

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

**AMENDED**

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

**Changes to Council Meetings Due to Coronavirus COVID-19 Pandemic**

**Due to the Coronavirus COVID-19 emergency, the City of Courtenay with the authority of Ministerial Order No. MO83 *Local Government Meetings & Bylaw Process COVID-19*; has implemented changes to its open Council meetings.**

**In the interest of public health and safety, public in-person attendance at Council meetings will be prohibited until further notice. Council meetings will be presided in-person by the Mayor or Acting Mayor with electronic participation by members of Council and staff. Meetings are available for viewing via live web streaming or video recording on the City of Courtenay website and will start at 1:00 p.m. during this period.**

**DATE: April 14, 2020  
PLACE: City Hall Council Chambers  
TIME: 1:00 p.m.**

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**K'OMOKS FIRST NATION ACKNOWLEDGEMENT**

- 1.00 ADOPTION OF MINUTES**
- 2.00 INTRODUCTION OF LATE ITEMS**
- 3.00 DELEGATIONS**
- 4.00 STAFF REPORTS/PRESENTATIONS**
  - (a) Development Services**
    - 1. Development Application Procedures Bylaw Amendment No. 3003  
Alternative Process for Public Information Meetings
- 5.00 EXTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**
- 6.00 INTERNAL REPORTS AND CORRESPONDENCE FOR INFORMATION**

**7.00 REPORTS/UPDATES FROM COUNCIL MEMBERS INCLUDING REPORTS FROM COMMITTEES**

- Councillor Cole-Hamilton
- Councillor Frisch
- Councillor Hillian
- Councillor McCollum
- Councillor Morin
- Councillor Theos
- Mayor Wells

**8.00 RESOLUTIONS OF COUNCIL**

**1. In Camera Meeting**

That notice is hereby given that a Special In-Camera meeting closed to the public will be held April 14<sup>th</sup>, 2020 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) (e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- 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.

**9.00 UNFINISHED BUSINESS**

**10.00 NOTICE OF MOTION**

**11.00 NEW BUSINESS**

- 5 1. L'Arche Comox Valley - Request for the City of Courtenay's Support Re: L'Arche Comox Valley's Affordable Housing and Supportive Housing Initiatives

**Suggested motion:**

“That the correspondence received April 8<sup>th</sup>, 2020 from L'Arche Comox Valley requesting the City of Courtenay's support of their affordable and supportive housing initiatives, be received for information; and,

That staff provide a letter to L'Arche Comox Valley in support of their application for funding to Canada Mortgage and Housing Corporation (CMHC) to build a housing complex that will provide affordable residential suites for adults with developmental disabilities and for low-income seniors.

**12.00 BYLAWS**

**For First, Second and Third Reading**

- 7 1. “Development Application Procedures Amendment Bylaw No. 3003, 2020”  
(A bylaw to amend the Development Application Procedures Bylaw to permit the use of an alternative public information meeting process in extenuating circumstances)

7 **For Final Adoption**

1. “Development Application Procedures Amendment Bylaw No. 3003, 2020”  
(A bylaw to amend the Development Application Procedures Bylaw to permit the use of an alternative public information meeting process in extenuating circumstances)

**13.00 ADJOURNMENT**



THE CORPORATION OF THE CITY OF COURTENAY

## STAFF REPORT

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**To:** Council

**File No.:** 6410-00

**From:** Chief Administrative Officer

**Date:** April 14, 2020

**Subject: Development Application Procedures Bylaw Amendment No. 3003  
Alternative Process for Public Information Meetings**

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### **PURPOSE:**

The purpose of this report is for Council to consider an amendment to the Development Application Procedures Bylaw to add an alternative process for Public Information Meetings.

### **CAO RECOMMENDATIONS:**

That based on the April 14, 2020 staff report "Development Application Procedures Bylaw Amendment No. 3003 – Alternative Process for Public Information Meetings", Council approve OPTION 1 and proceed to First, Second and Third Readings of "Development Application Procedures Bylaw Amendment No. 3003 – Alternative Process for Public Information Meetings".

Respectfully submitted,

David Allen, BES, CLGEM, SCLGM  
Chief Administrative Officer

### **BACKGROUND:**

The Development Application Procedures Bylaw prescribes various processes and requirements for development applications. This includes public information meetings which are a requirement for amendments to the OCP and zoning bylaw as well as development variance permits or development permits with variances. This represents approximately two thirds of the development applications received by the Development Services Department.

A public information meeting is held by the applicant as one of the initial steps in a development application. Through mail, the applicant invites all property owners within 100m for OCP and zoning bylaw amendments or 30m for variances to a meeting at a set date, location and time. At the meeting the applicant is expected to provide information on the proposal and receive feedback from the attendees. Ideally, the applicant then takes this information and modifies their proposal to address neighbour's concerns. They then summarize the results of the event which is included in the staff report to Council.

**Public information meetings are not a statutory requirement; rather, they are a requirements established by the City's Development Application Procedures Bylaw.** The intent is that they provide an

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opportunity for neighbours to be informed of a proposal and provide input that can then be referenced by staff and Council when considering the proposal. They also provide the opportunity for the applicant to proactively address neighbourhood concerns before the application is considered by Council or the Public Hearing process is initiated.

### **Proposed Amendment**

In its current form the Development Application Procedures Bylaw requires that the applicant hosts a meeting. When extenuating circumstance warrant (such as the current coronavirus pandemic and associated restriction on public gatherings), this may not be an appropriate action. As a result, an amendment to the bylaw is proposed which gives the Director of Development Services the discretion to authorize the Alternative Public Information Meeting process detailed below. The key change being that the neighbours are mailed information about the proposal and then given a window of time to provide comments by phone, mail or email to the applicant.

The proposed Alternative Public Information Meeting process will have the following steps:

1. The applicant submits a development application to the City
2. The City provides the applicant with the mailing addresses for property owners within 100m of an OCP or zoning amendment or 30m of a proposed variance or development permit with variances.
3. The applicant mails a letter advising the owners of the proposal along with the following information:
  - a. A description of the proposal;
  - b. The web link to the City's Development Applications Website where the application submission can be viewed;
  - c. The applicant's phone number and email address;
  - d. A timeframe (minimum of two weeks from the date the letter is mailed) for when comments and questions can be directed to the applicant; and,
  - e. The contact information for the City's Development Planning Division.
4. The applicant summarizes the results the process and submits to the City for inclusion in the staff report to Council.

### **OPTIONS:**

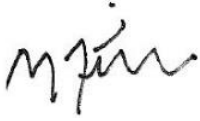
#### **OPTION 1: (Recommended)**

That Council give First and Second and Third Readings of "Development Application Procedures Bylaw Amendment No. 3003 – Alternative Process for Public Information Meetings".

**OPTION 2:** That Council postpone consideration of Bylaw 3003 with a request for more information.

**OPTION 3:** That Council not proceed with Bylaw 3003.

Prepared by:



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Matthew Fitzgerald, RPP, MCIP  
Manager of Development Planning

Reviewed by:



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Ian Buck, RPP, MCIP  
Director of Development Services

*Attachments:*

1. *Schedule No. 1 – Section 8 of the Development Procedures Bylaw 2790*

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**Schedule No 1: Section 8 - Public Information Meeting of the Development Application Procedures Bylaw No. 2790**

- 8.1** Applicants for Official Community Plan Amendments, Zoning Bylaw Amendments, Temporary Use Permits or Development Variance Permits are required to hold a Public Information Meeting prior to the application being considered by Council. The purpose of the meeting is to provide an additional opportunity for the public to access information and to inquire about the proposal beyond that available through the standard application referral, and public hearing process. The applicant is responsible for all costs associated with the meeting.
- 8.2** The Public Information Meeting is held by the applicant, and may be attended by City Staff at the discretion of the City.
- 8.3** It is the responsibility of the applicant to arrange and conduct the meeting at their expense. The venue and meeting format shall be discussed with the City prior to the meeting. The use of professional facilitation or consulting services is strongly encouraged to conduct the meeting and may be required by the City in case of sensitive applications. Applicants are required to submit a report to the City summarizing the meeting. The report must include the following information:

  - a) Location and duration of the meeting;
  - b) Number of attendees;
  - c) How the meeting was advertised and how surrounding property owners were notified;
  - d) Information provided at the meeting; and
  - e) A summation of questions raised and major discussion points.
- 8.4** The applicant must mail, or otherwise deliver, notification of the Public Information Meeting to owners and occupiers of properties within a radius of 100 m from the subject property for OCP, Zoning and Temporary Use Permits, or 30m for Development Variance Permits. The Director of Development Services is authorized at his discretion to waive the requirement to hold, or modify the notification distance required for, a Public Information Meeting based on the nature of the proposal.
- 8.5** The public input received at the Public Information Meeting will be included in a staff report for Council's consideration of a permit, or prior to consideration of 1st and 2nd reading of a bylaw amendment.

Elisabeth Lefrancois  
Specialist, Multi-Unit Housing Solutions  
Canada Mortgage and Housing Corporation (CMHC)  
2000-1111 West Georgia St., Vancouver, B.C. V6E 4M3

[elefranc@cmhc-schl.gc.ca](mailto:elefranc@cmhc-schl.gc.ca) (T: 604-737-4072)

This letter will affirm the City of Courtenay's support of and collaborative working relationship with L'Arche Comox Valley in its efforts to build housing for adults with developmental disabilities who are able to live semi-independently, as well as low income seniors.

L'Arche Comox Valley is a not for profit that has been operational in the City of Courtenay for 20 years in support of people with developmental disabilities and their families, based on a model of creating social connections that fosters safe, resilient communities where all feel valued and can contribute. Their successful building of the I Belong Centre, a community hub that includes seven residential suites at affordable rents which opened in June 2017, is an important example of what this agency has been able to create.

The City has identified support for housing diversity and advocacy for affordable housing among its strategic priorities, based on a serious housing shortage across the spectrum, but particularly among vulnerable populations. As such, the City is committed to working with community partners such as L'Arche to increase the supply of affordable housing.

It is noted that if any specific project involves a rezoning application, approval would be subject to Council's discretion following a public process.

We look forward to L'Arche Comox Valley continuing to serve a key role as we work together to address the full spectrum of housing needs in the City of Courtenay today.





**THE CORPORATION OF THE CITY OF COURTENAY**

**BYLAW NO. 3003**

**A bylaw to amend Development Application Procedures Bylaw No. 2790, 2014**

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

1. This bylaw may be cited for all purposes as **“Development Application Procedures Amendment Bylaw No. 3003, 2020”**.

2. That “Development Application Procedures Bylaw No. 2790, 2014” be hereby amended as follows:

(a) That Section 8.4 is deleted and replaced with:

“8.4 The applicant must mail, or otherwise deliver, notification of the Public Information Meeting to owners and occupiers of properties within a radius of 100 m from the subject property for OCP, Zoning and Temporary Use Permits, or 30m for Development Variance Permits. The Director of Development Services is authorized at his discretion to waive the requirement to hold, or modify the notification distance required for, a Public Information Meeting based on the nature of the proposal **or permit the use of the Alternative Public Information Meeting process in extenuating circumstances.**”

(b) That Section 8.5 is inserted:

“8.5 When authorized by the Director of Development Services the Alternative Development Information Meeting process may be used. The process requires the applicant mail, or otherwise deliver, a letter advising the owners of the properties specified within Section 8.4 of the development proposal along with the following information:

- a) A detailed description of the proposal;
- b) The web link to the City’s Development Applications Website where the application submission can be viewed;
- c) The applicant’s phone number and email address;
- d) A timeframe (minimum of two weeks from the date the letter is mailed) for when comments and questions can be directed to the applicant; and,
- e) The contact information for the City’s Development Planning Division.

The applicant must provide the City a summary of the process documenting the information provided and questions and comments received.”

