attached). Those recommendations were modified based on discussions with Southwest Contracting as described in an email dated April 28, 2021 (attached).

It is our opinion that this option (Option 3) has the highest chance of being unsuccessful because the source of water entering the excavation is not known. This option may not successfully seal the groundwater flows long enough to complete construction of the lift station. The addition of pressure grouting would lower the risk of future groundwater inflow. If the lift station is successfully installed, the tremie grouting option still poses the highest chance of long-term problems with groundwater flows. If this option is completed with successful installation of the lift station, we recommend carrying out further investigation of the geotechnical and groundwater conditions to evaluate any requirement for further remediation.



If you have any questions or wish to discuss further, please do not hesitate to contact us.

Yours truly,  
Thurber Engineering Ltd.  
Stephen Bean, M.Eng., P.Eng.  
Review Principal



Steven Coulter, M.Sc., P.Eng.  
Geotechnical Engineer

Attachments: Statement of Limitations and Conditions  
Thurber report "Greenwood Trunk Sewer – Lift Station 1 – Options to Mitigate Artesian Pressure Effects", dated February 26, 2021  
Thurber report "Greenwood Trunk Sewer – Lift Station 1 – Jet Grouting Recommendations" dated April 19, 2021.  
Email from Thurber to USL dated February 16, 2021 (attached).  
Email from USL to Thurber dated April 28, 2021 (attached).

| Category             | Project description                               | 2021<br>Proposed<br>Budget | 2021 General<br>Revenues | 2021 Reserves  | 2021 Reserve<br>for Future<br>Expenditures | 2021 Gas Tax<br>Fed Grant | 2021 DCC<br>Reserve |
|----------------------|---|----------------------------|--------------------------|----------------|--|---------------------------|---------------------|
| New                  | Sewer - Greenwood Trunk Construction              | 2,492,500                  | 522,500                  | 600,000        | 50,000                                     | 1,000,000                 | 320,000             |
|                      | South Courtenay Sewer System                      | 200,000                    |                          |                | 200,000                                    |                           |                     |
|                      | Sewer Cascara and Klanawa connection to Greenwood | 100,000                    | 100,000                  |                |  |                           |                     |
| <b>New Total</b>     |   | <b>2,792,500</b>           | <b>622,500</b>           | <b>600,000</b> | <b>250,000</b>                             | <b>1,000,000</b>          | <b>320,000</b>      |
| Renewal              | Sewer - 1st Street Lift Station Replacement       | 341,100                    |                          |                | 341,100                                    |                           |                     |
|                      | Puntledge Sanitary Catchment Replacement          | 255,000                    | 60,100                   |                | 194,900                                    |                           |                     |
|                      | Sewer - Mansfield Drive Forcemain                 | 50,000                     |                          |                | 50,000                                     |                           |                     |
|                      | Braidwood Road - Road & Utility - Sewer Component | 31,300                     |                          |                | 31,300                                     |                           |                     |
| <b>Renewal Total</b> |   | <b>677,400</b>             | <b>60,100</b>            |                | <b>617,300</b>                             |                           |                     |
| <b>Grand Total</b>   |   | <b>3,469,900</b>           | <b>682,600</b>           | <b>600,000</b> | <b>867,300</b>                             | <b>1,000,000</b>          | <b>320,000</b>      |





File: 0530.01

October 25, 2021

Sent via email only: [wsorichta@courtenay.ca](mailto:wsorichta@courtenay.ca)

Wendy Sorichta  
Corporate Officer  
City of Courtenay  
Courtenay, BC V9N 2J7

Dear Ms. Sorichta:

**Re: Notice of Inaugural CVRD Board Meeting**

Please note that the Comox Valley Regional District (CVRD) inaugural board meeting will take place as follows:

Date: Tuesday, November 23, 2021

Time: 4:00 pm

Location: CVRD Civic Room, 770 Harmston Avenue, Courtenay, BC

This correspondence serves as a reminder that the City of Courtenay Council must make the following appointments:

- Four directors and alternate directors from its mayor and council to the CVRD Board; and
- three members and at least three alternate members from its mayor and council to the CVRD Sewage Commission.

Please bring this matter forward to your council in advance of the inaugural meeting with an effective date for such appointments being November 23, 2021.

As directors to the CVRD Board, the City of Courtenay appointments are automatically members of the Comox Strathcona Waste Management Board, the Comox Strathcona Regional Hospital District Board, the Comox Valley Water Committee and the Comox Valley Recreation Commission (note: Sewage Commission appointments are made separately as identified above). Further, the council appointments to the board may also be named to any standing or select committees, such as the Committee of the Whole.

If the City of Courtenay appoints more than one alternate director, please advise of the system established to determine which alternate director is to act in the place of the absent director.

**Weighted Voting**

Under the *Local Government Act*, regional districts follow Part 6 - Regional Districts: Governance and Procedures to determine voting entitlements and procedures for most matters at board meetings. The voting unit in the Comox Valley Regional District is 1500 and based on the 2016 census, two City of Courtenay directors have four votes on weighted matters, and two have five votes on weighted matters. Please ensure your council appointments identify which directors have four votes and five votes.

In addition, voting at the Water Committee follows CVRD Bylaw No. 1783 being the "Water Local Service Establishment Bylaw, 1995" and related committee policy statements. The current assignment of weighted votes at the committee is as follows:

- Director Cole-Hamilton 1
- Director Hillian 2
- Director McCollum 2
- Director Morin 2

Please confirm the assignment of directors and weighted votes for the Water Committee effective November 23, 2021 to ensure the committee meetings in November and December can be conducted in accordance with the above-mentioned bylaw and policies.

Weighted voting for the Water Committee in 2022 will be determined early in the new year based on the previous year's consumption values. A follow-up letter will be sent to the City advising if any further action is required to assign weighted votes to committee members.

Please forward this information to your mayor and council as you see fit. I have attached a suggested resolution for your consideration. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

***L. Dennis***

Lisa Dennis  
Manager of Legislative Services

Encl.

cc: R. Dyson, Chief Administrative Officer  
J. Martens, General Manager of Corporate Services

/ab

## SAMPLE Resolution

THAT the following appointments be made to the Comox Valley Regional District effective November 23, 2021:

**Comox Valley Regional District Board of Directors and Comox Valley Water Committee:**

| NAME | CVRD Board Votes | Water Committee Votes |
|------|------------------|-----------------------|
|      | 5 Votes          | 2 Votes               |
|      | 5 Votes          | 2 Votes               |
|      | 4 Votes          | 2 Votes               |
|      | 4 Votes          | 1 Vote                |

**Alternate Regional District Directors:**

Councillors \_\_\_\_\_

**Sewage Commission:**

Councillors \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_;

Alternates: \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_



From: Dave Smith <[info@comoxcoach.ca](mailto:info@comoxcoach.ca)>  
Subject: RE: Bus service to the north island.

Sir,

We are Tree of Life Cultural Society, a non-profit organization with the vision to create a sustainable, affordable and Not-for-Profit link between northern island communities and the facilities offered further south. We need your help, by providing letters of support that we can use to access available federal funding opportunities

If the funding is obtained we will work in consultation with local bands, municipalities and organizations to develop a transportation corridor which will connect all northern island communities.

Please share widely in your community and on your social media, as time is of the essence. We need email letters or PDFs of support that must be received by this Wednesday the 6th October. Brief is better, so please include your name, community, contact details and how a new transportation busing system would improve your quality of life.

We need your quick response to this urgent need. Please email your support to [treeoflifeculturalsociety@gmail.com](mailto:treeoflifeculturalsociety@gmail.com)

Best Regards,

I respectfully acknowledge that I live, work and play within the unceded traditional territory of the K'omoks Nation.

Dave Smith, CD  
Comox Coach & Shuttle  
5533 Prendergast Road  
Courtenay, BC  
V9J 1P6  
250-898-8533  
[Info@comoxcoach.ca](mailto:Info@comoxcoach.ca)  
[www.comoxcoach.ca](http://www.comoxcoach.ca)





**DOWNTOWN  
COURTENAY**  
EXPERIENCE MORE

November 1, 2021

Downtown Courtenay Business Improvement Association  
#203 508 Duncan Ave.  
Courtenay, B.C. V9N 2M7

Honourable City of Courtenay Council Members  
830 Cliffe Ave  
Courtenay B.C. V9N 2J7

Dear Honourable Council Members,

I am writing today to request support for our Downtown Courtenay Business Improvement Association (DCBIA) members as we continue through the lengthy 5th Street Bridge Revitalization process. We understand the importance of this necessary municipal infrastructure repair and acknowledge the ways The City of Courtenay has supported us so far. Thank you. Not only was this project a hardship during the projected repair timeline, the recent deadline extension is posing a significant challenge as our small businesses prepare for the holiday shopping season amidst ongoing traffic detours and delays.

We specifically request financial support for a marketing campaign that will stretch over November and December. These months are a crucial time of year for small businesses in the best of times. We request that a third party marketing professional be contracted by us to assist with messaging that highlights the ease of getting into Downtown Courtenay during the bridge project and encourages traffic flow. Our goal is to reach our community and beyond into the neighbouring communities our B.I.A. members tell us they regularly see holiday clients from. They have provided a reasonable range of project costs starting at \$6000.

Attached is a proposal from a local marketing company detailing their strategies and goals. They will create media content to get the message out that Downtown Courtenay is open and accessible. Care has been taken to include cost saving measures such as implementation by DCBIA on our own existing media platforms, and using existing photography and video assets where available. DCBIA will receive support throughout, and reporting after the campaign ends.

Our members tell us that there is a perception even in our own community that getting to Downtown is hard, time consuming and should be avoided during the bridge repairs. I will

share some insights and data from a recent poll in a separate document. Of note, we received a slightly higher open rate (up to 53% from our average 49%) on this e-newsletter which tells us it is important to our readers. The poll went to our regular mailing list of 262 individuals composed of business owners, community group allies, associate members and DCBIA property owners. We can see respondents and ensure only direct stakeholder feedback was taken into account when compiling results.

We hope you agree that there is work to be done to support these small businesses through the unfortunate delay of the remainder of the bridge project. We feel a robust marketing campaign, starting immediately, is the best approach. Our goal is to reinforce the alternate routes and the minimal delays of single-lane alternating traffic over the 5th Street Bridge, encourage people to visit Downtown Courtenay, and plan their routes well. We have directed considerable resources to this so far, including redirecting funds used for our annual Facade Improvement Grants. With a DCBIA staff of one, two Winter special events being planned, and an extremely busy volunteer board of directors, we request support to hire an outside professional to assist with this marketing plan.

Thank you for your time, empathy and consideration. Please let me know if you have any questions.

In appreciation,

Tracey Clarke,  
Executive Director, DCBIA  
(250)800-9497  
info@downtowncourtenay.com



# Downtown Courtenay BIA

Social Media Campaign

# Downtown Courtenay BIA

To provide support for Downtown Courtenay & enhance a vibrant business community through leadership & advocacy.

[DowntownCourtenay.com](http://DowntownCourtenay.com)

# The Update Company

The Update Company is a Digital Marketing Agency working with changemakers to create social impact with bold marketing campaigns.

[TheUpdateCompany.com](http://TheUpdateCompany.com)

## Social Media Campaign

Downtown Courtenay is looking for a way to encourage shoppers to support local businesses this holiday season by showing a realistic view of the impact the 5th street bridge revitalization project is having on traffic in and out of the area. Spoiler alert - it's minimal.

Considerations will be made to ensure that the campaign highlights the Downtown Courtenay area and not specific businesses as per the Community Charter.

## Our Solution

We will provide a robust social media strategy that will help the Downtown Courtenay BIA connect with the right people at the right time and in the right locations (CV, Oceanside, North Island, Powell River, Texada, Quadra, Denman, Horby).

The strategy will use Facebook, Instagram and TikTok platforms in creative, fun and engaging way that alleviate fears around the bridge closures and reminds shoppers of the many reasons why Downtown Courtenay has everything they need this holiday season.

## Fees

\$6500 to \$9500

## Timeline

November to end of December

## Impact

This project supports Goal 8 of the UN Sustainable Development Goals



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## What's Included

- A robust social media campaign strategy including week by week planning for each platform and support throughout.
- Asset, image and video ideas and tips and tricks to bring in higher engagement.
- Paid advertising on each platform - boosting and image ads as well as retargeting and remarketing.
- Clear guidelines on handling any negative comments and feedback during the campaign.

- Detailed campaign reporting

## Fee Breakdown - \$6,500 to \$9,500

- Paid to The Update Company - \$4500
- + **Select one of the following**
- Click budget for paid advertising (minimum) - \$2000
- Click budget for paid advertising (ideal) - \$3500
- Click budget for paid advertising (very high awareness) - \$5000

## Fees

\$6500 to \$9500

## Timeline

November to end of December

## Impact

This project supports Goal 8 of the UN Sustainable Development Goals



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# The Update Company

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[TheUpdateCompany.com](http://TheUpdateCompany.com)

## Why Choose The Update Company?

- **We Care About the Same Things.** We work with changemakers to create environmental and social impact with bold marketing campaigns and websites. We'll help you share your message — and inspire your audience to take action because we believe in you.

- **We Create A Unique Online Presence for Our Clients.** Your business is unique. We take the time to understand what makes your business work, and we'll use this knowledge to create custom online solutions for you that stand out from other cookie cutter campaigns. We don't cut corners.

- **We Communicate in Words You Understand.** We'll walk you through our process, let you know when we need your assistance, and use non-technical words to let you know what's going on behind the scenes. We'll be your trusted advisor through the project.

- **We're More Than a Just a Website Company.** We have the in-house ability to create full digital marketing experiences for our clients and their end users, not just websites. We look at things from a big picture perspective.

## Fees

\$6500 to \$9500

## Timeline

November to end of December

## Impact

This project supports Goal 8 of the UN Sustainable Development Goals





## INFORMATION SHEET

**To:** Council

**File No.:**

**From:** Chief Administrative Officer

**Date:** November 1, 2021

**Subject:** Bylaw Enforcement Update Regarding Homeless Encampments on City Properties

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### ISSUE:

To update Council on recent bylaw enforcement/stakeholder activities, risks, and strategies regarding homeless encampments within the City of Courtenay.

### BACKGROUND:

#### *Comox Valley Homeless Statistics*

2020 Comox Valley Homeless Count (March 2020 – pre-pandemic) indicated the minimum number of people experiencing homelessness was 132 individuals.

In September 2021, it is currently estimated that over 230 people, a 74% increase since March 2020, are now homeless in the Comox Valley with the City of Courtenay at the epicenter of this crisis.

- 54 individuals at a local hotel (BC Housing Community Shelter Expansion)
- 89 people on the waiting list for the Junction Supportive Housing
- 96 unique individuals who accessed overnight shelter at Connect

#### *Compassion as a Guiding Action*

“Each person has a unique story to tell. In that sense, there are as many causes of homelessness as there are people experiencing it. In general, the most common causes for a person’s first experience of homelessness are: family breakdown; disabilities, including mental health and substance use disorders; evictions and poverty.”<sup>1</sup> In the absence of supportive housing, affordable housing, and other related long-term solutions, homelessness will continue to exist within our community<sup>2</sup>.

Bylaw Services works closely with community partners to provide a service that is respectful, compassionate and in tune with social issues and their root causes. To better understand the complexity of challenges and issues faced by Courtenay’s homeless community members the City is forming relationships with outreach organizations and the RCMP, and are identifying opportunities to learn, develop, and implement compassionate responses to urban issues.

The City does not presume to understand the lived experience of individuals experiencing homelessness, but hopes to show how the landscape and role of bylaw enforcement is changing, necessitating a paradigm shift of the role of Bylaw Services within and in support of our community.

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<sup>1</sup> ‘Kikinaw Oma Strategy to Support Unsheltered Winnipeggers,’ Online: <https://clkapps.winnipeg.ca/DMIS/ViewDoc.asp?DocId=20319&SectionId=&InitUrl=>

<sup>2</sup> “Compassion as a Guiding Action” Online <https://www.islandhealth.ca/sites/default/files/2018-04/mhas-compassion.pdf>; Island Health, February 2017.

**Example A**

*Each morning City of Courtenay bylaw enforcement officers conduct routine checks of encampment occupants experiencing homelessness to ensure they are okay. During a recent cold and wet October morning, officers found a single tent encampment. Someone cried, "This person needs help." The bylaw officers approached the tent. A homeless individual was found lying face down, helpless, barely responsive, and pale with a portion of their body exposed directly to the elements. Syringes were noted. The patient was breathing; but it was evident the drug was taking over their body. The officers kept talking to the patient; their responsiveness improved somewhat. 911 ambulance was called. Paramedics arrived quickly but could not get the stretcher over to the tent 150 feet away. The paramedics and bylaw officers developed a plan. A paramedic then attended to the ailing person. The paramedic's soothing and caring voice was magical; the paramedic is gifted - it brought comfort to the patient. The paramedic protected the patient's dignity and then managed to help them sit up. They sighed through their pain; struggling through the effects of a serious medical condition. A bylaw officer on one side and a paramedic on the other lifted the trembling person to their feet. They walked slowly to the ambulance – to warmth and to care. This homeless individual fortunately recovered.*

City of Courtenay bylaw officers know this person experiencing homelessness as humble, polite, courteous, and considerate.

**Example B**

*One morning in October of 2021, City of Courtenay bylaw officers were conducting their morning routine at an encampment. They were checking to ensure occupants were okay, tents were being dismantled, and that garbage and hazardous materials were being properly removed and disposed of. The bylaw officers found a group of four persons underneath a tarp trying to stay dry and warm due to the cold and wet weather. The bylaw officers asked if everyone was okay. Three responded, one did not. The officers asked the other occupants if the individual was breathing. They believed they were and started shaking them. There was no response. It appeared that they weren't breathing; but it was hard to determine because they were wearing multiple layers of clothing. A bylaw officer then called 911 Ambulance. Occupants experiencing homelessness injected Naloxone. There was no response. Occupants then tried to stand them up but were not successful. An occupant injected Naloxone again. Miraculously, the ailing person's eyes opened and they started to show signs of life but were not yet able to stand or speak. Paramedics arrived and offered assistance. Eventually, they were able to stand up and they walked away.*

City of Courtenay bylaw officers know this person experiencing homelessness as friendly, helpful, nice, and one who always says hi with a smile.

Another similar incident occurred just weeks earlier. Paramedics indicated that the drug overdose victim in this situation was seconds away from death.

Unfortunately, not all interventions result in a positive outcome and people continue to die due to drug poisoning in our community.

Many individuals experiencing homelessness within the City of Courtenay struggle with addictions to both legal and illegal substances. The most common illegal drugs found in Courtenay are methamphetamine, crack cocaine, and fentanyl. All of these drugs are highly addictive. Methamphetamine and crack cocaine are stimulants. Fentanyl is a depressant that can slow the body down and make people sleepy. It produces a state of euphoria/relaxation. This drug impacts the portion of the brain responsible for breathing. At higher concentrations, breathing is compromised resulting in lack of oxygen, which may lead to cardiac arrest and death. As a result, time is critical when a person is overdosing. When naloxone is administered it temporarily reverses the effects of the fentanyl in the brain and enables breathing to resume again. More detailed information regarding methamphetamine, crack cocaine, and fentanyl can be found in Appendix 1.<sup>3</sup>

The Ministry of Public Safety and Solicitor General, British Columbia Coroners Service has reported 40 illicit drug toxicity deaths in North Vancouver Island from January 1, 2021 to July 31, 2021. Some of these deaths have occurred in the homeless population of Courtenay.

### ***Legal Framework for Encampments***

Since 2008, the Supreme Court of British Columbia (SCBC) and the British Columbia Court of Appeals (BCCA) have made rulings regarding the rights of people who are homeless. These rulings are tied to the *Canadian Charter of Rights and Freedoms* and International Human Right Treaties signed by the Government of Canada. The SCBC and BCCA have ruled that in the absence of permanent housing, residents must not be evicted from their encampments.

The *Abbotsford (City) v Shantz, 2015 BCSC 1909* ruling allows people to erect shelters and sleep in the City's public spaces and parks between the hours of 7:00 p.m. and 9:00 a.m.<sup>4</sup>

In *British Columbia v. Adamson (April 2016)*, the BC Court of Appeal found that in the absence of alternative shelter or housing for all people experiencing homelessness, encampment residents must not be evicted from their residences.<sup>5</sup> However, in a similar case *British Columbia v Adamson (July 2016)*, the judge deemed the same camp unsafe due to health and safety, fire, and criminal activity issues. In his report, the judge detailed significant risks associated with the site including the following:

- health and safety (i.e., garbage, rats' nests, used syringes, used condoms, aggressive dogs, public urination, and human and canine defecation)
- fire (improper spacing of tents, tarpaulin covering multiple tents, lack of proper egress, and combustibles)
- criminal activity (organized crime, violent crime, and theft within the site and in adjacent neighbourhoods)

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<sup>3</sup> Source: Constable P. Jones, Comox Valley RCMP Detachment, October 24, 2021. Constable Jones has been qualified to provide expert opinion evidence for the possession of methamphetamine, cocaine, and fentanyl for the purposes of trafficking in the British Columbia Supreme Court and British Columbia Provincial Court.

<sup>4</sup> *Abbotsford (City) v Shantz, 2015 BCSC 1909*. Online, [https://d3n8a8pro7vhmx.cloudfront.net/pivotlegal/pages/939/attachments/original/1445459740/Chief\\_Justice\\_Hinkson\\_re\\_Abbotsford\\_\(City\)\\_v.\\_Shantz\\_10-21.pdf?1445459740](https://d3n8a8pro7vhmx.cloudfront.net/pivotlegal/pages/939/attachments/original/1445459740/Chief_Justice_Hinkson_re_Abbotsford_(City)_v._Shantz_10-21.pdf?1445459740)

<sup>5</sup> *A National Protocol for Homeless Encampments in Canada*, Online: <http://unhousingrapp.org/user/pages/07.press-room/A%20National%20Protocol%20for%20Homeless%20Encampments%20in%20Canada.pdf>

Upon conclusion, the judge decided the occupants must leave the camp – but only once the province had provided alternative shelters.<sup>6</sup> As a result of the SCBC and the BCCA rulings, other jurisdictions in BC (i.e., Victoria, Nanaimo, Squamish, Abbotsford, etc.) have adopted bylaws that require daily removal of overnight encampments by a specific time.

### ***City of Courtenay Encampments***

Below are the number of encampment complaints received by the City of Courtenay from 2019 to 2021 year-to-date.

- 2019 41
- 2020 44
- 2021 56 (year-to-date as at October 13, 2021)

For the safety of persons experiencing homelessness, specific locations of encampments within the City of Courtenay are not disclosed in this report. Unfortunately, persons who are homeless have been subject to violence, shaming, mocking, and harassment.

During the summer of 2021, there were at least 59 unique occupants in encampments located within the City of Courtenay.

- Encampments may range in size from one occupant to a dozen or more.
- Encampment locations and size change on a daily basis.
- Permanent (24/7) encampments are associated with more crime, safety issues, public health issues, environmental issues, and nuisances.
- Local RCMP have indicated that crime issues associated with persons who are homeless have increased significantly in 2021.

### ***New Encampment Strategy – City of Courtenay Public Property***

Similar to other BC jurisdictions and due to health and safety, fire, crime, and nuisance risks, and in accordance with SCBC and BCCA rulings, the City now requires encampments to be dismantled daily at 8:00 a.m. With consent from the homeless individuals, City staff remove garbage and hazardous materials around dismantled camp sites. Individuals experiencing homelessness are not prevented from setting up their tents each evening. Furthermore, encampments near dangerous locations (i.e., construction sites, on the flood plain, etc.) and on City-owned leased property are prohibited.

### ***Implementation of New Encampment Strategy – People Matter***

Given the challenges facing the homeless community, bylaw enforcement officers handle these complex issues with sensitivity and compassion. People matter. An officer's approach includes the following:

- listening carefully and being helpful
- demonstrating care, empathy, and compassion

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<sup>6</sup> *British Columbia v. Adamson*, 2016 BCSC 1245. Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc1245/2016bcsc1245.pdf>



- working collaboratively and communicating effectively with all stakeholders (i.e., persons who are homeless, the outreach community, the business community, the RCMP, residents of Courtenay, and other city staff) in order to achieve goals and results

Bylaw enforcement officers have developed very strong working relationships with persons who are homeless. Most people experiencing homelessness have an addiction and/or mental health issues. Unfortunately, the deaths associated with illicit drug toxicity are increasing, which can have a traumatic impact on the homeless community and service providers including city staff.

At times there is a need to be firm – but always in a manner that is respectful, reasonable, and fair. When staff are threatened or occupants refuse to remove their tents, RCMP support is provided. As a result, RCMP involvement is critical for the success of this strategy.

### ***Working Collaboratively and Staying Informed***

- Bylaw Enforcement Services (BES) coordinates a multi-stakeholder approach in consultation and collaboration with community outreach, the RCMP, Public Works Services (PWS), and City contractors specializing in hazardous waste management and disposal. BES and the RCMP prioritize encampment locations for implementation of the new encampment strategy. Prioritization is based on complaints and risks (i.e., crime, safety, public health, environmental issues, and nuisance issues).
- BES notifies the outreach community (i.e., Comox Valley Transition Society leadership) when and at which specific locations the new encampment strategy will be implemented.
  - Depending on available resources, the outreach community may attend the encampment in order to inform occupants of the new strategy and to offer support services.
- BES attends the encampment and educates occupants of the requirements, when, and why. Written notices are posted and an outreach brochure is given to each occupant. Occupants located in dangerous areas are given written notice to permanently vacate and clean their area. Any unclaimed or abandoned materials are appropriately disposed of by the City or its contractor.
- BES attends the site again to supply each occupant with garbage bags and to give final verbal notice of the new requirements, when, and why.
- During the first day of implementation, BES, RCMP, PWS, and the City restoration contractor all appear on site.
- BES checks to ensure occupants are okay. If occupants are non-responsive, bylaw enforcement officers and/or RCMP contact 911 Ambulance and get the other occupants involved to help. (Frequently, during routine daily site checks, BES has witnessed other occupants administering Naloxone to prevent deaths from overdosing.)
- BES requests that occupants dismantle their tents and clean up their area. Additional garbage bags are given to occupants.
- Working collaboratively, BES asks occupants which items are belongings and which items are garbage. BES gets consent from occupants to remove and properly dispose of garbage. Occupants are further advised that any items remaining after they leave the site will be deemed abandoned waste and be removed and properly disposed of.
- RCMP deal with occupants who threaten staff and/or who refuse to dismantle their tents in a timely manner.

- All occupants are encouraged to attend the daytime Connect Warming Shelter for warmth, food, shelter, socialization, a sense of belonging, and other support services.
- When required, BES and RCMP have helped occupants move their belongings to the Connect Warming Centre.
- Once occupants have left, BES, PWS staff, and the City contractor remove and properly dispose of all remaining abandoned waste, garbage, and hazardous materials.
- The sites are then monitored each day thereafter. Once the system/expectations are established, occupants have been quicker to dismantle their tents and better at removing and disposing of their garbage. However, incidents and setbacks occur frequently. That is, occupants are found ‘on the nod’ (falling in and out of consciousness – a dangerous state), they need medical attention, they refuse to dismantle their tents, etc.)

**Staff and Third-Party Contractor Resourcing**

Currently, bylaw enforcement officers allocate approximately 20 hours per week to encampments.

These services include daily monitoring of encampments, checking to ensure occupants are okay/alive, calling emergency services when required, providing support to those who are suffering, coordinating the dismantling of tents, coordinating and participating in the removal and disposal of garbage and hazardous materials, working collaboratively with occupants to determine garbage vs belongings, providing information for wrap-around support services, calling RCMP to deal with uncooperative/potentially violent occupants, helping persons experiencing homelessness move belongings to the Connect Warming Centre when required, developing trusting relationships, developing and implementing multi-stake holder procedures and strategies, and issue-solving.

For the past several months, PWS has allocated up to four (4) staff per day to the encampment effort (40 hours per week). This resource allocation has been reduced recently because, as previously noted, individuals experiencing homelessness are actively assisting with cleanup efforts.

Annually, PWS allocates a total operating budget of \$40,000 for urban issues & site remediation, inclusive of homeless encampment clean-up, contracted services (JOMA Environmental Ltd.), including Park safety sweeps and needle disposal site maintenance. The 2021 year-to-date expenditures for all works and services related to homeless garbage/hazardous waste remediation is \$81,700 including \$39,102 for the City’s site restoration contractor. This service level increase and resulting variance will be reflected in the year-end operating budget.

The following is a multi-year analysis of the expenditures and general refuse removed for contract services only.

| Year              | Expense     | Refuse removed |
|-------------------|-------------|----------------|
| 2017              | \$9,391.41  | 4,387.50 kg    |
| 2018              | \$24,745.67 | 6,341.00 kg    |
| 2019              | \$47,480.82 | 7,403.50 kg    |
| 2020              | \$25,942.35 | 4,338.00 kg    |
| 2021 year-to-date | \$39,101.80 | 9,858.75 kg    |

Please see Appendix 2 for the detailed refuse and regulated waste removed report 2017 to 2021 year-to-date.

### ***Initial Outcome Results***

The new encampment strategy has been implemented in four locations where camps had been persistently present over a period of time. (These sites are now monitored by BES daily.)

- Conditions at all four sites have improved dramatically in October 2021. (Please see Appendix 3 for before and after pictures.)
- Many occupants are helping to remove and properly dispose of their garbage and hazardous waste.

### **KEY CONSIDERATIONS:**

#### ***Risks Associated with Encampments***

- increased crime, safety, fire hazards, nuisances, and costs associated with permanent (24/7) camps
  - (The BC Supreme Court, other jurisdictions, and the RCMP recognize that permanent encampments are dangerous.)
- increased crime, safety, nuisances, and costs associated with large encampments
  - Other jurisdictions and local RCMP have indicated that larger encampments will result in significantly escalated issues including crimes against persons and property, safety, public health, blight, costs, etc.
- individuals targeting persons who are homeless
- environmental contamination and disruption of ecosystems
- threats targeted at staff, the general public, and the business community
- reduced public participation in parks and public places
- possible increased migration from other communities due to permanent camps
- lack of resources to deal with encampments
  - PWS does not have capacity to deal with additional encampments.
  - BES resourcing is significant. Response times for other complaint categories may start to increase.
- Increased potential for post-traumatic stress disorders for staff who are continually exposed to illicit drug deaths, threats, and violence

#### ***Next Steps***

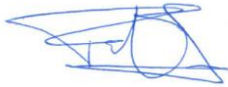
City of Courtenay Bylaw Enforcement Officers serve in our community each day. The landscape and experience of Bylaw Officers has changed dramatically in recent years as a result of significant increases in homelessness and drug related deaths and near-miss events. The City of Courtenay has and continues to adjust its approach to Bylaw Enforcement and is taking significant steps to modernize policies, procedures, and approaches to ensure that we are informed, responsive, collaborative, compassionate, and respectful of all members in our community.

Working collaboratively with all impacted departments, the Corporate Support Services Department is working on the following:

- enhancing and formalizing working relationships with the outreach community
  - BES is now attending the biweekly Comox Valley Coalition to End Homelessness meetings
- enhancing the multi-stakeholder procedure for encampments
- developing an encampment safe work practice (SWP)

- exploring enhanced point-of-time tracking systems for encampments
- analyzing resources required to expand the new encampment strategy to other locations
- conducting a further jurisdictional review regarding encampment best practices and lessons learned
- training for staff (de-escalation/conflict resolution, trauma-informed practice, mental health, drug awareness, self-defence/safety, naloxone, stigma/sensitivity, etc.)
- counselling for staff who experience traumatic events

Prepared by,



Peter de Graaf, BA, MBA, CPHI(C)  
Manager of Bylaw Services

Reviewed by,



Kate O'Connell, BA, MPP, CLGA, PCAMP  
Director of Corporate Support Services

Concurrence by,



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

## **Appendix 1 – Methamphetamine, Crack Cocaine, Fentanyl<sup>7</sup>**

### Methamphetamine

Methamphetamine is a powerful and addictive stimulant of the body's central nervous system commonly found as clear glass-like shards. Created in Japan in 1893, methamphetamine is two to three times stronger than amphetamine

As a strong stimulant, methamphetamine increases alertness. Users of methamphetamine feel an initial rush of euphoria followed by a strong sense of well-being and boosted self-confidence. Moods are elevated, senses are heightened, sights and sounds appear sharper and more vivid, and at times, the user can appear "jittery". In general, when consuming methamphetamine, the user receives a boost of energy and confidence.

Methamphetamine use can cause goal-directed behaviour to become more extreme; repeating a single type of movement over-and-over again such as rocking, chewing, grinding teeth, wringing hands, or fidgeting with objects.

Methamphetamine is consumed in several ways; smoking is the most common, followed by intravenously, and through ingestion or insufflation typically by snorting up the nose. Once consumed, methamphetamine will affect users for six to 18 hours.

The average methamphetamine addict will consume 0.06 to 0.1 grams of methamphetamine per day. For a heavy user of the drug with a higher tolerance, this person can consume in the range of 0.25 to 0.30 grams of methamphetamine per day. For those addicts who are on a binge, there have been instances where addicts have consumed in the range of one to one-and-a-half grams of methamphetamine in a day. In such instances, after consuming at this rate for approximately three to five days, the body begins to shut down as it cannot physically sustain such a binge and death can result.

In Courtenay, a "point" or 0.10 grams of methamphetamine is sold for approximately \$10 dollars.

### Crack cocaine

Cocaine, another strong stimulant, is derived from two cocoa plant species and was isolated from the leaves in the 1860s. When cocaine reaches the brain, it floods the reward centre, creating a sense of euphoria, feelings of exhilaration, alertness, vigor, and an enhanced sense of self control: the high the addict desires.

In the early 1970s, cocaine users boiled cocaine hydrochloride salt (powder cocaine) and mixed it with baking soda and/or other binders to form a substance that is not water soluble but could be smoked into a form that was first known as "base," now known as "crack". Crack, referred to on the street as "hard" or "rock", can be smoked or vaporized, and consumed via this method, the cocaine is delivered to the brain in less than eight seconds.

The processed crack cocaine is broken down into quantities consistent for street sale, usually into small chunks called "rocks". A whole rock of crack cocaine is not typically consumed at one time; rather, the user

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<sup>7</sup> Source: Constable P. Jones, Comox Valley RCMP Detachment, October 24, 2021. Constable Jones has been qualified to provide expert opinion evidence for the possession of methamphetamine, cocaine, and fentanyl for the purposes of trafficking in the British Columbia Supreme Court and British Columbia Provincial Court.

will take “hoots” off the crack pipe (two to three hoots per 0.1 gram). A typical high lasts approximately 15-20 minutes.

Crack cocaine is smoked from a glass tube or pipe. Typically accompanying the pipe is brillo or steel wool to lodge the crack rock in the pipe and a torch lighter capable of reaching high temperatures quickly. Moreover, given that the crack pipe gets hot, often a piece of tubing is attached to the pipe where the user places his or her mouth on when consuming the drug.

Crack cocaine can be injected as well, although this form of consumption is not as common. If a drug user chooses to inject crack cocaine, they will often require an acid of some form, normally lemon juice, vinegar, or ascorbic acid to make the crack soluble which can then be pulled into a hypodermic syringe.

A typical crack cocaine addict would use approximately one gram of crack cocaine per day whereby a heavy user of such could consume approximately three to five grams in one day. Relative to the latter, this would equate to smoking a “20 rock” or approximately 1/5 of a gram of crack cocaine every 30 minutes for a 12-hour period. This pattern of use is only sustainable for a few days; it is not possible to maintain over a prolonged period.

Higher doses of the drug do not prolong the euphoric feeling but merely increase the blood level, increasing pulse rate, blood pressure and tension. Most cocaine binges do not terminate until the individual is completely exhausted or has run out of cocaine or money to purchase more.

In Courtenay, a “10 rock” or 0.10 grams of crack cocaine sells for \$10 dollars and a gram of crack typically sells for between \$80 to \$100 dollars.

If a crack user consumes a gram per day, at approximately \$100 per gram, such would equate to a \$30,000 per year habit. This leads the crack user on a relentless pursuit of cocaine and money. Family, friends, and jobs are lost; lying, cheating, stealing, and dealing drugs at times, become necessary.

### Fentanyl

The substance of most concern is fentanyl. Although often touted as heroin (and in the past it was mixed in with it,) fentanyl has largely replaced heroin on the streets of British Columbia.

Fentanyl is a powerful synthetic opioid drug that is approximately 80 to 100 times more powerful than morphine, 40 to 50 times more potent than heroin. Once it reaches the brain, fentanyl dulls the user’s senses, relieves pain, and induces profound sleep; in excessive doses it causes stupor, coma, or convulsions.

Illicit fentanyl use is now a national health issue. There has been a dramatic increase in fentanyl overdose deaths in many provinces. The risk of overdose death is also heightened because traffickers employ imprecise mixing methods when creating these drugs, and the potency of one dose to the next can vary greatly.

According to the BC Coroners Service, in 2020, there were 1,728 illicit drug toxicity deaths in the Province of British Columbia, and in 86 percent of these cases, fentanyl was detected (alone or in combination with other drugs) or its analogues were detected.

A fentanyl overdose can lead to death rather quickly. Given fentanyl’s potency, it quickly binds to the opiate receptors in the brain that control breathing. As such, respiratory depression or respiratory arrest may soon follow which if not treated; within minutes, the vital organs of the body, particularly the brain and heart, are

deprived of oxygen. This lack of oxygen then triggers cardiac arrest which if not treated will cause the death of the drug user.

Fentanyl's texture, like heroin, is typically in powder form, or can also be grainy and take the shape of small pebbles. Fentanyl is often dyed blue, purple, yellow, or pink.

Fentanyl would be ready for use by intravenous injection (most common), intranasal insufflation (snorting – less common), or smoking (more common than intranasal). The method of consumption of fentanyl dictates usage of the drug.

If snorting fentanyl, a heavy user can consume up to one gram per day. A normal user will consume 1 point (0.1 grams) up to 2.5 points (0.25 grams) per day.

If injecting fentanyl, a heavy user can consume up to a half gram per day. A normal user will consume 1 point (0.1 grams) up to 2.5 points (0.25 grams) per day.

If smoking fentanyl, a heavy user can consume between two to three grams per day. A normal user will consume one gram per day.

Opioid withdrawal is very difficult. Some physical symptoms of opioid withdrawal include profuse sweating, diarrhea, muscle aches, and cramping.

In Courtenay, "down", the slang term for an opioid, typically fentanyl usually adulterated with benign substances including caffeine, is sold for \$20 to \$30 dollars per point, or 0.10 grams.

Regardless of the addict's drug(s) of choice, unfortunately the outcome for most is the same. People who are strongly addicted to the above substances need it more than anything else. They will do anything to get it. These substances cost money and a lot of addicts are unable to maintain employment. Over time, the body develops what is called "tolerance" to them, requiring the user to increase their consumption of the drug to produce the same effects. Now isolated from family and friends, the user goes down a path of criminal activity such as shoplifting and break-and-enters to support their habit. The addict has lost everything and succumbed to their drug of choice. Unless a conscious decision by the user to curtail their drug use is made, this trajectory will not change.

**Appendix 2 - Environmental Contractor Report 2017 – 2021**

| Date                 | General Refuse        |                  |                   |                      | Regulated Waste Removed |                          |                   |                          |                    |                               |                    |                               |                    |                      |                |                  |
|----------------------|-----------------------|------------------|-------------------|----------------------|-------------------------|--------------------------|-------------------|--------------------------|--------------------|-------------------------------|--------------------|-------------------------------|--------------------|----------------------|----------------|------------------|
|                      | Bagged Material (bag) | Oversize (yrd^3) | Total Weight (kg) | Total Volume (yrd^3) | Wood Waste (yrd^3)      | Scrap Metal (yrd^3)      | Needles (EA)      | Pharmac eticals (per kg) | Aerosols (kg)      | Propane Cyl (EA)              | Propane Tanks (EA) | Waste Oil (L)                 | FlammLiq (L)       | Non-haz Liq (kg)     | Batteries (kg) | Electronics (kg) |
| Feb 5, 6, & 9 '21    | 219                   | 4                | 4085              | 36.85                | 3                       | 14                       | 1440              | 1                        | 7                  | 24                            | 8                  | 2                             | 16                 | 40                   | 18             | 150              |
| Feb 9 & 10, '21      | 162                   | 2                | 2460              | 26.3                 | 2                       | 4                        | 27                | 0                        | 6                  | 20                            | 4                  | 0                             | 17                 | 10                   | 10             | 100              |
| Feb 11 '21           | 35                    | 1                | 365               | 6.25                 | 3                       | 1                        | 35                | 0                        | 1                  | 27                            | 0                  | 4                             | 0                  | 0                    | 2              | 25               |
| 16-Apr-21            | 28                    | 4                | 340               | 8.2                  | 0                       | 2                        | 67                | 0                        | 0                  | 0                             | 0                  | 0                             | 1                  | 0                    | 1              | 5                |
| Jun 17 & 18, 2021    | 62                    | 1                | 635               | 10.3                 | 0.75                    | 1.25                     | 33                | 0                        | 1                  | 10                            | 0                  | 0                             | 0                  | 0                    | 6              | 50               |
| 10-Aug-21            | 52                    | 2                | 550               | 9.8                  | 4                       | 3                        | 92                |                          | 6                  | 6                             | 2                  |                               | 0                  |                      | 6              | 20               |
| 24-Aug-21            | 13                    | 0                | 130               | 1.95                 | 2                       | 0.25                     | 22                | 0                        | 1                  | 4                             | 1                  | 0                             | 2                  | 0                    | 2              | 50               |
| 24-Aug-21            | 42                    | 2                | 450               | 8.3                  | 0                       | 1                        | 95                | 0                        | 2                  | 4                             | 0                  | 0                             | 1                  | 0                    | 2              | 5                |
| 27-Aug-21            | 25                    | 0                | 250               | 3.75                 | 1                       | 5                        | 84                |                          | 3                  | 0                             | 0                  |                               | 0                  |                      | 2              | 2                |
| 6-Oct-21             | 53                    | 2                | 560               | 4.65                 | 2                       | 3                        | 90                |                          | 2                  | 3                             | 0                  |                               | 1                  |                      | 18             | 20               |
| 6-Oct-21             | 3                     | 0.25             | 33.75             | 0.4                  | 0                       | 0                        | 4                 |                          | 0                  | 0                             | 0                  |                               | 1                  |                      | 1              | 4                |
| <b>2021 Subtotal</b> | <b>694</b>            | <b>18.25</b>     | <b>9858.75</b>    | <b>116.75</b>        | <b>17.75</b>            | <b>34.5</b>              | <b>1989</b>       | <b>1</b>                 | <b>29</b>          | <b>98</b>                     | <b>15</b>          | <b>6</b>                      | <b>39</b>          | <b>50</b>            | <b>68</b>      | <b>431</b>       |
| 4-Feb-20             | 58                    | 0.25             | 1235              | 8.95                 | 0                       | 1                        | 4                 | 0                        | 4                  | 16                            | 1                  | 0                             | 0                  | 20                   | 23             | 25               |
| 25-Jun-20            | 13                    | 0.5              | 138               | 2.45                 |                         | 1                        | 2                 | 0                        | 3                  | 1                             | 1                  | 0                             | 2                  | 0                    | 5              | 10               |
| 25-Jun-20            | 37                    | 0                | 370               | 5.55                 |                         | 1                        | 10                |                          | 2                  | 0                             | 0                  | 0                             | 0                  | 0                    | 1              | 0                |
| 19-Aug-20            | 16                    | 0.2              | 163               | 2.6                  |                         | 0.5                      | 34                |                          | 1                  | 0                             | 0                  | 0                             | 0                  | 0                    | 2              | 0                |
| 19-Aug-20            | 17                    | 0                | 170               | 2.55                 |                         | 0.2                      | 81                |                          | 1                  | 0                             | 0                  | 0                             | 0                  | 0                    | 1              | 5                |
| 29-Sep-20            | 48                    | 1                | 495               | 8.2                  |                         | 0.5                      | 25                |                          | 3                  | 5                             | 0                  | 0                             | 0                  | 0                    | 3              | 30               |
| 4-Nov-20             | 28                    | 0                | 280               | 4.2                  |                         | 2                        | 31                |                          | 6                  | 2                             |                    |                               | 1                  | 0                    | 2              | 2                |
| 4-Nov-20             | 5                     | 0                | 50                | 0.75                 |                         | 1                        | 21                |                          | 0                  | 1                             |                    |                               | 4                  | 0                    | 1              | 3                |
| 23-Nov-20            | 18                    | 0.25             | 184               | 3.0                  |                         | 0.25                     | 10                |                          | 1                  | 0                             | 0                  | 0                             | 0                  | 0                    | 1              | 5                |
| 23-Nov-20            | 36                    | 0.75             | 371               | 6.2                  |                         | 0.75                     | 100               |                          | 5                  | 18                            | 3                  | 0                             | 0                  |                      | 6              | 30               |
| 10-Dec-20            | 39                    | 5                | 465               | 10.85                |                         | 3                        | 554               |                          | 13                 | 3                             | 1                  | 0                             | 0                  | 0                    | 8              | 10               |
| 10-Dec-20            | 32                    | 0.5              | 327.5             | 5.3                  |                         | 1                        | 50                |                          | 3                  | 5                             | 2                  | 0                             | 0                  | 0                    | 4              | 25               |
| 10-Dec-20            | 6                     | 2                | 90                | 2.9                  |                         | 0                        | 6                 |                          | 0                  | 0                             | 0                  | 0                             | 0                  | 0                    | 1              | 0                |
| 10-Dec-20            | 0                     | 0                | 0                 | 0                    |                         | 0                        | 0                 |                          | 0                  | 0                             | 0                  | 0                             | 0                  | 0                    | 0              | 0                |
| <b>2020 Subtotal</b> | <b>353</b>            | <b>10.45</b>     | <b>4338</b>       | <b>63.4</b>          | <b>0</b>                | <b>12.2</b>              | <b>928</b>        | <b>0</b>                 | <b>42</b>          | <b>51</b>                     | <b>8</b>           | <b>0</b>                      | <b>7</b>           | <b>20</b>            | <b>58</b>      | <b>145</b>       |
| 24-Apr-19            | 16                    | 0                | 224               | 3                    | 0                       | 0.5                      | 4                 |                          | 0                  | 0                             | 0                  | 0                             | 1                  | 10                   | 1              | 5                |
| 24-Apr-19            | 6                     | 0.5              | 91.5              | 1                    | 0                       | 0.5                      | 69                |                          | 0                  | 0                             | 0                  | 0                             | 0                  | 1                    | 0              | 0                |
| 24-Apr-19            | 29                    | 1                | 421               | 4                    | 1                       | 4                        | 1                 |                          | 2                  | 2                             | 0                  | 0                             | 1                  | 1                    | 1              | 10               |
| 25-Apr-19            | 8                     | 0                | 112               | 1                    | 0                       | 0.1                      | 20                |                          | 1                  | 0                             | 0                  | 0                             | 0                  | 0                    | 1              | 0                |
| 30-Apr-19            | 86                    | 2                | 1234              | 35                   | 1                       | 8                        | 500               |                          | 10                 | 22                            | 18                 | 1                             | 5                  | 5                    | 50             | 106              |
| 19-Jun-19            | 20                    | 2                | 390               | 5                    | 0                       | 1.5                      | 100               | 0                        | 0                  | 0                             | 0                  | 0                             | 0                  | 4                    | 2              | 40               |
| 24-Jul-19            | 178                   | 4                | 2196              | 30.7                 |                         | 4.5                      | 15                | 1                        | 20                 | 2                             | 7                  | 0                             | 2                  | 40                   | 95             | 30               |
| Aug 5/8, 2019        | 55                    | 2                | 800               | 10.25                | 35                      | 4                        | 65                | 0                        | 5                  | 23                            | 0                  | 0                             | 5                  | 0                    | 20             | 30               |
| 16-Aug-19            | 25                    | 0.5              | 357.5             | 4.25                 | 0                       | 2                        | 0                 |                          | 5                  | 6                             | 1                  | 0                             | 1                  |                      | 3              | 20               |
| 16-Aug-19            | 12                    | 0.5              | 175.5             | 2.3                  | 0                       | 1                        | 1                 |                          | 2                  | 0                             | 0                  | 0                             | 0                  |                      | 2              | 50               |
| 1-Oct-19             | 33                    | 0.5              | 469.5             | 5.45                 |                         | 1                        | 3                 | 1                        | 4                  | 1                             | 0                  | 0                             | 0                  | 0                    | 3              | 20               |
| 9-Oct-19             | 26                    | 0.5              | 371.5             | 4.4                  |                         | 0                        | 0                 | 0                        | 3                  | 0                             | 0                  | 0                             | 0                  | 0                    | 0              | 0                |
| 8-Nov-19             | 39                    | 1                | 561               | 6.85                 |                         | 2                        | 42                | 0                        | 0                  | 2                             | 1                  | 0                             | 0                  | 0                    | 15             | 50               |
| <b>2019 Subtotal</b> | <b>533</b>            | <b>14.5</b>      | <b>7403.5</b>     | <b>113.2</b>         | <b>37</b>               | <b>29.1</b>              | <b>820</b>        | <b>2</b>                 | <b>52</b>          | <b>58</b>                     | <b>27</b>          | <b>1</b>                      | <b>15</b>          | <b>61</b>            | <b>193</b>     | <b>361</b>       |
| Date                 | General Refuse        |                  |                   |                      | Regulated Waste Removed |                          |                   |                          |                    |                               |                    |                               |                    |                      |                |                  |
|                      | Bagged Material (bag) | Oversize (yrd^3) | Total Weight (kg) | Total Volume (yrd^3) | Wood Waste (yrd^3)      | Scrap Metal (yrd^3)      | Needles (EA)      | Pharmac eticals (per kg) | Aerosols (per kg)  | Propane Cyl (EA)              | Propane Tanks (EA) | Non-hazardous Liquids (per L) | Batteries (per kg) | Electronics (per kg) |                |                  |
| 31-Oct-18            | 69                    | 0.5              | 1040              | 10.85                |                         |                          | 250               | 0                        | 2                  | 6                             | 4                  | 0                             | 10                 | 20                   |                |                  |
| 14-Nov-18            | 16                    | 0.75             | 311.5             | 3.15                 |                         |                          | 8                 | 0                        | 1                  | 1                             | 4                  | 4                             | 1                  | 10                   |                |                  |
| 14-Nov-18            | 16                    | 0.75             | 311.5             | 3.15                 |                         |                          | 8                 | 0                        | 1                  | 1                             | 4                  | 4                             | 1                  | 10                   |                |                  |
| 24-Nov-18            | 58                    | 3                | 1611              | 11.7                 |                         |                          | 75                | 0                        | 2                  | 12                            | 0                  | 0                             | 4                  | 100                  |                |                  |
| 24-Nov-18            | 40                    | 2                | 670               | 8                    |                         |                          | 8                 | 0                        | 2                  | 5                             | 4                  | 0                             | 2                  | 50                   |                |                  |
| 29-Nov-18            | 17                    | 4                | 519               | 6.55                 |                         |                          | 33                | 0                        | 3                  | 0                             | 0                  | 0                             | 1                  | 80                   |                |                  |
| 29-Nov-18            | 17                    | 4                | 519               | 6.55                 | 1                       | 0                        | 75                | 0                        | 2                  | 12                            | 0                  | 0                             | 2                  | 100                  |                |                  |
| 28-Feb-18            | 24                    | 1.5              | 306               | 5.1                  |                         |                          | 0                 | 0                        | 0                  | 11                            | 4                  | 0                             | 1                  | 1                    |                |                  |
| 16-Jan-18            | 13                    | 0.3              | 273               | 3.5                  |                         |                          | 6                 | 1                        | 0                  | 0                             | 3                  | 0                             | 0.5                | 3                    |                |                  |
| 16-Jan-18            | 23                    | 1.4              | 483               | 7.1                  |                         |                          | 6                 | 0                        | 0                  | 0                             | 4                  | 0                             | 0.5                | 10                   |                |                  |
| 16-Jan-18            | 5                     | 0.5              | 105               | 1.8                  |                         |                          | 14                | 0                        | 0                  | 0                             | 0                  | 0                             | 0                  | 0                    |                |                  |
| 24-Apr-18            | 6                     | 0.3              | 96                | 1.8                  |                         |                          | 1                 | 0                        | 0                  | 0                             | 1                  | 0                             | 0.5                | 3                    |                |                  |
| 24-Apr-18            | 6                     | 0.1              | 96                | 1.6                  |                         |                          | 0                 | 0                        | 0                  | 0                             | 0                  | 0                             | 0.5                | 0                    |                |                  |
| <b>2018 Subtotal</b> | <b>310</b>            | <b>18.95</b>     | <b>6341</b>       | <b>70.75</b>         | <b>1</b>                | <b>0</b>                 | <b>484</b>        | <b>1</b>                 | <b>13</b>          | <b>48</b>                     | <b>28</b>          | <b>8</b>                      | <b>24</b>          | <b>387</b>           |                |                  |
| Date                 | General Refuse        |                  |                   |                      | Regulated Waste Removed |                          |                   |                          |                    |                               |                    |                               |                    |                      |                |                  |
|                      | Bagged Material (bag) | Oversize (yrd^3) | Total Weight (kg) | Total Volume (yrd^3) | Needles (EA)            | Pharmac eticals (per kg) | Aerosols (per kg) | Propane Cyl (EA)         | Propane Tanks (EA) | Non-hazardous Liquids (per L) | Batteries (per kg) | Electronics (per kg)          |                    |                      |                |                  |
| 10-Oct-17            | 11                    | 1.5              | 382.5             | 4.25                 | 1                       | 0.1                      | 1                 | 0                        | 0                  | 0                             | 0                  | 0                             | 0                  | 0                    |                |                  |
| 10-Oct-17            | 44                    | 2                | 1170              | 13                   | 165                     | 0.25                     | 2                 | 4                        | 0                  | 3                             | 4                  | 20                            |                    |                      |                |                  |
| 11-Oct-17            | 20                    | 1.5              | 585               | 6.5                  | 13                      | 0                        | 3                 | 1                        | 1                  | 10                            | 3                  | 30                            |                    |                      |                |                  |
| 11-Oct-17            | 11                    | 1.5              | 382.5             | 4.25                 | 0                       | 0                        | 3                 | 0                        | 0                  | 25                            | 0                  | 10                            |                    |                      |                |                  |
| 11-Oct-17            | 3                     | 20               | 1867.5            | 20.75                | 12                      | 0.1                      | 1                 | 1                        | 0                  | 40                            | 2                  | 50                            |                    |                      |                |                  |
| <b>2017 Subtotal</b> | <b>89</b>             | <b>26.5</b>      | <b>4387.5</b>     | <b>48.75</b>         | <b>191</b>              | <b>0.45</b>              | <b>10</b>         | <b>6</b>                 | <b>1</b>           | <b>78</b>                     | <b>9</b>           | <b>110</b>                    |                    |                      |                |                  |



### Appendix 3 – Encampments Before and After Remediation





















Administration  
Box 3333 | 6250 Hammond Bay Road  
Nanaimo, BC Canada V9R 5N3  
t: 250.758.4697 f: 250.758.2482  
e: [info@virl.bc.ca](mailto:info@virl.bc.ca) w: [www.virl.bc.ca](http://www.virl.bc.ca)

October 22, 2021

Mayor Bob Wells  
City of Courtenay  
830 Cliffe Ave.  
Courtenay, BC V9N 2J7  
Original sent: [bwells@courtenay.ca](mailto:bwells@courtenay.ca)

Dear Mayor Wells,

**Re: Appointment to the 2022 Vancouver Island Regional Library Board**

It is time to consider your 2022 representation on the Vancouver Island Regional Library (VIRL) Board of Trustees. VIRL is the fifth largest library system in British Columbia serving more than 457,000 residents on Vancouver Island, Haida Gwaii, and Bella Coola on the Central Coast. VIRL enhances lives through universal access to knowledge, lifelong learning, and literacy in the communities we serve.

In appointing your representative, the *Library Act* (August 12, 2020), section 17 (2) states:  
**"All subsequent regular appointments must be made each November at the first meeting of the municipal council or regional district board."**

The term of office is January 1 to December 31. Reappointment of sitting members is encouraged for continuity, with no more than 8 consecutive years served.

The *Library Act*, section 55, reimbursement of expenses states: "(1) The members of a library board are not entitled to be paid by the library board for their services but may be reimbursed by it for reasonable travelling and out of pocket expenses, including child care expenses, necessarily incurred by them in performing their duties under this Act. (2) A library board may not reimburse a member for any expenses if another body reimburses the member for the expenses or pays the expenses."

Please submit for both your appointed Trustee and Alternate:

1. Certified copy of the Resolution (by provincial legislation)
2. VIRL 2022 Appointment Form
3. 2022 Financial Statement of Disclosure
4. Direct Deposit Authorization form (for travel expense reimbursement)

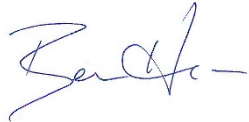
Strong Libraries ■ Strong Communities

Bella Coola Bowser Campbell River Chemainus Comox Cortes Island Courtenay Cowichan Cowichan Lake Cumberland Gabriola Island Gold River Hornby Island Ladysmith Masset Nanaimo Harbourfront Nanaimo North Nanaimo Wellington Parksville Port Alberni Port Alice Port Clements Port Hardy Port McNeill Port Renfrew Quadra Island Qualicum Beach Queen Charlotte Sandspit Sayward Sidney/North Saanich Sooke South Cowichan Tahsis Tofino Ucluelet Union Bay Woss

**By December 10, 2021**, return completed forms to Mariah Patterson, Executive Assistant, [mpatterson@virl.bc.ca](mailto:mpatterson@virl.bc.ca). Please call 250-729-2310 or [email](#) if you have any questions.

Thank you for your continued support of Vancouver Island Regional Library!

Sincerely,

A handwritten signature in blue ink, appearing to read "Ben Hyman", with a horizontal line extending to the right.

Ben Hyman  
Executive Director

cc: Geoff Garbutt, CAO, City of Courtenay  
Wendy Sorichta, Corporate Officer, City of Courtenay



# Attachment A

## Part 53 - Comprehensive Development Twenty-Six A Zone (CD- 26A) (3040 Kilpatrick Ave.)

### 8.53.13 Intent

The CD-26A Zone is intended to accommodate a multi residential development on the property legally described as Lot 1, Section 67, Comox District, Plan EPP79267 Except Air Space Plan EPP81977. This property shall be developed substantially in accordance with Schedules A, B, and C, which form part of this zone

### 8.53.14 Permitted Uses

The following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

- (1) *Multi Residential*
- (2) *Home Occupation*

### 8.53.15 Lot Coverage

A *lot* shall not be covered by buildings to a greater extent than 20% of the total area of the *lot*

### 8.53.16 Floor Area Ratio

The maximum *floor area ratio* shall not exceed 0.82

### 8.53.17 Minimum Lot Size

A *lot* shall have an area of not less than 0.40 hectares

### 8.53.18 Minimum Lot Frontage

A lot shall have a *frontage* of not less than 60.0 m

### 8.53.19 Setbacks

Except where otherwise specified in this bylaw the following minimum *building setbacks* shall apply:

- (1) *Front Yard*: 7.5 m for that portion of a building with a height less than 11.5 m and for railings above and affixed to said portion  
17.0 m for that portion of a building with a height greater than 11.5 m  
Despite the required *front yard setbacks* above, architectural fence details may project into the front yard setback up to 1.5 m with a height up to 2.0 m
- (2) *Rear Yard*: 18.0 m except for underground parking structures which shall be at least 14.0 m

- (3) *Side Yard*: 9.5 m north side except for underground parking structure which shall be at least 6.5 m  
13.0 m south side

### **8.53.20 Height of Buildings**

Maximum *building height* shall be in accordance with Schedule B and includes the elevator and roof top mechanical systems. Maximum *building height* is 15.0 m to roof parapet and 17.0 m to top of elevator measured from curb height. For clarity, the curb height is determined as the average curb height along the lot frontage

### **8.53.21 Useable Open Space**

*Useable open space* must be provided and include at minimum:

- (1) 70 m<sup>2</sup> play area as shown in Schedule A
- (2) 250 m<sup>2</sup> rooftop amenity area
- (3) Patios or balconies for averaging 9 m<sup>2</sup> per unit, with a minimum size of 4.5 m<sup>2</sup>

### **8.53.22 Off-Street Parking and Loading**

Off-street parking shall be provided and maintained in accordance with the requirements of Division 7 of this bylaw except:

- (1) 52 *parking spaces* shall be provided for 41 dwelling units on the property and corresponding visitor parking
- (2) 33 *parking spaces* shall be provided for 3080 Kilpatrick Avenue commercial and residential use
- (3) Minimum parking stall dimensions are 2.6 m in width and 5.5 m in length for standard stalls
- (4) Minimum aisle width in the underground parking structure can be reduced to 6.7 m in accordance with Schedule C
- (5) Minimum additional space for *parking spaces* and manoeuvring aisles where abutting a wall or building can be reduced in accordance with Schedule C
- (6) No more than 25% of *parking spaces* can be designated as small car *parking spaces*
- (7) Bicycle parking facilities must be provided at a rate of one secure stall per unit

### **8.53.23 Landscaping and Screening**

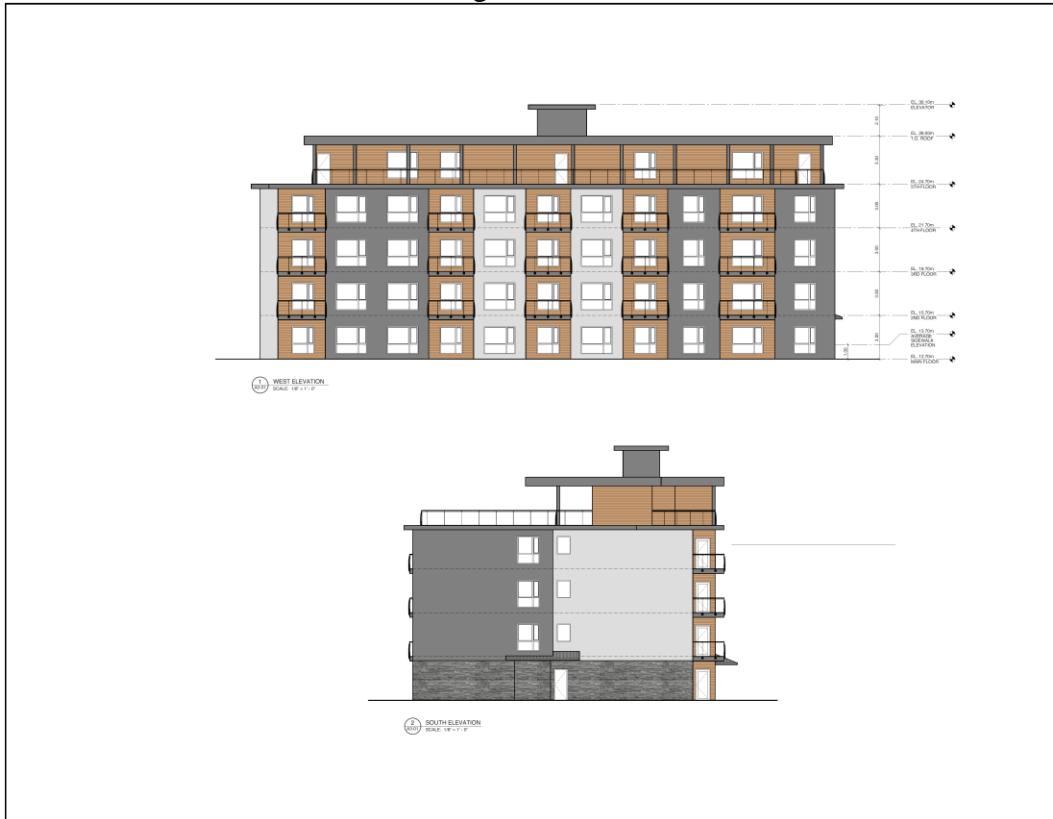
In addition to the Landscape Requirements identified in Part 14 of this bylaw, the following landscape requirements shall be met:

- (1) A landscaped area of not less than 4.0 m in width shall be provided inside all property lines adjoining residential use and public parkland except reduced widths shown in Schedule A
- (2) Where a *lot* in this zone adjoins a *street*, a landscaped area of at least 7.5 m in width extending along the entire frontage of the property shall be provided inside the property line except reduced widths shown in Schedule A
- (3) Storage areas, garbage and recycling containers shall be screened and gated to a minimum *height* of 2 m by a *landscaping* screen or solid decorative *fence* or a combination thereof.



**Schedule B**

Note: Please refer to full size drawings in file 3360-20-2102



|   |                  |
|---|------------------|
| DATE: 2019-09-20                                    |                  |
| DRAWN BY: [Name]                                    |                  |
| CHECKED BY: [Name]                                  |                  |
| DATE: 2019-09-20                                    |                  |
| PROJECT: NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD. |                  |
| PROJECT NO: BUILDING 3 RESIDENTIAL                  |                  |
| SHEET NO: ELEVATIONS: WEST & SOUTH                  |                  |
| SCALE: 1/8" = 1'-0"                                 | DATE: 2019-09-20 |
| PROJECT NO: 2019-09-20                              | DATE: 2019-09-20 |
| A3-01   |                  |

|   |                  |
|---|------------------|
| DATE: 2019-09-20                                    |                  |
| DRAWN BY: [Name]                                    |                  |
| CHECKED BY: [Name]                                  |                  |
| DATE: 2019-09-20                                    |                  |
| PROJECT: NEWPORT VILLAGE COURTESY DEVELOPMENTS LTD. |                  |
| PROJECT NO: BUILDING 3 RESIDENTIAL                  |                  |
| SHEET NO: ELEVATIONS: EAST & NORTH                  |                  |
| SCALE: 1/8" = 1'-0"                                 | DATE: 2019-09-20 |
| PROJECT NO: 2019-09-20                              | DATE: 2019-09-20 |
| A3-02   |                  |







