



## TOWN OF COMOX

1809 Beaufort Avenue Ph: (250) 339-2202  
Comox BC V9M 1R9 Fx: (250) 339-7110

### **REGULAR COUNCIL MEETING** **AGENDA FOR WEDNESDAY SEPTEMBER 2, 2020**

*We respectfully acknowledge that we live, work and play on the traditional lands of the K'ómoks First Nation ... Gila'kasla ... Hay ch q' a'*

**NOTICE is hereby given that, pursuant to Ministerial Order No. 3 M192, the September 2, 2020 Regular Council Meeting will be conducted by electronic means with some or all members of Council participating electronically. Further, in accordance with Ministerial Order No. 3 M192, the public will not be permitted to be in attendance. Members of the public may attend to view the live-streamed proceedings of Council at d'Esterre Seniors' Centre, 1801 Beaufort Avenue, beginning at 5:30 p.m. The meeting will also be live-streamed on the Town's Facebook page.**

**Public Question Period takes place at the end of each Council Meeting. Questions concerning agenda items can be emailed to [agenda@comox.ca](mailto:agenda@comox.ca) up to 5:00 p.m. each Council meeting day. Questions will be read out at the meeting and responses provided. Please include both your name and address for identification purposes.**

Meeting Location: Council Chambers, 1801B Beaufort Avenue, Comox

Call to Order: 5:30 p.m.

Adoption of the Agenda

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**NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING HAS BEEN SCHEDULED FOR 07:00 PM AT D'ESTERRE SENIORS CENTRE, 1801 BEAUFORT AVENUE, IN ORDER TO CONSIDER: OFFICIAL COMMUNITY PLAN AND REZONING APPLICATION OCP RZ 18-06 (2310 GUTHRIE ROAD)**

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#### **1. DELEGATIONS:**

- (7) a. [Audrey Craig & Sue Wood \(Filberg Heritage Lodge & Park Association\) To discuss the Filberg Heritage Tree Program](#)
- (75) b. [John & Brenda Bavin \(Applicants\): Development Variance Permit Application DVP 20-4 \(197 Ellis Street\)](#)
- (94) c. [Louise Blomer \(MNP\) - 2019 Audit Findings](#)

#### **2. MINUTES OF MEETINGS:**

- (8) a. [Regular Council Meeting Minutes](#)  
*That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday August 5, 2020, be Approved.*

#### **3. COMMITTEE REPORTS: NIL**

#### **4. UNFINISHED BUSINESS:**

- (15) a. [Management Report - September 2, 2020](#)  
*That the September 2, 2020 Management Report be received and filed for information.*



- (24) b. [Planning Report RZ 20-2: Zoning Map and Housekeeping Update](#)
1. *That the Comox Zoning Amendment Bylaw 1957 be given Third Reading.*
  2. *That the Comox Zoning Amendment Bylaw 1957 be Adopted.*

**5. SPECIAL REPORTS:**

- (32) a. [Comox Valley Regional District Meeting Minutes](#)
- That the following Comox Valley Regional District meeting minutes be received for information:*
- *Comox Valley Regional District Board held on July 28, August 11 and August 25, 2020.*

**6. BYLAWS:**

- (54) a. [Comox Council Procedure Bylaw No. 1960, 2020](#)
- That the Comox Council Procedure Bylaw No. 1960, 2020 be Adopted.*

**7. NEW BUSINESS AND NOTICES OF MOTION:**

- (75) a. [Development Variance Permit Application DVP 20-4 \(197 Ellis Street\)](#)
- That Development Variance Permit DVP 20-4 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 to the September 2, 2020 Planning Report on DVP 20-4.*
- (88) b. [Budget Variance Report, with Year-End Estimates](#)
- That the August 27, 2020 Report to Council from the Director of Finance, titled "Budget Variance Report, with year-end estimates", be received for information.*
- (94) c. [Draft 2019 Annual Financial Statements](#)
- That the Draft 2019 Annual Financial Statements be received and approved.*

**8. CORRESPONDENCE:**

- (120) a. [Province's Economic Recovery Engagement Process](#)
- (140) b. [Charles Romain - Continuing Vandalism, Parking and Traffic Violations at Church Street and Buena Vista](#)
- (146) c. [Dawn Lupton - Division of Claddagh Estates](#)
- (147) d. [Richard Cockwill - Division of Claddagh Estates](#)
- (148) e. [Jessie Christophersen \(Recycling Council of British Columbia\) Waste Reduction Proclamation](#)
- (150) f. [Danyta Welch \(Union of BC Municipalities\) 2020 Community Excellence Awards](#)
- (151) g. [Haeley Dewhirst \(Comox BIA\) September Street Closure](#)
- (153) h. [David Frisch \(Comox Valley Regional District\) Use of Skyrocket for Municipal Landscaping](#)
- (155) i. [Cory Vanderhorst \(MNP\): Letter to Comox Valley Economic Development Society regarding impacts from the new contract with the Comox Valley Regional District](#)



- 9. LATE ITEMS: NIL
- 10. DELEGATIONS: NIL
- 11. REPORTS FROM MEMBERS OF COUNCIL:
- 12. MEDIA QUESTION PERIOD:
- 13. PUBLIC QUESTION PERIOD:
- 14. EXCLUDE THE PUBLIC:

a. [Exclude the Public](#)

*That the Public be Excluded from the In-Camera session of Council on Wednesday September 2, 2020 pursuant to the following sub-sections of section 90 of the Community Charter:*

*(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;*

**ADJOURNMENT**

  
\_\_\_\_\_  
CORPORATE OFFICER





### REQUEST TO APPEAR AS A DELEGATION

TOWN OF COMOX  
1809 Beaufort Avenue Ph: (250) 339-2202  
Comox BC V9M 1R9 Fx: (250) 339-7110

LOG: 20-295	REFER:	AGENDA: RCM 02Sep20
FILE: 0230-20/F	ACTION: MR	

REQUESTS TO APPEAR BEFORE COUNCIL OR THE COMMITTEE OF THE WHOLE MUST BE SUBMITTED NO LATER THAN WEDNESDAY NOON, THE WEEK PRIOR TO THE MEETING.

Name(s) of person(s) speaking:  
Audrey Craig, President

**RECEIVED**

Sue Wood, Heritage Tree Program Task Force member

Jul. 30, 2020

Organization you are representing: Filberg Heritage Lodge & Park Association **TOWN OF COMOX**

Primary purpose of Organization: Stewardship of FHLPA Number of members: 100+

Mailing address: 61 Filberg Road

City: Comox Postal Code: V9M2S7

Contact name: Eden Lindsay-Bodie Email: lodge@filberg.com

Phone: 250 339 2715 Fax: n/a


Subject matter:

To discuss the Filberg Heritage Tree Program

Specific request of Council, if any (i.e., letter of support, funding):

Support

Requested meeting and date: September 9, 2020 AV equipment required: Yes

Date of application: July 30, 2020 Signature of applicant:   
(or print name)

**Please Note:**

1. Regular Council Meetings start at 5:30 p.m., while Committee of the Whole Meetings start at 4:15 p.m. Delegations are dealt with at the beginning of each meeting.
2. Maximum presentation time is 10 minutes including questions, unless previously approved by the Chair.
3. Presenters are to address Council or the Committee of the Whole, and not the audience.
4. All presentation materials/handouts must be submitted no later than Thursday noon, the week prior to the meeting. If the Friday prior to the meeting is a statutory holiday, then presentation materials must be submitted by Wednesday noon.
5. Please ensure that your cell phone is turned OFF during the meeting.

*Council and Committee of the Whole Meetings are public except where permitted to be closed pursuant to the Community Charter. Presentations at Council meetings are video recorded and available on the Town's website. Personal information you provide on this form is collected pursuant to Section 26 of the Freedom of Information and Protection of Privacy Act, and this form may be published in its entirety with public meeting agendas, which are also posted on the Town website.*

**TOWN OF COMOX**  
**Minutes of the Regular Council Meeting,**  
**held in Council Chambers on Wednesday August 5, 2020**

**Present:** Mayor R. Arnott  
Councillors A. Bissinger, K. Grant, S. McGowan,  
P. McKenna (electronically), N. Minions, M. Swift

**Absent:** Nil

**Staff Present:** J. Wall, Chief Administrative Officer  
S. Russwurm, Corporate Officer  
M. Kamenz, Director of Development Services  
G. Schreiner, Fire Chief (electronically)  
E. Turnbull, Planner  
L. Greasley, Communications & Legislative Coordinator

**Call to Order:**

The meeting was called to order at 5:30 p.m.

The Agenda was Adopted.

There were 0 members of the public in attendance.

M. Arnott thanked Councillor Grant for acting as Mayor during his medical leave of absence.

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**1. DELEGATIONS:**

**a. Haeley Dewhirst (Comox BIA): Comox Avenue Closure for End-of Season Sale**

**End-of-Season Sale**

Ms. Dewhirst advised that the BIA would like to hold an end-of-season sale on Friday September 4th and Saturday September 5th. They are asking for Comox Avenue to be closed to vehicle traffic on these days, between Church and Stewart Streets. Ms. Dewhirst advised that emergency access for Berwick and the Ambulance Station would be maintained, as would through traffic along Port Augusta Street to allow access to the Mall. She also advised that traffic marshals would be used, and asked for the Town's support in providing barricades.

**b. Ron Webber, Martin Hagarty and Ann Janssen (Comox Valley Affordable Housing Society): Development Variance Permit Application: DVP 20-06 (1582 Balmoral Ave)**

**1582 Balmoral Avenue**

The proponents described the current development and the need for its re-development. They advised of a shortage of affordable housing in the Comox Valley, as identified in a recent housing needs assessment. They described their proposal for increasing the amount of affordable housing units for seniors, and asked for Council's support of their development variance permit application.

**c. David Willis - Development Variance Permit Application: DVP 20-06 (1582 Balmoral Ave)**

**1582 Balmoral Avenue**

Mr. Willis advised that he does not have a problem with the current or proposed use of the site; however, as designed, it will block views. He advised that the parking reduction is his main concern, and that the proposal does not fit with the spirit of the plan. Mr. Willis is asking Council to table the application.

- d. **Graham Argyle - Development Variance Permit Application: DVP 20-06 (1582 Balmoral Ave)**

**1582 Balmoral Avenue**

Mr. Argyle advised that he supports affordable housing, and the need for it. He advised that he is concerned with compatible urban design, and the proposed building will not fit in with the surroundings. Mr. Argyle also advised that he would support a height of two storeys.

**2. MINUTES OF MEETINGS:**

- a. **Regular Council Meeting Minutes**

**RCM Minutes**

*That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday July 15, 2020, be Approved.*

(2020.232) -- CARRIED

**2.1 RECONSIDERATION OF MATTER:**

- a. **Garbage Collection Frequency**

**Solid Waste Collection**

1. *That Council's July 15, 2020 resolution 2020.216, as follows:*

*"THAT, upon a thorough communications plan and notification to the public, the Town of Comox moves to a garbage collection system of:*

- Bi-weekly Garbage Collection*
- Bi-weekly Recycling Collection*
- Weekly yardwaste and Organic Collection"*

*be reconsidered.*

(2020.233) -- CARRIED  
[Opposed: Councillor NMinions]

2. *THAT, upon a thorough communications plan and notification to the public, the Town of Comox moves to a garbage collection system of:*

- Bi-weekly Garbage Collection*
- Bi-weekly Recycling Collection*
- Weekly yardwaste and Organic Collection*

(2020.234) -- CARRIED  
[Opposed: Mayor Arnott, Councillor KGrant]

**3. COMMITTEE REPORTS: NIL**

**4. UNFINISHED BUSINESS:**

- a. **Management Report - August 5, 2020**

**Management Report**

*That the August 5, 2020 Management Report be received and filed for information.*

(2020.235) -- CARRIED

- b. **Rezoning Application RZ 19-7 / Development Permit Application DP 19-5 / Development Variance Permit Application DVP 20-3 (695 Aspen)**

**695 Aspen Road**

1. *That Comox Zoning Amendment Bylaw 1934 be Adopted.*

(2020.236) -- CARRIED

**b. Rezoning Application RZ 19-7 / Development Permit Application DP 19-5 / Development Variance Permit Application DVP 20-3 (695 Aspen)**

**695 Aspen Road**

2. *That Comox Phased Development Agreement Authorization Bylaw 1935: Aspen-Murrelet be Adopted.*  
(2020.237) -- CARRIED
  
3. *That Development Permit Application DP 19-5 be issued, subject to the Development Permit Conditions listed in Schedule 1 of the August 5, 2020 Planning Report on RZ 19-7, DP 19-5 and DVP 20-3.*  
(2020.238) -- CARRIED
  
4. *That Development Variance Permit Application DVP 20-3 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the August 5, 2020 Planning Report on RZ 19-7, DP 19-5 and DVP 20-3.*  
(2020.239) -- CARRIED

**c. Planning Report PR 20-5: Temporary Patio and Parklet Program Extension**

**Temporary Parklet and Patio Program**

1. *That the Town of Comox suspends until October 31, 2020 enforcement of:*
  - a. *Comox Zoning Bylaw 1850 setback and parking requirements; and,*
  - b. *Comox Official Community Plan Bylaw 1685 Development Permit Area requirements in respect of restaurants (including coffee shops), restaurant-lounges, breweries, and pubs who wish to place temporary outdoor seating on existing on-site open space and parking areas provided that:*
  - c. *the combined indoor and outdoor seating capacity does not exceed pre-COVID maximum seating capacity;*
  - d. *temporary seating in a parking lot does not reduce vehicle parking capacity by more than 6 parking spaces or 50% of existing onsite parking spaces whichever is greater;*
  - e. *no structures are constructed or placed on the property other than temporary seating and associated temporary tables, fencing and serving facilities;*
  - f. *no existing trees are impacted, and any landscaping alterations are temporary; and,*
  - g. *use of temporary seating within a required Zoning setback does not exceed 10:00 a.m. to 8:00 p.m. and in all other instances 7:00 a.m. to 10:00 p.m.*

(2020.240) -- CARRIED
  
2. *That the Town of Comox extend the temporary parklet program until October 31, 2020 provided that:*
  - a. *the combined indoor and outdoor seating capacity does not exceed pre-COVID maximum seating capacity;*
  - b. *applicant provision of 1.07 m high 2 x 4 wooden railing with horizontal roping between posts or other methods to delineate the boundaries of the parklet acceptable to the Town; and*
  - c. *the approval is limited to 60 days with a 30 day review/reconsideration if any public complaint is received, after 60 days, Staff issuance of a new license is required.*

(2020.241) -- CARRIED

**5. SPECIAL REPORTS:**

**a. Comox Valley Regional District Meeting Minutes**

**CVRD Meeting Minutes**

*That the following Comox Valley Regional District meeting minutes be received for information:  
- Comox Valley Regional District Board held on Tuesday, July 14, 2020.*

(2020.242) -- CARRIED

**6. BYLAWS:**

**a. Bylaw 1959 - Town of Comox Subdivision and Development Servicing Bylaw, 1261, Amendment No. 13, 2020**

**Overhead Wiring in Infill**

*That the Town of Comox Subdivision and Development Servicing Bylaw, 1261, Amendment No. 13, 2020 be Adopted.*

(2020.243) -- CARRIED

**7. NEW BUSINESS AND NOTICES OF MOTION:**

**AT 7:18 P.M., COUNCILLOR McGOWAN LEFT THE MEETING, DECLARING A CONFLICT OF INTEREST WITH ITEM 7a ON THE AGENDA AS SHE IS A TENANT OF THE DEVELOPER.**

**AT 7:25 P.M., COUNCILLOR McGOWAN RETURNED TO COUNCIL CHAMBERS.**

**a. Rezoning and OCP Amendment Application: OCP RZ 19-1 / Development Permit Application: DP 19-1 / Development Variance Permit Application: DVP 19-1 (2309 McDonald Road)**

**2309 McDonald Road**

*That, in accordance with section 475 of the Local Government Act:*

- 1. Notice of Proposed OCP Amendment, as contained in Attachment 2 to the August 5, 2020 Planning Report OCP RZ 19-1, be placed on the Town's bulletin board and website, until replaced by a notice of public hearing; and*
- 2. The August 5, 2020 Planning Report OCP RZ 19-1 be posted on the Town's website.*

(2020.244) -- CARRIED

**b. Deployment of Fire Department to Outside Areas**

**Fire Department Deployment**

*That Council Policy No. CCL-054, as attached to the Fire Chief's Staff Report to Mayor and Council titled "Deployment of Fire Department to Outside Areas" be approved.*

(2020.245) -- CARRIED

**c. Planning Report - Development Variance Permit Application: DVP 20-06 (1582 Balmoral Ave)**

**1582 Balmoral Avenue**

*That Development Variance Permit DVP 20-6 be issued upon resolution of the Outstanding Items and subject to the Development Variance Permit Conditions listed in Schedule 1 to the August 5, 2020 Planning Report on DVP 20-6.*

(2020.246) -- CARRIED

[Opposed: Councillor PMcKenna]

**AT 7:36 P.M., COUNCILLOR BISSINGER LEFT THE MEETING.**

**d. Correspondence Regarding DVP 20-06 1582 Balmoral Avenue**

**1582 Balmoral Avenue**

*That the following correspondence be received and filed for information:*

- July 23, 2020 email from W.G. Graham & Louis M. Argyle;
- July 29, 2020 email from Ian Moul;
- July 29, 2020 email from Devorah Peterson;
- July 30, 2020 letter from Sandra Forsayeth;
- July 30, 2020 email from Kathryn Silcox;
- July 30, 2020 email from David and Dr. Victoria Willis; and
- July 31, 2020 letter from Ray Uhl.

(2020.247) -- CARRIED

**e. Proposed New Council Procedure Bylaw**

**Proposed New Council  
Procedure Bylaw**

1. *That the proposed Comox Council Procedure Bylaw No. 1960, 2020 be given First Reading.*

(2020.248) -- CARRIED

2. *That the proposed Comox Council Procedure Bylaw No. 1960, 2020 be given Second Reading.*

(2020.249) -- CARRIED

3. *That subsection 13(2)(a) of the proposed Comox Council Procedure Bylaw No. 1960, 2020 be amended to read: "the member is unable to be present at Council Chambers for reasons due to being out of Town, being sick or for childminding;"*

(2020.250) -- DEFEATED

*[Opposed: Councillors ABissinger KGrant SMcGowan PMcKenna NMinions MSwift]*

4. *That the proposed Comox Council Procedure Bylaw No. 1960, 2020 be amended by adding as subsection 13(3):*

*"No more than three members of Council or of a Council Committee may Participate Electronically at any one time during any meeting."*

*and renumbering accordingly.*

(2020.251) -- CARRIED

5. *That the proposed Comox Council Procedure Bylaw No. 1960, 2020 be given Third Reading as amended.*

(2020.252) -- CARRIED

**COUNCILLOR BISSINGER RETURNED TO THE MEETING ELECTRONICALLY AT 7:44 P.M.**

**f. Employee Criminal Record Check Policy**

**Criminal Record Check Policy**

*That Council adopts the Town of Comox Employee Criminal Record Check policy, attached as Appendix A to the Chief Administrative Officer's August 5, 2020 Report to Council, titled "Employee Criminal Record Check Policy".*

(2020.253) -- CARRIED

**8. CORRESPONDENCE:**

**a. David Murray: Request for restricted parking in front of 221 Church Street**

**Church Street Parking**

*That the July 17, 2020 email from David Murray, requesting three 15-minute parking spaces in front of 221 Church Street, be received and referred to staff for followup.*

(2020.254) -- CARRIED

**b. Various Correspondence Regarding Mask-Wearing in Indoor Spaces**

**Mask-Wearing in Indoor Spaces**

1. *That the following correspondence be received and filed for information:*

- July 20, 2020 email from Dr. Michael Raymont;
- July 21, 2020 email from Dr. Alex Nataros, BSc MD CCFP;
- July 29, 2020 email from Marion Hoerberg;
- July 30, 2020 email from Tom Wright;
- July 30, 2020 email from Lindsay Alexander; and
- July 30, 2020 email from Marcel Longpre.

(2020.255) -- CARRIED

2. *That the Town of Comox issue a proclamation encouraging residents and visitors to wear masks in indoor public spaces and encouraging private businesses to maintain a voluntary customer registry at the entrance of the establishment.*

(2020.256) -- DEFEATED

[Opposed: Mayor Arnott, Councillors KGrant NMinions MSwift]

**c. Amanda Howe - Mental Health Outreach needed for the Comox Valley (Assertive Community Treatment ACT)**

**Assertive Community Treatment Team**

*That the July 23, 2020 email from Amanda Howe, requesting that the Town ask the Provincial government for an Assertive Community Treatment (ACT) team in the Comox Valley, be received and that Council send a letter as requested.*

(2020.257) -- CARRIED

**d. Ben Pires - Colonial Name of our Province**

**Colonial Name of Province**

*That the July 21, 2020 email from Ben Pires, requesting that Council urge the Provincial government to proclaim a new inclusive name for the Province of BC, and adopt a new flag and coat-of-arms on the 150th anniversary of the province's entry into the Canadian confederation on July 20, 2021, be received and filed for information.*

(2020.258) -- CARRIED

**e. Lynn Shaw - Suggested Timeline for Outdoor Machinery Noise**

**Machinery Noise**

*That the July 29, 2020 email from Lynn Shaw, requesting a schedule for permitted outdoor machinery noise, be received and filed for information.*

(2020.259) -- CARRIED

- f. Mary Carter - Requesting more park benches in the shade at Stewart Street and Balmoral Avenue**

**Anderton Park Benches**

*That the July 28, 2020 letter from Mary Carter, requesting that more park benches be added in the shade at Anderton Park, be received and referred to staff for followup.*

(2020.260) -- CARRIED

**9. LATE ITEMS: NIL**

**10. DELEGATIONS: NIL**

**11. REPORTS FROM MEMBERS OF COUNCIL: NIL**

**14. EXCLUDE THE PUBLIC:**

- a. Exclude the Public**

**Exclude the Public**

*That the Public be Excluded from the In-Camera session of Council on Wednesday August 5, 2020 pursuant to the following sub-sections of section 90 of the Community Charter:*

*(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and*

*(1)(g) litigation or potential litigation affecting the municipality.*

(2020.261) -- CARRIED

**THE MEETING WAS CLOSED TO THE PUBLIC AT 7:58 P.M.**

**THE REGULAR COUNCIL MEETING RECONVENED AT 8:43 P.M.**

**Adjournment:**

Regularly moved and seconded that the meeting adjourn at 8:43 p.m.

CARRIED

Certified correct pursuant to Section 97(1)(b) of the Community Charter.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

**TOWN OF COMOX – MANAGEMENT REPORT**

**September 2, 2020**

ITEM	DATE	SUBJECT	COUNCIL DIRECTION	STATUS
1.	07-Mar-2007	Waste Collection Service	Investigate the provision of an Organic Waste Collection Service in Comox-Courtenay. (Council provided conditional support on Aug 1, 2018 for a regional organics program, subject to a detailed cost comparative analysis being completed by the CVRD on site location alternatives.)	Regional organics composting site in Campbell River approved by RD and feedstock commitment approved by Council. New contract with Emterra approved April 15, 2020. On Aug 5, 2020, Council reconsidered and adopted its decision to implement, upon a thorough communications plan and notification to the public, biweekly garbage collection, including biweekly collection of recyclables and weekly collection of organics. No bids received by CVRD on new organics facility.
2.	18-Jan-2017	Northeast Comox Storm Water Management Plan	Implementation of Northeast Comox Storm Water Management Plan	Summary of In-Camera motion from last meeting. Letters sent to property owners advising of council decision, noting open house once COVID-19 crisis is over.
3.	18-Jan-2017	Mack Laing Trust	That staff be directed to begin the process to modify, if necessary, the terms of the Trust.	Court hearing to be scheduled to determine terms of trust.
4.	17-Jan-2018	Boundary Extension Request - Torrence Road	That the Town of Comox proceed with a boundary extension proposal in the Noel, Torrence and Lazo Roads area that includes the following: <ul style="list-style-type: none"> <li>• 480 Torrence Rd</li> <li>• Vacant Land</li> <li>• 456 Torrence Rd</li> <li>• Vacant Land (Lot 10)</li> <li>• 274 Torrence</li> <li>• 1310 Lazo Rd</li> <li>• Vacant Land (Lot A)</li> <li>• 1250 Lazo Rd</li> </ul>	Discussions held with Ministry staff regarding condition of Lazo Road and Town desire for grant funding or improvements to be made prior to bringing it into Town boundary. Ministry staff advised that it is not a priority for them for the next few years. Letter to be sent from Mayor to Ministers of Municipal Affairs and Transportation, asking for assistance in upgrades to Lazo Road if it is to be brought into Town boundary. Property owner of Northern three parcels asked to be removed from application.

\*\* New items and updates shown in *blue bold italics text*.

NOTE: Shaded items will be moved to the COMPLETED section.

**TOWN OF COMOX – MANAGEMENT REPORT**

**September 2, 2020**

ITEM	DATE	SUBJECT	COUNCIL DIRECTION	STATUS
			<ul style="list-style-type: none"> <li>• Adjacent portions of Torrence and Lazo Roads plus undeveloped south end of King Road; and further, That Town of Comox staff be authorized to develop, sign and submit the proposal to the Ministry of Municipal Affairs and Housing.</li> </ul>	
5.	16-Jan-2019	Dog Park Feasibility and Public Consultation Process	That a public consultation process regarding the feasibility of a dog park be undertaken, for an amount up to \$20,000.	Looking at two leash optional areas – fenced in area plus larger trailed area. Meeting with KFN requested in order to discuss use of a portion of Northeast Woods. Project deferred to 2021.
6.	20-Mar-2019	Planning Report PR 19-4: Affordable Housing, Town Initiatives	That staff be instructed to prepare a report on: a. Options for local government provision of affordable housing; b. Options for the use of rental zoning; and d. Impact of short term rentals on the supply of affordable housing, including an allowance for rental of primary units.	Complex issues that will require considerable staff time to complete. Current priority is working with developer at 695 Aspen to achieve some affordable housing in this project.
7.	03-Apr-2019	Notice of Motion from March 20, 2019 Meeting (Councillor McGowan) - Heritage Registry	That a staff report be provided on whether a Heritage Registry be created within the Town of Comox.	Staff investigating the requirements and consequences of developing a Community Heritage Register, however, Heritage Planning is not identified as a priority of Council.
8.	17-Apr-2019	Interim Report on Affordable Housing Initiatives	That the Town request that the Comox Valley Regional District amend its Development Cost Charge Bylaws (DCCs) to exempt from required DCCs payments the construction or alteration of self-contained dwelling units in buildings in which each unit is not larger than 45 m <sup>2</sup> ;	Letter sent May 24, 2019 from Mayor to CVRD chair. No update received to date.

\*\* New items and updates shown in *blue bold italics text*.

NOTE: Shaded items will be moved to the COMPLETED section.

**TOWN OF COMOX – MANAGEMENT REPORT**

**September 2, 2020**

ITEM	DATE	SUBJECT	COUNCIL DIRECTION	STATUS
9.	17-Apr-2019	Electric Vehicle Charging Station - Grant Funding Opportunity	That the Town of Comox participate in the Mid-Island EV Network project and associated CleanBC Communities Fund application with the Regional District of Nanaimo as the lead applicant and dedicate a total of up to \$6,000 to be funded from General Revenue, and representing the Town's portion of the cost of one (1) dual port public electric vehicle charging station at a Town owned site within the community and that the location of the charging station be referred to staff.	Status of grant application anticipated by end of the summer. Location of charging station to be decided if grant application is successful.
10.	02-Oct-2019	Open House - Climate Crisis and Adaptation	That an open house be held on the topic of Current Town of Comox Strategic Priorities and Climate Crisis and Adaptation at a future date to be determined by staff.	
11.	16-Oct-2019	Low Income Regional Recreation All Access Pass Program	That staff participate with the Regional District and other local municipalities to investigate options for a regional, low-income, all access pass and report to Council with the operational and policy implications.	COVID-19 delayed phase 1 roll out of the new Low Income Regional Recreation Pass. Launch is now tentatively scheduled for the winter 2021 session and winter brochure (currently scheduled to print mid-November).
12.	06-Nov-2019	PR 19-18 Childcare Space Creation Funding Applications	That the Town of Comox Council endorse the creation of additional childcare spaces; That the Town of Comox Council instruct staff to apply for funding to: purchase a commercial unit at 695 Aspen Road and undertake necessary tenant improvements; That the Town of Comox Council authorize the expenditure of Town funds for professional services necessary to complete applications;	UBCM grant application submitted Nov. 21. Provincial grant application submitted Dec. 19, 2019. UBCM and Provincial grants have been approved.  Next Steps - Advertisement of Council consideration of disposal of daycare space to non-profit daycare society at below market cost for the purpose of daycare operation. - Advertisement of Council consideration of disposal of 6 dwelling units to non-profit housing society at below

\*\* New items and updates shown in *blue bold italics text*.

NOTE: Shaded items will be moved to the COMPLETED section.

**TOWN OF COMOX – MANAGEMENT REPORT**

**September 2, 2020**

ITEM	DATE	SUBJECT	COUNCIL DIRECTION	STATUS
			That staff be directed to negotiate an option to purchase a commercial unit in a proposed building at 695 Aspen Rd; That staff be directed to negotiate a potential lease agreement with the Comox Valley Children's Day Care Society for the operation of a childcare facility.	market cost for the purpose of operation of the units as affordable housing.
13.	22-Jan-2020	Review of Council Remuneration	That a Council Remuneration Advisory Group be established in order to determine fair and reasonable compensation levels for the Town of Comox Mayor and Councillors.	CAO to appoint Advisory Group members.
14.	22-Jan-2020	Conference Attendance Policy	That a staff report be provided on the effectiveness of providing individual annual spending limits for Council members' conference attendances.	
15.	15-Apr-2020	Urban Food Production	That Council support urban agricultural opportunities and increase food security by directing staff to receive and consider feed back from the Planning department, the Comox Valley Food Policy Council, community associations, and residents, and develop options in a report to Council to allow small-scale commercial urban food production, including but not limited to chickens (not roosters), bees and urban farmstands on all residential property within the town of Comox.	Town and Courtenay staff coordinating research and policy development. Project is in its initial stage, no timeline for completion as of yet.

\*\* New items and updates shown in *blue bold italics text*.

NOTE: Shaded items will be moved to the COMPLETED section.

**TOWN OF COMOX – MANAGEMENT REPORT**

**September 2, 2020 – COMPLETED ITEMS**

ITEM	DATE	SUBJECT	COUNCIL DIRECTION	COMPLETE
1.	16-Oct-2019	Downtown Comox Business Improvement Area Bylaw	Renew the Downtown Comox Business Improvement Area	15-Apr-2020
2.	16-Oct-2019	CAO Executive Search / Strategic Planning	Hire Jerry Berry Consultants Inc. to recruit new CAO and update strategic plan	06-May-2020
3.	May-2020	Temporary Patio & Parklet Program	Create Temporary Patio & Parklet Program	20-May-2020
4.	18-Mar-2020	Building Capacity - Human Resources	Hire Communications/Legislative Coordinator and Land Use Planner to start June 2020. Planner 1 position filled; Communications position shortlisted.	May-2020
5.	15-Apr-2020	Chimo Gymnastics and Compass Adventure - Licences to Use	Waive 33% of the monthly Compass Adventure licence fee for April – June, 2020; waive 100% of the Chimo Gymnastics monthly licence fee April 1, 2020.	May-2020
6.	15-Apr-2020	Comox Valley Coalition to End Homelessness: 2019/2020 Funding	Provide 2019 and 2020 Town of Comox homelessness grants (\$60,000) to the Habitat for Humanity in order to continue their Lake Trail project.	May-2020
7.	17-Apr-2019	Communications Specialist	Hire a communications specialist in the year 2019.	04-Aug-2020
8.	18-Mar-2020	Human Resource Capacity	Hire Human Resources Coordinator and Parks Planner/Coordinator	Deferred to 2021
9.	20-May-2020	Council Priorities Summary 2020	Schedule meeting to discuss Council priorities in light of the COVID-19 pandemic.	Meeting set for Sept 9 <sup>th</sup>
10.	20-May-2020	Extension of Comox Downtown Vitalization	Amendment of Downtown Revitalization Tax Exemption, Building and Planning Procedures Bylaws	17-Jun-2020
11.	03-Jun-2020	Land and Sea Brewing Company	Encourage Land and Sea Brewing Company to examine alternate parking arrangements	10-Jun-2020

\*\* New items and updates shown in *blue bold italics text*.

NOTE: Shaded items will be moved to the COMPLETED section.

# STRATEGIC PRIORITIES CHART Updated: August 2019

## CORPORATE PRIORITIES (Council/CAO)

<p><b>NOW</b></p> <ol style="list-style-type: none"> <li>1. <b>MACK LAING: Future</b></li> <li>2. <b>5-YEAR CAPITAL PLAN: Priorities</b></li> <li>3. <b>NE INDUSTRIAL LANDS STRATEGY: Terms of Reference</b></li> <li>4. <b>AFFORDABLE HOUSING: Current Town Actions</b></li> <li>5. <b>OFF LEASH DOG PARK: Public Consultation</b></li> </ol>	<p><b>TIMELINE</b></p> <p>May</p> <p>June</p> <p>July</p> <p>March [number of steps underway]</p> <p>March/April</p>
<p><b>NEXT</b></p> <ul style="list-style-type: none"> <li>• CLIMATE CHANGE ADAPTATION: Project</li> <li>• LONG TERM CAPITAL PLAN</li> <li>• DOWNTOWN REVITALIZATION: Zone Expansion</li> <li>• ORGANICS COLLECTION PROGRAM: Review</li> <li>• WATERFRONT WALKWAY: Options</li> <li>• CLIMATE CHANGE ADAPTATION STRATEGY</li> <li>• MARINA PARK: Phase II</li> <li>• SHORT TERM RENTAL: Policy Options</li> <li>• SHELF/SHOVEL-READY GRANT PROJECT</li> </ul>	<p><b>ADVOCACY / PARTNERSHIPS</b></p> <ul style="list-style-type: none"> <li>• <i>Regional Organics Facility: Decision (RD)</i></li> <li>• <i>NE Industrial Land Strategy (CVEDS)</i></li> <li>• <i>Coalition to end Homelessness: Support</i></li> <li>• <i>Climate Change Grant (FCM)</i></li> <li>• <i>Regional Transit Review (RD)</i></li> <li>• <i>Regional Connectivity System (RD)</i></li> </ul>

## OPERATIONAL STRATEGIES (CAO/Staff)

<p><b>CHIEF ADMINISTRATIVE OFFICER</b></p> <ol style="list-style-type: none"> <li>1. MACK LAING: Future – August</li> <li>2. <b>NE INDUSTRIAL LAND STRATEGY: TOR</b> – Sept</li> <li>3. CLIMATE CHANGE ADAPTATION: Project – July</li> </ol>	<p><b>PLANNING SERVICES</b></p> <ol style="list-style-type: none"> <li>1. Subdivision Bylaw: Update - November</li> <li>2. NE Comox SWMP: Implementation - September</li> <li>3. Step Code - November</li> <li>4. Anderton Corridor Land Use: – Preliminary/Density concept Plan to consulting eng. March 2019</li> </ol>
<p><b>FINANCE</b></p> <ol style="list-style-type: none"> <li>1. Office Space: Relocations/renos - July/August</li> <li>2. <b>CAPITAL PLAN: Priorities</b> – Sept-Dec.</li> </ol> <ul style="list-style-type: none"> <li>• Payroll Software (replacement) – Aug - Dec</li> <li>• Fiber Optics - September</li> </ul>	<p><b>CORPORATE</b></p> <ol style="list-style-type: none"> <li>1. Policy Manual: October</li> <li>2. Procedure Bylaw: October</li> <li>3. Records Management - Administration: December</li> </ol>
<p><b>PARKS</b></p> <ol style="list-style-type: none"> <li>1. <b>DOG PARK: Options</b> – Public Consultation</li> <li>2. Wayfinding Project – April</li> </ol> <ul style="list-style-type: none"> <li>• Ellis Street Walkway: Replacement</li> <li>• Greenway Development: Detailed Design</li> </ul>	<p><b>PUBLIC WORKS &amp; ENGINEERING</b></p> <ol style="list-style-type: none"> <li>1. Anderton Servicing Plan – 75% complete [water/sanitary and storm]. Construction ready spring 2020</li> </ol> <ul style="list-style-type: none"> <li>• Foreshore Sanitary Replacement</li> <li>• Transportation Plan: Update</li> </ul>
<p><b>FIRE</b></p> <ol style="list-style-type: none"> <li>1. POC / Volunteer Retention: Review – FT Assistant hired – July</li> <li>2. Full Time Staff: Review - March</li> <li>3. Service Level Review – September</li> </ol>	<p><b>RECREATION</b></p> <ol style="list-style-type: none"> <li>1. Site Master Plan: 1st draft - June</li> <li>2. Programmer Hours: Review – add 5 hrs. approved</li> </ol> <ul style="list-style-type: none"> <li>• Fitness Studio: Capital Equipment - ongoing</li> <li>• Regional Recreation Initiative – discussions in progress</li> </ul>

**Town of Comox**  
**ACTION ITEMS - SUMMARY**  
**September 2, 2020**

Date	Action Items	Status
03-Jun-20	Forward Integrated Regional Transportation Committee Memorandum Of Understanding to future meeting	Waiting on CVRD to provide updated draft.
17-Jun-20	Update Council Procedure bylaw	On Aug 5 RCM agenda for 1st, 2nd and 3rd Readings
15-Jul-20	Move the zoning map housekeeping to next stage of public input	3rd reading and adoption on 2-Sept-2020
15-Jul-20	Communications plan for moving to bi-weekly garbage and recycling collection	TBD: Delayed due to uncertainty around organics processing
05-Aug-20	Issue DVP for 1582 Balmoral upon receipt of outstanding issues	Outstanding Covenant signed 27-Aug-2020, awaiting registration in Land Title Office
05-Aug-20	Update Council procedure bylaw for electronic meetings to require 'just cause' for electronic attendance to be determined by Mayor and that a Councillor may appeal the Mayor's decision by a vote of Council prior to adoption of the agenda	Moved to Sept 2nd Council meeting
05-Aug-20	Satisfy letter request from the Assertive Community Treatment	In progress
05-Aug-20	Inform Haeley of the extension the parklet program until October 31	Complete
05-Aug-20	Prepare criminal record check policy for implementation	In progress
05-Aug-20	Extend temporary patio and parklet program until October 31, 2020	Complete
05-Aug-20	Develop parking strategy for downtown area in response to 15-minutes parking spaces	Currently scheduled for late fall

**Town of Comox  
ACTION ITEMS - SUMMARY  
September 2, 2020**

<b>Date</b>	<b>Completed Items</b>	<b>Status</b>
20-May-20	Move forward with onsite dining and amendments to the Parklet program.	Complete: 20-May-2020
20-May-20	Change the Strategic Plan to reflect bullet points and not a numerical ordering.	Complete: 22-May-2020
20-May-20	National AccessAbility Week Proclamation (May 31 – Jun 6)	Complete: 01-Jun-2020
20-May-20	Administration to liaise with the Liquor and Cannabis Regulation Branch and Courtenay Staff on our program and	Complete
20-May-20	Inform CVEDS and CVRD of appointment of Mayor Arnott to CV Economic Task Force	Complete: 05-Jun-2020
03-Jun-20	Publish press release regarding Mayor Arnott's approved medical leave and appointment of Acting Mayor Grant.	Complete: 04-Jun-2020
03-Jun-20	Forward support for UBCM poverty reduction grant to CVRD	Complete: 05-Jun-2020
03-Jun-20	Forward positive comments on Land and Sea liquor application to LCRB	Complete: 09-Jun-2020
03-Jun-20	Letter sent to Land and Sea requesting they undertake further attempts to resolve their parking situation and build a	Complete: 10-Jun-2020
03-Jun-20	Proceed to open recreation facilities when safety plans are in place	Community Centre open June 22. Fitness centre open June 24
20-May-20	Amendment of Downtown Revitalization Tax Exemption, Building and Planning Procedures Bylaws	Complete: 17-Jun-2020
17-Jun-20	Forward Municipal Policy Funding Letter to RCMP at 11.6 FTEs (no change)	Letter (Approval in Principle) sent 19-Jun-2020
20-May-20	Strategic Plan & Management Report	Complete
20-May-20	Confirm with Emterra options for weekly/bi-weekly recycling pick up when this switch happens (meeting scheduled with Emterra Friday May 29)	Complete; Report for Council July.

**Town of Comox**  
**ACTION ITEMS - SUMMARY**  
**September 2, 2020**

<b>Date</b>	<b>Completed Items</b>	<b>Status</b>
17-Jun-20	Appendix B for CAO Review Policy	Complete
17-Jun-20	Respond to Julian Benedict on lights in the Community Centre	Complete
15-Jul-20	Organize Pride flag raising for July 22nd at 9am to July 27th	Complete: 20-Jul-2020
15-Jul-20	Direction to prioritize Balmoral development	Complete
15-Jul-20	Letter of support for Balmoral 1582 housing	Complete: 23-Jul-2020
15-Jul-20	Find a way to inform people of how to email their questions	Complete; agenda@comox.ca
15-Jul-20	Provide resolution of support for UBCM Excellence award to Shelley A	Complete: 17-Jul-2020
15-Jul-20	Email to Tim Horton's requesting decreasing drive through sound	Complete: 22-July-2020
15-Jul-20	Issue development permit 20-5	Complete
15-Jul-20	Follow up on question from Councillor Bissinger regarding sale of commercial space for 2310 Guthrie	Complete : 17-July-2020
15-Jul-20	Update bylaw to no longer require undergrounding on infill projects. Move to next agenda for adoption	Complete bylaw to be adopted 5-Aug-2020
15-Jul-20	Provide feedback to CVRD regarding grammar and spelling issues in minutes	Complete: Issues were computer translation and not from base text
15-Jul-20	Update bylaw to no longer require undergrounding on infill projects. Move to next agenda for adoption	Bylaw adopted 5-Aug-2020
05-Aug-20	Finalize adoption of zoning, phased development, DP 19-5, and DVP 20-3 for 695 Aspen	Bylaws adopted 5-Aug-2020, DP and DVP issued
05-Aug-20	Finalize adoption of bylaw amendment to allow overhead wiring in residential infill	Bylaw adopted 5-Aug-2020
05-Aug-20	Post of Notice of OCP Amendment application for 2309 McDonald	Notice of application posted on Town website and bulletin board 7-Aug-2020
05-Aug-20	Discussion & decision on parking request from D. Murray (221 Church St.)	Complete: 13-Aug-2020
05-Aug-20	Examine request for park benches in the shade at Stewart and Balmoral (Anderton Park) - Respond back to M. Carter	Complete: 14-Aug-2020
05-Aug-20	Request for more park benches at Anderton Park	Additional park bench to be placed at Anderton Park. Response to M. Carter August 14, 2020.




# TOWN OF COMOX PLANNING REPORT

TO:	JORDAN WALL, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, DIRECTOR OF DEVELOPMENT SERVICES ELLIOT TURNBULL, PLANNER I
SUBJECT:	PLANNING REPORT RZ 20-2 ZONING MAP AND HOUSEKEEPING UPDATE
DATE:	RCM SEPTEMBER 2, 2020

  
Submitted by

  
Concurrence

  
Approval

**Development Services' Recommendation**

1. That Comox Zoning Amendment Bylaw 1957 (**Attachment 1**) be given Third Reading; and,
2. That Comox Zoning Amendment Bylaw 1957 be Adopted.

**Proposal**

The proposal is to amend Comox Zoning Bylaw 1850 including the Zoning Map to address errors and omissions.

**Background:**

At the July 15, 2020 Regular Council Meeting, the requirement to hold a Public Hearing in respect of Comox Zoning Amendment Bylaw 1957 was waived in accordance with Section 464(2) of the *Local Government Act* and the requisite notices as required by the *Local Government Act* have been published in the newspaper on August 19 and 26, 2020.

There are no outstanding items in relation to this application.

MK/ET  
Attachments: 1

S:\00 Council Agenda Development\02 Reports For Sr Staff Discussion\RZ 20-2 Zoning Map Update\2 RZ 20-2 RCM September 2 2020\_Zoning Map Update.docxU:\Dev App\2020\OCP RZ\RZ 20-2 Zoning Map update\Report\2 RZ 20-2 RCM September 2 2020\_Zoning Map Update.docx

**RZ 20-2  
ZONING MAP UPDATE**

**SEPTEMBER 2, 2020**

**ATTACHMENT 1**

**COMOX ZONING AMENDMENT BYLAW 1957**

# TOWN OF COMOX

## BYLAW 1957

### A BYLAW TO AMEND COMOX ZONING BYLAW 1850

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WHEREAS the Council of the Town of Comox has the authority under the provisions of the *Local Government Act* to amend the Zoning Bylaw;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

#### 1. Title

This bylaw may be cited for all purposes as “Comox Zoning Amendment Bylaw 1957”.

#### 2. Amendments

(1) Comox Zoning Bylaw 1850 is hereby amended by:

a. adding the following rows to the table in Section 2.7(2):

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine Amount
Failure to comply with conditions – R2.1 zone	104.2	\$250.00
Failure to comply with conditions – CD9 zone	809.2	\$250.00
Failure to comply with conditions – CD18 zone	818.2	\$250.00
Failure to comply with conditions – CD22	822.2	\$250.00
Unlawful use – CD23 zone	823.1	\$250.00
Failure to comply with conditions – CD23 zone	823.2	\$250.00
Unlawful accessory buildings – CD23 zone	823.10	\$250.00
Unlawful use – CD24 zone	824.1	\$250.00
Unlawful use – CD25 zone	825.1	\$250.00
Failure to comply with conditions – CD25 zone	825.2	\$250.00
Unlawful accessory buildings – CD25 zone	825.10	\$250.00

b. replacing Section 5.12(3) with the following text:

In all zones other than the R3.4, R3.5, R3.6, R3.7, I2.1, CD 16 and CD 23 zones and Area A of the CD 26 zone, as shown in Appendix “W”, awnings, balconies, bay windows, canopies, chimneys, cornices, eaves, gutters, landings, leaders, ornamental features, pilasters, porches, sills, stairs, or sunshades may project up to 1.75 metres into a required front, rear or exterior side setback and up to 0.6 metres into a required side setback;

c. renumbering Section 6.14 as follows;

The following applies to all lands shown shaded in Appendix "S":

- (1) For regulations regarding parking spaces for persons with disabilities see Section 6.9.
- (2) Parking spaces shall be provided in accordance with the requirements in Section 6.14 (3). In the case of a use not specifically mentioned, the required parking spaces shall be the same as for the most comparable use.
- (3) Required Parking Spaces Downtown

d. removing the following text from Section 9.2 Effective Date of Bylaw:

I HEREBY CERTIFY that this is a true copy of "Comox Zoning Bylaw 1850"

\_\_\_\_\_

Shelly Russwurm,

Deputy Corporate Administrator

e. Schedule "A" is amended by:

i. replacing Section 111.10 Accessory Buildings with the following text:

**111.10 Accessory Buildings**

Accessory buildings shall:

- (1) Not exceed 4.5 metres in height;
- (2) Have a parcel coverage not exceeding 10%;
- (3) Not occupy more than 2/3 of the width of the front or rear yard, as measured at its widest point; and
- (4) not exceed 60 m<sup>2</sup> in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area.

ii. replacing Section 203.10(1) with the following text:

- (1) not exceed 4.5 metres in height;

iii. replacing Section 305.1 with the following text:

**305.1 Permitted Uses:**

In the C3.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding buildings and outside storage
- (2) Amusement centres
- (3) Assembly centres
- (4) Billiard halls
- (5) Bowling alleys
- (6) Brew pubs
- (7) Childcare facilities

- (8) Dental clinics
- (9) Denturist labs
- (10) Drive-thru restaurants
- (11) Drive-thru services
- (12) Film theatres
- (13) Financial institutions
- (14) Funeral parlours
- (15) Garden Centres
- (16) Gas bars
- (17) Grocery Store
- (18) Hotels
- (19) Libraries
- (20) Liquor Stores
- (21) Locksmiths
- (22) Medical clinics
- (23) Motels
- (24) Offices
- (25) Personal service establishments
- (26) Pet Grooming
- (27) Pubs
- (28) Recreational cannabis retail stores
- (29) Recycling drop-off centres
- (30) Restaurants
- (31) Restaurant-Lounges
- (32) Retail stores
- (33) Service stations
- (34) Small appliance repair shops, processing or packaging of food or beverage products or establishments that repair or assemble electronic equipment which (1) have a total non-retail floor area not in excess of 460 square metres, (2) retail directly from the premises, and (3) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.
- (35) Veterinary clinics
- (36) Video rental stores

iv. replacing Section 307.13(4)(ii) with the following text:

(ii) 3.0 metres from their point of intersection if abutting a lane, as shown in Figure 307-1, *Corner Cut-Out*.

v. replacing Section 501.9(1) with the following text:

- (1) Front
  - (a) Service stations and gas bars– Front setback shall not be less than 3.0 metres.
  - (b) All other uses – Front setback shall not be less than 7.5 metres.

vi. replacing the following text in Section 806:

**For the purpose of Section 807, Area A, Area B, and Area C are as shown on Appendix “B”.**

with the following text:

**For the purpose of Section 806, Area A, Area B, and Area C are as shown on Appendix "B".**

vii. replacing Section 806.2(1)(a) with the following text:

(a) A recreational cannabis retail store shall:

- (i) not exceed 500m<sup>2</sup> in gross floor area;
- (ii) only be permitted on those parcels or portions thereof shown shaded in Appendix "V"; and
- (iii) be located a minimum of 250 metres from any other recreational cannabis retail store, as measured by the shortest distance between the outside of the perimeter walls of the recreational cannabis retail stores.

viii. replacing Section 806.2(1)(b) with the following text:

(b) Veterinary Clinics-Small Animal Practice shall:

- (i) not be located in a building containing more than 1 dwelling unit or any hotel or motel use; and
- (ii) not include outdoor boarding or kenneling of animals.

ix. replacing Section 809.11 Screening with the following text:

**Screening**

Above ground utility boxes and utility transformers shall be screened in accordance with Section 8.

x. replacing Section 812.10 Accessory Building with the following text:

**Accessory Buildings**

Accessory buildings shall:

- (1) not exceed 3.0 m in height;
- (2) not exceed 10 m<sup>2</sup> in gross floor area. For the purpose of this sub-section only, gross floor area shall include accessory buildings and parts thereof used for garage or carport purposes. For the purpose of this sub-section only, carport gross floor area shall be calculated as the roofed floor area; and,
- (3) not be located within a front yard, side yard, or rear yard.

xi. replacing Section 814.11 Screening with the following text:

**Screening**

Above ground utility boxes and utility transformers shall be screened in accordance with Section 8.

xii. replacing Section 823.10(f) with the following text:

(f) be excluded from required rear and interior side setbacks provided that:

- (i) no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
- (ii) a 1.8 metre interior side setback is maintained from the front lot line to a point 3.0 metres into the rear yard, as shown in Figure 823-6.

xiii. replacing Section 823.11 Screening with the following text:

**Screening**

Utility kiosks shall be screened in accordance with Section 8.

- f. Schedule "B" (the Zoning Map) is amended by replacing the Zoning Map with the map in Schedule "1" which is attached to and forms part of this Bylaw.
  
- (2) Comox Zoning Bylaw 1850 is hereby further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and order of the sections of this bylaw.

**3. Adoption**

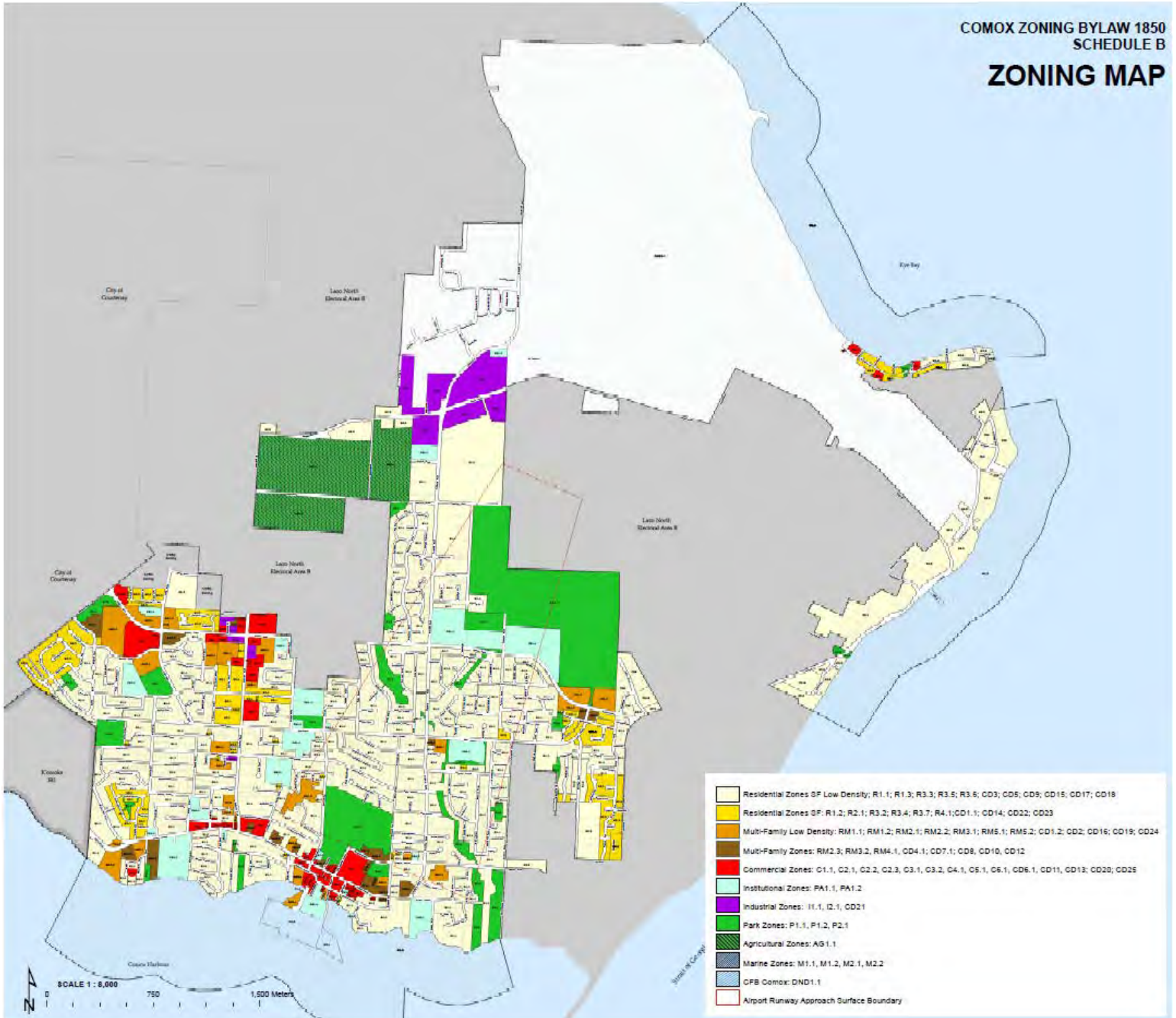
- |                                       |                                      |
|---------------------------------------|--------------------------------------|
| (1) READ A FIRST AND SECOND time this | 15 <sup>th</sup> day of July, 2020   |
| (2) PUBLIC HEARING WAIVED this        | 15 <sup>th</sup> day of July, 2020   |
| (3) ADVERTISED A FIRST time this      | 19 <sup>th</sup> day of August, 2020 |
| (4) ADVERTISED A SECOND time this     | 26 <sup>th</sup> day of, August 2020 |
| (5) READ A THIRD time this            | day of, 2020                         |
| (6) ADOPTED this                      | day of, 2020                         |

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Corporate Officer

**BYLAW 1957**  
**SCHEDULE "1"**  
**THE ZONING MAP**

**SCHEDULE B – THE ZONING MAP**



Tuesday, July 28, 2020

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on July 28, 2020 in the Civic Room of the Comox Valley Regional District offices located at 770 Harmston Avenue, Courtenay, BC commencing at 4:00 pm.

## MINUTES

### Present:

<b>Chair:</b>	J. Ketler	Village of Cumberland
<b>Vice-Chair:</b>	A. Hamir	Lazo North (Area B)
<b>Directors:</b>	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
	W. Cole-Hamilton	City of Courtenay
	D. Frisch	City of Courtenay
	K. Grant	Town of Comox
	E. Grieve	Puntledge/Black Creek (Area C)
	D. Hillian	City of Courtenay
	W. Morin	City of Courtenay
	M. Swift	Town of Comox
<b>Staff:</b>	R. Dyson	Chief Administrative Officer
	J. Warren	Deputy Chief Administrative Officer
	D. DeMarzo	General Manager of Community Services
	J. Martens	General Manager of Corporate Services
	K. La Rose	Acting General Manager of Engineering Services
	S. Smith	General Manager of Planning and Development Services
	L. Dennis	Manager of Legislative Services

### ATTENDANCE:

Director Hamir participated by electronic means

D. DeMarzo, General Manager of Community Services, attended by electronic means.

### RECOGNITION OF TRADITIONAL TERRITORIES:

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation and read the following article from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) available online at: [www.un.org/](http://www.un.org/) :

Article 14: Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning;

Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination;

States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

**IN-CAMERA MEETING:**

D. Frisch/W. Cole-Hamilton: THAT the board adjourn to an in-camera session pursuant to the following subsections of section 90 of the Community Charter:

90(1)(c) Labour relations or employee negotiations;

90(1)(g) Litigation or potential litigation affecting the regional district;

AND FINALLY THAT the in-camera portion convene immediately following the open portion of the meeting.

208

Carried

**ADOPTION OF MINUTES:**

K. Grant/A. Hamir: THAT the Comox Valley Regional District Board minutes dated July 14, 2020 be adopted.

208

Carried

**REPORTS:**

**ELECTORAL AREAS SERVICES COMMITTEE - JULY 13, 2020**

K. Grant/W. Cole-Hamilton: THAT the Electoral Areas Services Committee minutes dated July 13, 2020 be received.

208

Carried

A. Hamir/K. Grant: THAT the board approve the Development Variance Permit DV 1B 20 (Killam) to reduce the minimum rear yard setback from 7.5 metres to 1.9 metres (and from 5.5 metres to 1.3 metres for the eaves), for the purposes of allowing the residential use of an existing accessory building on the property described as Lot 1, District Lot 87, Comox District, Plan 45399, PID 008-079-544, (136 Croteau Road) with a condition that fencing or vegetation be provided and maintained between the secondary dwelling and the lot line;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

E. Grieve/D. Frisch: THAT the board give first and second reading to Bylaw No. 619, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 5" for property known as Lot 1, Block 29, Comox District, Plan 36676, PID 000-419-958 (2491 Emerson Road), which rezones the entire property from Country Residential One (CR-1) to Country Residential One Exception Eleven (CR-1-11);

AND FINALLY THAT pursuant to Section 464(2) of the Local Government Act (RSBC, 2015, c.1), the board waive the holding of a public hearing for Bylaw No. 619, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 5" (RZ 3C 19, Sturdi Construction Ltd.).

208 and 213

Carried

D. Hillian/W. Cole-Hamilton: THAT up to \$5,000 in funding from the Area A Baynes Sound Feasibility Studies Service, function 151, be approved to support the Union Bay Improvement District conversion study public engagement process with the funds to be assigned from the \$55,689 in unallocated professional fees budget for 2020.

207

Carried

**SEWAGE COMMISSION - JULY 14, 2020**

D. Frisch/K. Grant: THAT the Sewage Commission minutes dated July 14, 2020 be received.

208

Carried

**COMOX VALLEY WATER COMMITTEE - JULY 14, 2020**

K. Grant/W. Morin: THAT the Comox Valley Water Committee minutes dated July 14, 2020 be received.

208

Carried

**COMOX VALLEY SPORTS CENTRE COMMISSION - JULY 14, 2020**

K. Grant/D. Frisch: THAT the Comox Valley Sports Centre Commission minutes dated July 14, 2020 be received.

208

Carried

**DIRECTOR'S REPORT – JANUARY 1 TO DECEMBER 31, 2019**

K. Grant/W. Cole-Hamilton: THAT the report dated July 9, 2020 regarding a report out on business activity conducted from January to December 2019 from Director Cole-Hamilton be received.

208

Carried

**PUBLIC ENGAGEMENT STRATEGY FOR THE CVRD'S COVID-19 RESPONSE AND RENEWAL PLAN**

D. Frisch/K. Grant: THAT the report dated July 22, 2020 regarding the public engagement strategy for the Comox Valley Regional District's COVID-19 Response and Renewal Plan, with specific attention to the importance of the renewal plan's four key actions and interconnectedness of the various CVRD projects that make up renewal be received.

208

Carried

J. Warren, Deputy Corporate Officer, and C. Wile, Manager of External Relations, presented an overview of the staff report regarding the public engagement strategy for the Comox Valley Regional District's COVID-19 Response and Renewal Plan.

K. Grant/M. Swi: THAT the Comox Valley Regional District (CVRD) approve the public engagement strategy for the CVRD's COVID-19 Response and Renewal Plan, as attached to the staff report dated July 22, 2020.

208

Carried NAY: D. Arbour, E.  
Grieve

K. Grant/D. Frisch: THAT a letter be sent to the Comox Valley Economic Development Society reinforcing the importance of the Economic Recovery Task Force to find ways to support community recovery for small businesses, tourism and industry in the Comox Valley and requesting their endorsement of the specific timeline and deliverables as proposed.

208

E. Grieve/D. Arbour: THAT the motion to send a letter to the Comox Valley Economic Development Society reinforcing the importance of the Economic Recovery Task Force to find ways to support community recovery for small businesses, tourism and industry in the Comox Valley and requesting their endorsement of the specific motion and deliverables as proposed, be amended to add the Co-Chairs of the Economic Recovery Task Force.

208

Carried

The vote was taken on the main motion as amended, as follows:

THAT a letter be sent to the Comox Valley Economic Development Society and the Co-Chairs of the Economic Recovery Task Force reinforcing the importance of the Economic Recovery Task Force to find ways to support community recovery for small businesses, tourism and industry in the Comox Valley and requesting their endorsement of the specific motion and deliverables as proposed.

208

Carried

K. Grant/D. Frisch: THAT a letter be sent to the Comox Strathcona Regional Hospital District encouraging a strategic review of future service level needs with the completion of the Comox Valley and Campbell River hospital builds and funding requirements known, with consideration of property tax requisition levels and required reserve balance levels to meet future service objectives.

208

Carried

#### **BYLAWS AND RESOLUTIONS:**

D. Frisch/W. Cole-Hamilton: THAT Bylaw No. 619 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 5" be given first and second readings concurrently.

208 and 213

Carried

K. Grant/D. Frisch: THAT Bylaw No. 617 being "Sewage Service Expansion Principles Bylaw No. 617, 2020" be adopted.

Bylaw 650

Carried

#### **NEW BUSINESS:**

##### **AFFORDABLE HOUSING SOCIETY - LETTER OF SUPPORT**

K. Grant/D. Frisch: THAT the correspondence dated July 10, 2020 from Ron Webber, Comox Valley Affordable Housing Society, regarding a request for a letter of support for the expansion of affordable seniors' housing units in Comox be received.

208

Carried

D. Hillian/K. Grant: THAT the board provide a letter of support as requested by Ron Webber, Comox Valley Affordable Housing Society, pending the support of the Comox Valley Coalition to End Homelessness.

208

Carried

##### **GRANT-IN-AID REQUEST - COMOX VALLEY EXHIBITION ASSOCIATION**

K. Grant/E. Grieve: THAT the correspondence dated July 21, 2020 from Director Grieve regarding a grant-in-aid request for the Comox Valley Exhibition Association be received.

208

Carried

D. Hillian/K. Grant: THAT the following grant-in-aid, payable from Puntledge – Black Creek (Electoral Area C),

be approved:

- \$9,000.00 for the Comox Valley Exhibition Association to assist with costs for hosting a three day Fall Fair in 2020.

208

Carried

**ADJOURN TO IN-CAMERA:**

The board adjourned to its in-camera session at 5:15 pm.

**RISE AND REPORT:**

The board rose from its in-camera session at 6:15 pm and reported the following:

- Contract dated July 27, 2020 between the Comox Valley Regional District (CVRD) and the Comox Valley Economic Development Society (CVEDS) for the provision of Economic Development Services.

**TERMINATION:**

D. Frisch/W. Cole-Hamilton: THAT the meeting terminate.

208

Carried

Time: 6:15 pm.

Confirmed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_:

---

Jesse Ketler  
Chair

Certified Correct and Recorded By:

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Lisa Dennis  
Manager of Legislative Services

Tuesday, August 11, 2020

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on August 11, 2020 in the Civic Room of the Comox Valley Regional District offices located at 770 Harmston Avenue, Courtenay, BC commencing at 4:00 pm.

## MINUTES

### Present:

<b>Chair:</b>	J. Ketler	Village of Cumberland
<b>Vice-Chair:</b>	A. Hamir	Lazo North (Area B)
<b>Directors:</b>	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
	W. Cole-Hamilton	City of Courtenay
	D. Frisch	City of Courtenay
	K. Grant	Town of Comox
	E. Grieve	Puntledge/Black Creek (Area C)
	D. Hillian	City of Courtenay
	W. Morin	City of Courtenay
	M. Swift	Town of Comox
<b>Staff:</b>	R. Dyson	Chief Administrative Officer
	J. Warren	Deputy Chief Administrative Officer
	D. DeMarzo	General Manager of Community Services
	J. Martens	General Manager of Corporate Services
	L. Dennis	Manager of Legislative Services

### ATTENDANCE:

Directors Arbour and Grieve participated by electronic means.

### RECOGNITION OF TRADITIONAL TERRITORIES:

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation and read the following article from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) available online at: [www.un.org/](http://www.un.org/) :

Article 15: Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information;

States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

### IN-CAMERA MEETING:

W. Cole-Hamilton/D. Frisch: THAT the board adjourn to an in-camera session pursuant to the following subsections of section 90 of the Community Charter:

90(1)(a) Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district;

90(1)(k) Negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the committee/board, could reasonably be expected to harm the interests of the regional district if they were held in public;

AND FINALLY THAT the in-camera portion convene immediately following the open portion of the meeting.  
208 Carried

#### **ADOPTION OF MINUTES:**

K. Grant/W. Cole-Hamilton: THAT the Comox Valley Regional District Board minutes dated July 28, 2020 be adopted.  
208 Carried

#### **PETITIONS AND DELEGATIONS:** **CERMAQ CANADA**

K. Grant/W. Cole-Hamilton: THAT the presentation from Brock Thomson and Amy Jonsson, Cermaq Canada, regarding an update on the trial of the new semi-closed containment system launching this fall be received.  
208 Carried

#### **ECONOMIC RECOVERY TASK FORCE STEERING COMMITTEE**

W. Cole-Hamilton/A. Hamir: THAT the presentation from Mayor Bob Wells, Co-Chair, Economic Recovery Task Force Steering Committee, regarding an update on the task force be received.  
208 Carried

W. Cole-Hamilton/D. Frisch: THAT, in accordance with Section 9(6) of the CVRD Procedure Bylaw, the board consider the funding request of the delegation of Mayor Bob Wells Co-Chair, Economic Recovery Task Force Steering Committee, immediately.  
208 Carried

NOTE: the above resolution received 2/3 of the votes cast as required by "Comox Valley Regional District Procedure Bylaw No. 1, 2008".

W. Cole-Hamilton/M. Swi: THAT \$2,500 in funding from Funcon 550, Economic Development – Comox Valley, be approved and provided to Comox Valley Economic Development Society for committee expenses for the Economic Development Task Force - Technical Advisory Sub-Committee.  
209 Carried

#### **REPORTS:**

##### **SEWAGE COMMISSION - JULY 28, 2020**

D. Hillian/K. Grant: THAT the Comox Valley Sewage Commission minutes dated July 28, 2020 be received.  
208 Carried

**DIRECTORS REPORT - JANUARY 1 - DECEMBER 31, 2019**

K. Grant/M. Swi: THAT the report dated July 27, 2020 regarding a report out on business activity conducted from January to December 2019 from Director Arbour be received.

208

Carried

**RE-ALLOCATION OF FUNCTION 451 FUNDS TO COMOX VALLEY TRANSITION SOCIETY/DAWN TO DAWN CUMBERLAND MULTI-FAMILY AFFORDABLE HOUSING DEVELOPMENT**

D. Frisch/A. Hamir: THAT the report dated August 6, 2020 regarding a request from the Coalition to End Homelessness regarding the reallocation of approved funding from the Comox Valley Transition Society's (CVTS) supportive housing project for mothers and babies to the Society's multi-family housing project in Cumberland be received.

209

Carried

A. Mullaly, Senior Manager of Sustainability and RGS, provided an overview of the staff report regarding a request from the Coalition to End Homelessness to reallocate approved funding.

D. Hillian/W. Cole-Hamilton: THAT the \$45,000 allocated for the supportive transition housing project in 2020 be reallocated to the Comox Valley Transition Society and Dawn to Dawn Cumberland affordable rental housing project;

AND FINALLY THAT the reallocation be reflected as an addendum to the Comox Valley Coalition to End Homelessness five year action plan (2020 – 2024).

209

Carried

**PROPOSED POLICY FRAMEWORK AND BOARD POLICY REVIEW**

D. Frisch/W. Cole-Hamilton: THAT the report dated August 6, 2020 regarding a policy framework and associated updates following a board directed review of corporate policies be received.

208

Carried

J. Martens, General Manager of Corporate Services, provided an overview of the staff report regarding a policy framework and associated updates following a board directed review of corporate policies.

D. Hillian/D. Frisch: THAT Policy No. 1, "Policy Framework", as set out in Appendix A to the staff report dated August 6, 2020, be approved;

AND THAT all Board Policies with out-of-date formats and titles for positions and departments, or branches be updated, as needed, to reflect the current organizational structure and approved Policy Framework, including the policy numbering system;

AND FURTHER THAT the Board Policies, as set out in Appendix B to staff report dated August 6, 2020, be rescinded;

AND FURTHER THAT the Board Policies, as set out in Appendix C to staff report dated August 6, 2020, be

amended;

AND FINALLY THAT the Board Policies, as set out in Appendix D to the staff report dated August 6, 2020, be converted from Board Policy to Chief Administrative Officer Policy and referred to staff.

208

Carried

### **PERMISSIVE TAX EXEMPTION – SUNNYDALE GOLF SOCIETY 2021**

K. Grant/A. Hamir: THAT the report dated August 5, 2020 regarding consideration of Sunnydale Golf Society's application for a 2021 permissive tax exemption be received.

208

Carried

K. Grant/D. Frisch: THAT pursuant to section 391(4)(a) of the Local Government Act, a bylaw be forwarded to the board be adopted by October 31, 2020, allowing for a permissive tax exemption for 100 per cent of the taxable land and improvements for the year 2021 for the property known as Parcel A, Plan VIP64403, Land District 15, Folio # 771-000500.000 (Sunnydale Golf Society) with the exception of the portion of Class 06-Business/Other relating to the pro shop operations.

208

Carried

### **PERMISSIVE TAX EXEMPTION 2021 – UNION BAY HISTORICAL SOCIETY**

A. Hamir/K. Grant: THAT the report dated August 5, 2020 regarding consideration of a permissive tax exemption for the year 2021 pursuant to section 392(1)(c) (eligible heritage property) of the Local Government Act for the Union Bay post office and gaolhouse museum buildings, located in Electoral Area A, and owned by the Union Bay Historical Society be received.

208

Carried

D. Hillian/D. Frisch: THAT pursuant to section 392(1)(c) of the Local Government Act, a bylaw be prepared providing for a permissive tax exemption for the tax year 2020 for an amount equal to 100 per cent of the net taxable land and improvements for Section 32, Land District 34, Township 1, Folio #771 010800.000 (Union Bay Historical Society).

208

Carried

### **COMOX VALLEY UNITED SOCCER CLUB FIELDHOUSE FUNDING REQUEST**

D. Hillian/K. Grant: THAT the report dated August 5, 2020 regarding the Comox Valley United Soccer Club (CVUSC) Fieldhouse funding support request be received.

209

Carried

D. DeMarzo, General Manager of Community Services, presented an overview of the staff report regarding the Comox Valley United Soccer Club (CVUSC) Fieldhouse funding support request.

K. Grant/W. Cole-Hamilton: THAT the Comox Valley Regional District (CVRD) provide \$115,000 of funding through the Recreation Grant Service (function 600) to the Comox Valley United Soccer Club subject to a use agreement outlining secondary uses for other non-profit sports and CVRD use for programming with funds payable upon award of construction of the project;

AND FURTHER THAT the report dated August 5, 2020 be referred to the Comox Valley Sports Centre Commission for consideration.

209 Carried *NAY: J. Ketler*

### **CVRD GRANTS/FUNDING SERVICES – PROCESS RECOMMENDATIONS**

K. Grant/D. Frisch: THAT the report dated August 6, 2020 regarding the guidelines and processes for creating criteria for the various grant and funding services offered and administered by the Comox Valley Regional District be received.

208 Carried

D. DeMarzo, General Manager of Community Services, presented an overview of the staff report regarding the guidelines and processes for creating criteria for the various grant and funding services offered and administered by the Comox Valley Regional District.

K. Grant/D. Frisch: THAT contributions under the Recreation Grant Program, function 600, be provided through five year funding agreements while also retaining a stream for one-time special initiative / event requests.

209 Carried

K. Grant/D. Frisch: THAT opportunities in other services for five year operating agreements such as the Comox Valley Search and Rescue service (function #265) and the Victim Services Program / Crime Stoppers Grant Contribution service (function #200) be developed where feasible.

208 Carried

The meeting recessed at 5:50 pm and resumed at 5:57 pm.

Director Arbour was not in attendance when the meeting resumed.

### **COVID 19 -UPDATE ON FRACTURE ON 5TH FUNCTIONAL EARTHQUAKE EXERCISE**

K. Grant/D. Frisch: THAT the report dated August 5, 2020 regarding the Fracture on 5th Functional Earthquake Exercise and concerns stemming from the COVID-19 pandemic that will lead to exercise delay be received.

209 Carried

H. Siemens, Comox Valley Emergency Program Coordinator, provided an overview of the staff report regarding an update on the Fracture on 5th Functional Earthquake Exercise.

D. Hillian/D. Frisch: THAT the Comox Valley Regional District Board support postponing the Fracture on 5th Functional Earthquake Exercise until the fall of 2021;

AND FURTHER THAT the 2021 – 2025 financial plan for the Comox Valley Emergency Program Function 270 budget reflect the carry-over of unused portions of 2020 funding directed for the exercise's design and delivery.

209 Carried

**COVID 19 EMERGENCY PROGRAMS FUNCTIONS 270 AND 271 – CORE SERVICE DELIVERY**

A. Hamir/K. Grant: THAT the report dated August 5, 2020 regarding details of the COVID -19 Response and Renewal report for the Comox Valley Emergency Programs be received.

209

Carried

H. Siemens, Comox Valley Emergency Program Coordinator, provided an overview of the staff report regarding details of the COVID -19 Response and Renewal report for the Comox Valley Emergency Programs.

**BYLAWS AND RESOLUTIONS:**

K. Grant/W. Cole-Hamilton: THAT Bylaw No. 620 being "Comox Valley Regional District Property Tax Exemption B ylaw No. 620, 2020" be given first and second readings concurrently.

208

Carried

D. Frisch/K. Grant: THAT Bylaw No.620 being "Comox Valley Regional District Property Tax Exemption B ylaw No. 620, 2020" be read a third me.

208

Carried

K. Grant/W. Cole-Hamilton: THAT Bylaw No. 621 being "Comox Valley Regional District Property Tax Exemption B ylaw No. 621, 2020" be given first and second readings concurrently.

208

Carried

D. Hillian/K. Grant: THAT Bylaw No. 621 being "Comox Valley Regional District Property Tax Exemption B ylaw No. 621, 2020" be read a third me.

208

Carried

**ADJOURN TO IN-CAMERA:**

The board adjourned to its in-camera session at 6:23 pm.

**RISE AND REPORT:**

The committee rose from its in-camera session at 6:40 pm and reported on the following motions:

"THAT the board appoint Catherine Crowe, Kevan van Velzan, Kate Werry, Larry Epp, Tamara Castle and Tracy Godin to the Airshed Roundtable" and,

"THAT the board endorse the Comox Valley Nurses for Health and the Environment being added to the invite list for the Airshed Roundtable."

**TERMINATION:**

D. Frisch/K. Grant: THAT the meeting terminate.

208

Carried

Time: 6:40 pm.

Confirmed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_:

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Jesse Ketler  
Chair

Cerfied Corr ect and Recorded By:

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Lisa Dennis  
Manager of Legislativ e Services

Tuesday, August 25, 2020

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on August 25, 2020 in the Civic Room of the Comox Valley Regional District offices located at 770 Harmston Avenue, Courtenay, BC commencing at 4:00 pm.

## MINUTES

### Present:

<b>Chair:</b>	J. Ketler	Village of Cumberland
<b>Vice-Chair:</b>	A. Hamir	Lazo North (Area B)
<b>Directors:</b>	D. Arbour	Baynes Sound-Denman/Hornby Islands (Area A)
	W. Cole-Hamilton	City of Courtenay
	D. Frisch	City of Courtenay
	K. Grant	Town of Comox
	E. Grieve	Puntledge/Black Creek (Area C)
	D. Hillian	City of Courtenay
	W. Morin	City of Courtenay
	M. Swift	Town of Comox
	B. Leigh	Oyster Bay – Bule Lake (Area D)
<b>Staff:</b>	R. Dyson	Chief Administrative Officer
	J. Warren	Deputy Chief Administrative Officer
	J.Zbinden	Acng General Manager of Community Services
	M. Ruken	General Manager of Engineering Services
	S. Smith	General Manager of Planning and Development Services
	L. Dennis	Manager of Legislative Services

### ATTENDANCE:

Staff also in attendance at the meeting were K. Douville and J. Bast. S. Hainsworth was in attendance via teleconference.

### RECOGNITION OF TRADITIONAL TERRITORIES:

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation and read the following article from the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) available online at: [www.un.org/](http://www.un.org/)

Article 16: Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination;

States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

**IN-CAMERA MEETING:**

K. Grant/W. Cole-Hamilton: THAT the board adjourn to a restricted in-camera session pursuant to the following sub-section of section 90 of the Community Charter:

90(1)(k) Negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the committee/board, could reasonably be expected to harm the interests of the regional district if they were held in public.

AND FINALLY THAT the in-camera portion convene immediately following the open portion of the meeting.  
208 Carried

**VARY THE AGENDA**

E. Grieve/K. Grant: THAT the agenda be varied to move agenda items F.1 related to the Black Creek - Oyster Bay Services Committee forward on the agenda.  
208 Carried

**BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - AUGUST 10, 2020**

B. Leigh/D. Frisch: THAT the Black Creek - Oyster Bay Services Committee minutes dated August 10, 2020 be received.  
208 Carried

E. Grieve/B. Leigh: THAT the board endorse the Comox Valley Regional District (CVRD) Fire Services Operational Guidelines Manual as the guiding operational document of the CVRD fire departments.  
209 Carried

Director Leigh left the meeting at 4:04 pm.

**PETITIONS AND DELEGATIONS:****COMOX VALLEY COMMUNITY FOUNDATION**

K. Grant/D. Frisch: THAT the delegation from Ma Becke and Susan Auchterlonie, Comox Valley Community Foundation, (via video conference) regarding the allocation of CVRD grant-in-aid funds be received.  
208 Carried

**LUSH VALLEY - COMOX VALLEY FOOD POLICY COUNCIL**

E. Grieve/K. Grant: THAT the presentation from Maurita Prato and Sandra Viney, LUSH Valley, Comox Valley Food Policy Council, regarding community food security in the age of COVID: A story of collaboration and response; a reflection on lessons learned and considerations for the future be received.  
208 Carried

**ADOPTION OF MINUTES:**

D. Frisch/K. Grant: THAT the Comox Valley Regional District Board minutes dated August 11, 2020 be adopted.

**RCM AGENDA SEPTEMBER 2, 2020**

208

Carried

**REPORTS:****ELECTORAL AREAS SERVICES COMMITTEE - AUGUST 10, 2020**

E. Grieve/K. Grant: THAT the Electoral Areas Services Committee minutes dated August 10, 2020 be received.

208

Carried

E. Grieve/K. Grant: THAT the Electoral Area C Advisory Planning Commission minutes dated August 13, 2020 be received.

208

Carried

E. Grieve/A. Hamir: THAT the board approve Development Variance Permit DV 4C 20 (Pastershank/Sawatzky) to reduce the minimum front yard setback pertaining to Lamb Road from 7.5 metres to 4.5 metres (and from 5.5 metres to 3.5 metres for the eaves) for the purpose of allowing the construction of a single detached dwelling on the property described as Strata Lot 9, Section 24, Township 6, Comox District, Strata Plan VIS5611 Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form V, PID 026-055-457 (6488 Eagles Drive);

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

A. Hamir/E. Grieve: THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix A of staff report dated July 23, 2020, and direct staff to commence the external agency referral process for Lot B, District Lot 13, Nelson District, Plan VIP60017, except Plan EPP76949, as part of a proposed amendment (RZ 1A 19) to Bylaw No. 520, being the "Rural Comox Valley Zoning Bylaw No. 520, 2019";

FURTHER THAT Comox Valley Regional District staff consult with First Nations in accordance with the referrals management program dated September 25, 2012;

AND FINALLY THAT the Comox Valley Regional District Board authorize staff to begin discussions on provision of community amenities as per Section 72 "Community Amenity Contributions" of Bylaw No. 337, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014."

208 and 213

Carried

D. Arbour/A. Hamir: THAT the board approve Development Permit DP 3A 20 (Union Bay Coal Hills) on property described as That part of Lot 1 District Lot 154, Nanaimo District, Sections 31 and 32, Township 1 and District Lot 28, Nelson District, Plan EPP15507 as shown on Plan EPP56910, PID 030-110-254, for the development of shoreline protection devices;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

E. Grieve/A. Hamir: THAT the board approve Development Permit DP 4A 20 (Union Bay Coal Hills) on property described as Block B, District Lot 155, Nanaimo District for the development of shoreline protection devices;

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.

208 and 213

Carried

K. Grant/D. Frisch: THAT the board endorse the Comox Valley Regional District (CVRD) Fire Services Operational Guidelines Manual as the guiding operational document of the CVRD fire departments.  
207 Carried

K. Grant/D. Frisch: THAT existing grant services are modified as described below:

a. Modify the Electoral Area Arts and Culture Grant Program to include dual funding streams, one for five-year agreements and the other for one-time special initiatives or event funding, additionally request a regional strategic plan be created for the sector.

b. Grant in Aid funding to be marketed as Rural Area Community Grants and include electronic multi-year agreements for some traditionally long standing recipients.

c. Establishment of a new Part A - Baynes Sound Community Facilities Service in conjunction with the expansion of the existing Black Creek Community Hall service (function #676) to include other community facilities within Electoral Area C both to be completed through an electoral assent process.  
208 Carried

K. Grant/A. Hamir: THAT staff refine grant criteria, application processes, deadlines and public awareness / engagement by way of a new community grant program portal on the Comox Valley Regional District website.  
208 Carried

K. Grant/E. Grieve: THAT staff work with Denman and Hornby Island organizations to refine recreation grant processes and criteria.  
208 Carried

E. Grieve/K. Grant: THAT Electoral Area Community Works Funds be reserved for internal Comox Valley Regional District projects with exceptions made on a case to case basis.  
208 Carried

A. Hamir/K. Grant: THAT the request from the Hornby Island Community Economic Enhancement Corporation (HICEEC) for grant application sponsorship by the CVRD to the current intake of the ICIP – RNC program, be declined;

AND FURTHER THAT staff be directed to work with and support HICEEC and its partners towards the potential establishment of high-speed broadband infrastructure (FTTP) to Denman and Hornby Islands.  
208 Carried

## **SEWAGE COMMISSION - AUGUST 11, 2020**

D. Frisch/K. Grant: THAT the Sewage Commission minutes dated August 11, 2020 be received.  
208 Carried

## **GREATER MERVILLE FIRE HALL – ELECTOR ASSENT**

E. Grieve/K. Grant: THAT the report dated August 20, 2020 regarding a loan authorization bylaw for the Greater Merville Fire Hall project and to confirm the alternative approval process (AAP) for electoral assent of the bylaw be received,  
209 Carried

E. Grieve/A. Hamir: THAT Bylaw No. 614, being “Greater Merville Fire Protection Service Loan Authorization

Bylaw No. 614, 2020", be introduced and read a first, second and third me;

AND FURTHER THAT Bylaw No. 614, being "Greater Merville Fire Protection Service Loan Authorization Bylaw No. 614, 2020", together with the associated staff reports be forwarded to the Inspector of Municipalities for approval pursuant to the Community Charter and Local Government Act.

209

Carried

K. Grant/D. Hillian: THAT upon receiving approval of the Inspector of Municipalities and as soon as applicable publication deadlines allow, Comox Valley Regional District (CVRD) staff be directed to publish the Notice of Alternative Approval Process in accordance with section 86(3)(a) of the Community Charter including the following information, as generally outlined in the staff report dated August 20, 2020;

a) 2,733 as the total number of eligible electors within the Merville Fire Protection Service Area as established by Bylaw No. 484 being "Merville Fire Protection Service Establishment Bylaw No. 484, 2017", to which the Alternative Approval Process applies;

b) the Notice of Alternative Approval Process shall be published in the Comox Valley Record, as well as additional notice provided via the CVRD website;

c) the deadline for receiving elector responses shall be established as 4:30 pm on the next business day following the 30-day statutory elector response period, with the start date of the 30-day statutory elector response period being the first business day following the second publication date in the newspaper noted above;

d) the elector response form will provide for only a single elector response on each form and will be available at the CVRD offices and on the CVRD website from the first publication date of the Notice of Alternative Approval Process until the deadline of elector response period as determined above; and

e) elector response forms are able to be submitted in any one of the following manners:

i) In person at: 770 Harmston Avenue, Courtenay, BC (Monday to Friday, 8:00 am - 4:30 pm, excluding statutory holidays);

ii) Via mail to: 770 Harmston Avenue, Courtenay, BC, V9N 0G8;

iii) Via fax at: 250-334-4358; or

iv) Via email attachment to: admin@comoxvalleyrd.ca with the subject heading: "Elector Response".

209

Carried

## COMOX VALLEY ECONOMIC DEVELOPMENT SOCIETY CONTRACT

K. Grant/W. Cole-Hamilton: THAT the report dated August 19, 2020 regarding the establishment of a select committee to liaise with the Comox Valley Economic Development Society and to appoint directors to the committee for this purpose be received.

209

Carried

E. Grieve/M. Swi: THAT the Terms of Reference attached to the staff report dated August 19, 2020 for the Comox Valley Economic Liaison Committee be approved;

AND FURTHER THAT the board appoint Director Arbour, Director Grant, and Director Hillian to the Comox Valley Economic Development Liaison Committee.

209

Defeated NAY: D. Arbour, W.  
Cole-Hamilton, D.

*Frisch, A. Hamir, K.  
Grant, W. Morin,*

D. Frisch/A. Hamir: THAT the Terms of Reference attached to the staff report dated August 19, 2020 for the Comox Valley Economic Liaison Committee be approved.

209 Carried

A. Hamir/D. Frisch: THAT the board appoint Director Arbour to the Comox Valley Economic Development Liaison Committee.

209

Director Arbour declined to be considered for appointment to the Comox Valley Economic Development Liaison Committee and the motion was withdrawn.

D. Frisch/W. Morin: THAT the board appoint Director Hamir to the Comox Valley Economic Development Liaison Committee.

209 Carried NAY: K. Grant, M. Swi

M. Swi/E. Grieve: THAT the board appoint Director Grant to the Comox Valley Economic Development Liaison Committee.

209

Director Grant declined to be considered for appointment to the Comox Valley Economic Development Liaison Committee and the motion was withdrawn.

D. Frisch/W. Cole-Hamilton: THAT the board appoint Director Swift to the Comox Valley Economic Development Liaison Committee.

209 Carried NAY: E. Grieve

E. Grieve/D. Arbour: THAT the board appoint Director Hillian to the Comox Valley Economic Development Liaison Committee.

209 Carried NAY: A. Hamir

**2020 GRANTS-IN-AID**

K. Grant/E. Grieve: THAT the directors' report dated August 13, 2020 from Directors Arbour, Hamir and Grieve regarding 2020 Grants-in-Aid be received.

208 Carried

K. Grant/D. Hillian: THAT a grant-in-aid, payable from the respective areas indicated, be approved:

- o Old Church Theatre to assist with preservation of the Old Church Theatre and its heritage for the arts
- o Area A - Baynes Sound (Funcon 120) \$1,650.00;
- o Area B (Funcon 121) \$1,650.00;
- o Area C (Funcon 122) \$1,650.00.

208 Carried

**LIVING WAGE PROCUREMENT POLICY AMENDMENT**

**RCM AGENDA SEPTEMBER 2, 2020**

D. Hillian/W. Cole-Hamilton: THAT the report dated August 5, 2020 regarding an update to the procurement policy to include a living wage provision under the sustainable procurement section and other minor policy updates be received.

208

Carried

S. Hainsworth, Manager of Operating and Capital Procurement, provided an overview of the staff report regarding updates to the procurement policy.

D. Arbour/A. Hamir: THAT the procurement policy revisions, as attached to the staff report dated August 5, 2020, be approved subject to feedback from the Comox Strathcona Waste Management Board

208

Carried

## **BOARD CODE OF CONDUCT POLICY**

K. Grant/D. Frisch: THAT the report dated August 17, 2020 regarding a draft Board Code of Conduct Policy that articulates the board's shared expectations for conduct and behaviour be received.

208

Carried

J. Warren, Deputy Chief Administrative Officer, provided an overview of the Board Code of Conduct Policy.

D. Frisch/K. Grant: THAT the Board Code of Conduct Policy as presented in Appendix A of the staff report dated August 17, 2020 be approved subject to review by the Comox Strathcona Waste Management Board at their September 10, 2020 meeting;

AND FURTHER THAT the policy be referred to staff to investigate guidelines for enforcement.

208

Carried

## **COVID-19 RESPONSE AND RENEWAL – SUPPLEMENTAL INFORMATION**

K. Grant/D. Frisch: THAT the report dated August 20, 2020 regarding an update and supplemental information on the COVID-19 Response and Renewal initiatives, including specific information on emergency programming, economic development, financial planning and opportunities to realign efforts to promote more efficient service delivery be received.

208

Carried

W. Cole-Hamilton/D. Hillian: THAT the COVID-19 Response and Renewal initiatives, as included with the staff report dated August 20, 2020, be approved for further consideration through 2020 strategic planning and subsequent implementation.

208

Carried

## **BYLAWS AND RESOLUTIONS:**

D. Frisch/A. Hamir: THAT Bylaw No 619 being "Rural Comox Valley Zoning Bylaw No. 520, 2019, Amendment No. 5" be read a third time.

208 and 213

Carried

D. Hillian/W. Cole-Hamilton: THAT Bylaw No. 614, being "Greater Merville Fire Protection Service Loan Authorization Bylaw No. 614, 2020" be given first and second readings concurrently.

208

Carried

K. Grant/E. Grieve: THAT Bylaw No. 614 being "Greater Merville Fire Protection Service Loan Authorization Bylaw No. 614, 2020" be read a third time.

208

Carried

D. Frisch/E. Grieve: THAT Bylaw No. 620 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 620, 2020" be adopted.

208

Carried

Note: the above resolution received at least two-thirds of the votes cast.

K. Grant/A. Hamir: THAT Bylaw No. 621 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 621, 2020" be adopted.

208

Carried

Note: the above resolution received at least two-thirds of the votes cast.

### **NEW BUSINESS:**

#### **NEW BUSINESS NOTICE - PUBLIC HEARING FOR BYLAW NO. 604**

K. Grant/D. Frisch: THAT the new business notice dated August 13, 2020 regarding the scheduling of a public hearing for Bylaw No. 604 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5" (CP 1CV 19) be received.

208 and 213

Carried

D. Arbour/D. Frisch: WHEREAS the following bylaw has received first and second readings by the regional district board:

- Bylaw No. 604 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5" (CVRD);

AND WHEREAS, pursuant to Section 464 (1) of the Local Government Act [RSBC 2015, c.1], it is necessary to hold a public hearing on the aforementioned bylaw;

AND WHEREAS gatherings of greater than 50 persons are prohibited under order of the Provincial Health Officer and the available meeting facilities at the CVRD corporate office cannot accommodate more than 30 persons present in person, including members of the board and staff;

THEREFORE BE IT RESOLVED THAT:

1. A public hearing will be held on September 30, 2020 at 6:30 pm;
2. The meeting will be held by electronic means as attendance of the public cannot be reasonably accommodated in accordance with the applicable requirements or recommendations under the Public Health Act;

Openness, transparency, accessibility and accountability will be addressed by providing the public the following means of participation: written submissions by mail, email or dropbox prior to the hearing;

videoconference and teleconference participation; and live-streaming of the hearing;

The procedures for public participation will be outlined in detail on the CVRD website; all legal notices and advertising will direct the public to the webpage for instruction and to staff for assistance.

3. The holding of the public hearing be delegated to the Directors from Electoral Areas A, B and C with Director Hamir designated as the Chair and Directors Grieve and Arbour designated as First Vice-Chair and Second Vice-Chair respectively for the public hearing; and

4. At least one (1) of the above-named delegates must be in attendance at the public hearing.

208 and 213

Carried

### **UBCM DIRECTOR AT LARGE**

D. Hillian/E. Grieve: THAT the correspondence dated August 24, 2020 from Director Cole-Hamilton regarding candidacy for the position of Director at Large for the Union of British Columbia Municipalities be received.

208

Carried

K. Grant/D. Hillian: THAT the Comox Valley Regional District Board provide a letter of support for Director Will Cole-Hamilton to be considered as a candidate for Director at Large of the Union of British Columbia Municipalities for 2020.

208

Carried

### **ADDENDUM - UPON APPROVAL OF THE BOARD:**

D. Frisch/E. Grieve: THAT the addendum be considered.

208

Carried

### **AMENDMENT TO FUNCTION 451, FUNDING TO DAWN TO DAWN ACTION ON HOMELESSNESS SOCIETY FOR THE PURCHASE OF A CONDOMINIUM UNIT**

E. Grieve/D. Arbour: THAT the report dated August 24, 2020 regarding a request from Dawn to Dawn Action on Homelessness Society regarding the purchase of a condo unit be received.

209

Carried

E. Grieve/D. Arbour: THAT the \$90,000 allocated for the purchase of a three bedroom condominium unit for a family be amended to the purchase of a one bedroom condominium unit;

AND FINALLY THAT the amendment be reflected as an addendum to the Comox Valley Coalition to End Homelessness five year action plan (2020 – 2024).

209

Carried

### **ADJOURN TO RESTRICTED IN-CAMERA:**

The board adjourned to its restricted in-camera session at 6:26 pm.

### **RISE AND REPORT:**

The board rose from its restricted in-camera session at 7:00 pm.

**TERMINATION:**

D. Arbour/D. Frisch: THAT the meeting terminate.

208

Carried

Time: 7:00 pm.

Confirmed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_:

---

Jesse Ketler  
Chair

Certified Correct and Recorded By:

---

Lisa Dennis  
Manager of Legislative Services

**TOWN OF COMOX**

**BYLAW NO. 1960**

**A BYLAW TO ESTABLISH PROCEDURES FOR THE ORDER AND CONDUCT OF  
COUNCIL AND COUNCIL COMMITTEE MEETINGS**

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**TOWN OF COMOX**

**BYLAW NO. 1960**

**A BYLAW TO ESTABLISH PROCEDURES FOR THE ORDER AND CONDUCT  
OF COUNCIL AND COUNCIL COMMITTEE MEETINGS**

---

WHEREAS Section 124 of the Community Charter prescribes that Council must, by bylaw, establish the general procedures to be followed by council and council committees in conducting their business;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, enacts as follows:

**PART I -- INTRODUCTION**

**1. Title**

This Bylaw may be cited as the "Comox Council Procedure Bylaw No. 1960, 2020".

**2. Definitions**

In this Bylaw, unless the context otherwise requires,

- (a) "Acting Mayor" means the Council member appointed by Council resolution, responsible for acting in the place of the Mayor, when the Mayor is absent or otherwise unable to act, or when the office of the Mayor is vacant.
- (b) "Agenda" means the list of items and order of business for any meeting of Council or Council Committee.
- (c) "Consent Agenda" means a portion of a meeting that lists items of business that are routine in nature and do not require substantial discussion and/or debate.
- (d) "Corporate Officer" means the Corporate Officer for the Town of Comox, as appointed under section 148 of the *Community Charter*.
- (e) "Council" means the Council of the Town of Comox.
- (f) "Council Chambers" means the regular meeting place of Council, located at 1801B Beaufort Avenue, Comox, British Columbia.
- (g) "Council Committee" means a Select or Standing Committee of Council established in accordance with the *Community Charter*, or any other committee, task force, commission, authority or board.

- (h) “In-Camera Meeting” means a meeting or portion of a meeting that is closed to the public.
- (i) “Inaugural Meeting” means the Regular Council Meeting at which the Members elected at the most recent general local election are sworn in.
- (i) “Member” means the Mayor or a Councillor, or another person appointed to a Council Committee.
- (j) “Mayor” means the elected mayor of the Town of Comox.
- (k) “Participate Electronically” means participation in a Council or a Council Committee meeting, by a member, through the use of audio, audiovisual, electronic or other communication facilities, that
  - (i) enables all members to hear and speak with each other, and
  - (ii) enables the public to hear the member participating electronically during that part of the meeting that is open to the public.
- (l) “Public Notice Posting Place” means the notice board located inside Comox Town Hall (main level) and the notice board immediately outside the main door of the Comox Town Hall.
- (m) “Regular Council Meeting” means a regularly scheduled Council Meeting.
- (n) “Special Council Meeting” means a Council meeting other than a Regular Council Meeting.
- (o) “Strategic Planning Committee” means a Council Committee composed solely of all members of Council.
- (p) “Town” means the Town of Comox.
- (q) “Town Hall” means the Comox Town Hall, located at 1809 Beaufort Avenue, Comox, British Columbia.
- (r) “Town Website” means the information resource found at <http://comox.ca>.

### **3. Application of the Rules of Procedure**

- (1) The provisions of this Bylaw govern the proceedings of Council and Council Committee meetings.
- (2) In cases not provided for under this Bylaw, the *Community Charter* or the *Local Government Act*, the most recent edition of the Robert’s Rules of Order Newly Revised apply to the proceedings of Council and Council Committee meetings to the extent that those Rules are applicable in the circumstances.

#### **4. Suspension of the Rules of Procedure**

The rules of procedure contained in this Bylaw, except those that are governed by statutory provisions, may be temporarily suspended by a unanimous vote of the members present.

### **PART II -- COUNCIL MEETINGS**

#### **5. Inaugural Meeting**

- (1) Following a general local election, the first Regular Council Meeting must be held on the first Wednesday in November in the year of the election.
- (2) If a quorum of Council members elected at the general local election has not taken office by the date of the meeting referred to in subsection (1), the first Council meeting must be called by the Corporate Officer and held as soon as reasonably possible after a quorum has taken office.

#### **6. Special Council Meetings**

- (1) The Mayor may call a Special Council Meeting in his or her discretion.
- (2) Two or more Council members may, in writing, request that the Mayor call a Special Council Meeting.
- (3) Two or more Council members may themselves call a Special Council Meeting if,
  - (a) within 24 hours after receiving a request under subsection (2), no arrangements are made by the Mayor for a Special Council Meeting to be held within the next 7 days, or
  - (b) both the Mayor and the Acting Mayor are absent or otherwise unable to act.
- (4) If a Special Council Meeting is called under subsection (3), the Council members calling the meeting or the Corporate Officer must sign the notice of meeting in place of the Mayor.

#### **7. Time and Location of Meetings**

- (1) All Council meetings normally take place within Council Chambers.
- (2) Despite subsection (1), and subject to subsection (3), Council may meet at a place other than Council Chambers.
- (3) Where a Council meeting is to be held at a place other than Council Chambers, the Corporate Officer will post a notice as to the alternate location at the Public Notice Posting Place.

- (4) Regular Council Meetings must
  - (a) be held in accordance with the schedule of meetings, as approved by Council; and
  - (b) adjourn within three (3) hours on the day scheduled for the meeting, unless Council resolves to proceed beyond that time.
- (5) Despite subsections (1) and (4), the Corporate Officer may, in consultation with the Mayor and the Chief Administrative Officer, cancel, postpone or reschedule a Regular Council Meeting, and establish a different day, time or place for that meeting.

## **8. Schedule and Notice of Meetings**

- (1) Council will prepare annually a schedule of the dates, times and places of Regular Council meetings and any regularly scheduled Strategic Planning Committee meetings.
- (2) The schedule of meetings shall be made available to the public by posting it at the Public Notice Posting Place by January 2 of each year.
- (3) Notice of the availability of the schedule of meetings shall be published annually on or before December 31 in accordance with section 94 of the *Community Charter*.
- (4) Where revisions are necessary to the schedule of meetings in accordance with subsection 7(5), the Corporate Officer must, as soon as possible, post a notice at the Public Notice Posting Place which indicates any revisions to the date, time and place or cancellation of a meeting.

## **9. Notice of Special Council Meetings**

- (1) Except where notice of a Special Council meeting is waived by unanimous vote of all Council, a notice of the date, time and place of a Special Council meeting must be given at least 24 hours before the time of meeting, by
  - (a) posting a copy of the notice at the Public Notice Posting Place, and
  - (b) providing one copy of the notice for each Council member.
- (2) The notice under subsection (1) shall state the Agenda of the meeting, unless closed to the public, and be signed by the Mayor or the Corporate Officer.

## **10. Designation of Member to Act in Place of Mayor**

- (1) At the Inaugural Meeting and from time to time as required, Council must, from amongst its members, designate one or more Councillors, by Council resolution, to serve on a permanent or rotating basis as Acting Mayor.

- (2) Each Councillor designated under subsection (1) must fulfill the responsibilities of the Mayor in his or her absence.
- (3) If both the Mayor and Acting Mayor are absent or otherwise unable to act,
  - (a) the Corporate Officer shall call the meeting to order; and
  - (b) Council members present must choose, by Council resolution, a Councillor to preside at the Council meeting.
- (4) The member designated under subsection (1) or subsection (3)(b) has the same powers and duties as the Mayor in relation to the applicable matter.

#### **11. Attendance of Public at Meetings**

- (1) Except where the provisions of section 90 of the *Community Charter [Meetings that may or must be closed to the public]* apply, all Council meetings must be open to the public.
- (2) Before closing a Council meeting or part of a Council meeting to the public, Council must pass a resolution in a public meeting in accordance with section 92 of the *Community Charter [requirements before Council meeting is closed]*.
- (3) This section applies to all meetings of the bodies referred to in section 93 of the *Community Charter [application of rules to other bodies]*.
- (4) Despite subsection (1), the Mayor or the Acting Mayor may expel or exclude from a Council meeting a person in accordance with subsection 23(8) of this Bylaw.

#### **12. Minutes of Meetings**

- (1) Minutes of the proceedings of Council must be
  - (a) legibly recorded,
  - (b) certified as correct by the Corporate Officer, and
  - (c) signed by the Mayor or other member presiding at the meeting or at the next meeting at which the minutes are adopted.
- (2) The names of members Participating Electronically shall be recorded in the minutes.
- (3) The results of each vote on a motion shall be recorded in the minutes, including the name of any member of Council who voted in the negative on any question.

- (4) Subject to subsection (5), and in accordance with section 97(1)(b) of the *Community Charter [other records to which public access must be provided]* the minutes of the proceedings of Council must be open for public inspection at Town Hall during its regular office hours.
- (5) Subsection (4) does not apply to minutes of a Council meeting or that part of a Council meeting from which persons were excluded under section 90 of the *Community Charter [Meetings that may or must be closed to the public]*.

### **13. Electronic Meetings and Electronic Participation in Meetings**

- (1) A Special Council Meeting may be conducted by means of electronic or other communication facilities, provided
  - (a) the notice under section 9 [Notice of Special Meetings] includes notice of the way in which the meeting is to be conducted and the place where the public may attend to hear the proceedings that are open to the public; and
  - (b) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place.
- (2) A member of Council or of a Council Committee, who is unable to attend at a Council meeting or Council Committee meeting, as applicable, may Participate Electronically, provided
  - (a) the member is unable to be present at Council Chambers for reasons due to absence from the Town or health reasons, or with permission of Council;
  - (b) the member is able to provide their own audio, audiovisual, electronic or other communication facilities;
  - (c) the communication facilities enable the meeting's participants to hear, or watch and hear, each other; and
  - (d) except for any part of the meeting that is closed to the public, the communication facilities enable the public to hear, or watch and hear, the participation of the member.
- (3) No more than three members of Council or of a Council Committee may Participate Electronically at any one time during any meeting
- (4) A member Participating Electronically is deemed to be present in the meeting as though they were physically present.

- (5) The Mayor or Acting Mayor, who is presiding at a Regular Council Meeting, must not Participate Electronically. If the Mayor or Acting Mayor requests to Participate Electronically,
  - (a) the Corporate Officer must call the meeting to order; and
  - (b) Council must choose, by Council resolution, a member to preside at the meeting.
- (6) A member Participating Electronically must inform the presiding member when they join and leave the meeting.
- (7) A member who is Participating Electronically by audio communication means only must vote by audibly stating either “in favour” or “opposed”.
- (8) If communication is lost to one or more members Participating Electronically during a meeting,
  - (a) Council may choose to call a recess until a communication link can be reestablished, and
  - (b) if a communication link cannot be reestablished after five (5) minutes
    - (i) the member Participating Electronically will be deemed to have left the meeting, and
    - (ii) if there is no longer a quorum of members remaining, the presiding member shall call for a motion to recess or adjourn the meeting.

### **PART III -- COUNCIL PROCEEDINGS**

#### **14. Calling Meeting to Order**

- (1) As soon after the scheduled time for a Council meeting as the Mayor is present, the Council meeting shall be called to order.
- (2) Where the Mayor is not present after five (5) minutes, the Acting Mayor shall take the Chair and call the meeting to order.
- (3) If a quorum of Council is present, but neither the Mayor nor the Acting Mayor is present after five (5) minutes of the scheduled time for a Council meeting:
  - (a) the Corporate Officer shall call to order the members present; and
  - (b) the members present shall choose, by Council resolution, a member to preside at the meeting until the Mayor or Acting Mayor arrives.

## **15. No Quorum**

- (1) If there is no quorum of Council present within ten (10) minutes of the scheduled time for a Council meeting, the Corporate Officer shall
  - (a) call to order the members present,
  - (b) record the names of the members present, and those absent, and
  - (c) adjourn the meeting.
- (2) If a quorum ceases to exist during a Council meeting, and a quorum cannot be re-established within ten (10) minutes, the presiding member, or the Corporate Officer if the presiding member is no longer in attendance, shall call for a motion to adjourn the meeting.

## **16. Agenda**

- (1) Prior to each Council meeting, the Corporate Officer must prepare an Agenda setting out all the items for consideration at that meeting, noting in short form a summary for each item on the Agenda.
- (2) Submissions of Agenda items by Council members or the public shall, subject to Council policy as amended from time to time, be made to the Corporate Officer by 12:00 p.m. on the Wednesday prior to the meeting.
- (3) The Corporate Officer shall make the agenda available to the members of Council and the public by 4:00 p.m. on the Friday prior to the Meeting.
- (4) Council must not consider any matter not listed on the Agenda unless introduction and approval of the matter is provided by unanimous resolution of Council, at the time allocated on the Agenda for such matters.

## **17. Consent Agenda Items**

- (1) A Consent Agenda contains items that do not typically require discussion or debate.
- (2) Items listed in the Consent Agenda are considered for approval in one motion without discussion or debate, unless a member of Council requests that the item be excluded from the Consent Agenda.
- (3) If an item is excluded from the Consent Agenda by Council, it will be considered as an agenda item under the appropriate section, at Council's discretion and without resolution, to discuss such items in more detail or to provide a motion on the item excluded.
- (4) Items in the Consent Agenda may include, but are not limited to:

- (a) minutes from Council Committees and the Comox Valley Regional District meetings; and
- (b) correspondence, including petitions.

## **18. Order of Proceedings and Business**

- (1) The agenda for all Regular Council Meetings contains the following matters in the order in which they are listed below:
  - (a) Introduction and Approval of Late Items
  - (b) Adoption of Agenda
  - (c) Delegations
  - (d) Adoption of Minutes
  - (e) Council Committee Minutes/Reports
  - (f) Consent Agenda
  - (g) Unfinished Business
  - (h) Special Reports
  - (i) Bylaw Adoptions
  - (j) New Business
  - (k) Notices of Motion
  - (l) Correspondence
  - (m) Late Items – those permitted under subsection 16(4)
  - (n) Reports from Members of Council on matters relevant to Town business
  - (o) Media Question Period
  - (p) Public Question Period
  - (q) Resolution to go In-Camera
  - (r) Rise and Report from In-Camera Meeting
  - (s) Adjournment
- (2) Particular business at a Council meeting shall in all cases be taken up in the order in which it is listed on the agenda unless otherwise resolved by Council.

## **19. Delegations**

- (1) An individual or a delegation may address Council at a meeting provided written submission has been received by the Corporate Officer in accordance with subsection 16(2).
- (2) The Mayor may refuse to schedule a delegation on an agenda if
  - (a) the matter is regarding a public hearing or opportunity for input, held in accordance with an enactment as a prerequisite to the adoption of a bylaw or approval of a permit;
  - (b) the matter is regarding any item listed in section 90 of the *Community Charter [Meetings that may or must be closed to the public]*;
  - (c) the matter is related to a request for access to information under the *Freedom of Information and Protection of Privacy Act*;
  - (d) the matter is outside the legal authority or jurisdiction of the Town;
  - (e) the Mayor considers the matter to be frivolous; or
  - (f) any other matter in accordance with Council policy, as amended from time to time.
- (3) The Mayor's decision in subsection (2) can be appealed in writing to the Corporate Officer, and will be included in the next Council meeting agenda for Council consideration. A two-thirds vote of Council is required to allow delegations in accordance with this section.

## **20. Council Meeting Adjournment**

A motion to adjourn either a Council meeting or the debate at a Council meeting is always in order if that motion has not been preceded at that meeting by the same motion.

## **PART IV -- RULES OF DEBATE**

### **21. Voting at Meetings**

- (1) Each Council member has one vote on any motion or question.
- (2) Each Council member present at the time of a vote must vote on a matter, and, if a Council member abstains from voting or does not indicate how they vote, the member is deemed to have voted in the affirmative.
- (3) The following procedures apply to voting at Council meetings:

- (a) when debate on a matter is closed the presiding member shall put the matter to a vote of Council members;
- (b) when the Council is ready to vote, the presiding member shall put the matter to a vote by asking for those in favour and, subsequently, those opposed;
- (c) when the presiding member is putting the matter to a vote under subsections (a) and (b), a member shall not
  - (i) cross or leave the room,
  - (ii) make a noise or other disturbance, or
  - (iii) interrupt the voting procedure under subsection (b) unless the interrupting member is raising a point of order;
- (d) after the presiding member finally puts the question to a vote under subsection (b), a member shall not speak to the question or make a motion concerning it;
- (e) the presiding member's decision about whether a question has been finally put is conclusive;
- (f) whenever a vote of Council on a matter is taken, each member present shall signify their vote by raising their hand; and
- (g) the presiding member must declare the result of the voting by stating that the question is decided in either the affirmative ("Carried") or the negative ("Defeated").

## **22. Points of Order**

- (1) In accordance with section 132 of the *Community Charter [Authority of presiding member]*, the presiding member at a Council meeting must preserve order and, subject to an appeal by a Council member, decide points of order that may arise.
- (2) The presiding member shall apply the correct procedure to a motion
  - (a) if the motion is contrary to the rules of procedure in this Bylaw, and
  - (b) whether or not another Council member has raised a point of order in connection with the motion.
- (3) When the presiding member is required to decide a point of order, the presiding member must cite the applicable rule or authority if requested by another Council member.

- (4) If a Council member appeals a decision of the presiding member under subsection (3), the question as to whether the presiding member is to be sustained must be immediately put by the presiding member and decided without debate.
- (5) On the question as to whether the chair is to be sustained under subsection (4),
  - (a) the presiding member may not vote on the motion,
  - (b) the motion passes in the affirmative if the votes are equal, and
  - (c) the presiding member must be governed by the result.
- (6) If the presiding member refuses to put the question under subsection (4),
  - (a) Council must immediately appoint another member to preside temporarily,
  - (b) that other member must proceed in accordance with subsection (4), and
  - (c) a motion passed under this subsection is as binding as if passed under subsection (4).

### **23. General Rules of Conduct and Debate**

- (1) A Council member may speak to a question or motion at a Council meeting only if that member first addresses the presiding member.
- (2) Members shall address the presiding member by that person's title of Mayor, Acting Mayor or Your Worship.
- (3) Members shall address other non-presiding members by the title Councillor.
- (4) No member shall interrupt a member who is speaking except to raise a point of order.
- (5) If more than one member speaks the chair must call on the member who, in the chair's opinion, first spoke.
- (6) Members who are called to order by the chair
  - (a) must immediately stop speaking, and
  - (b) may explain their position on the point of order.
- (7) Members speaking at a Council meeting
  - (a) must use respectful language,

- (b) must not use offensive gestures or signs,
  - (c) must speak only in connection with the matter being debated,
  - (d) may speak about a vote of Council only for the purpose of making a motion that the vote be rescinded, and
  - (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the presiding member and Council in connection with the rules and points of order.
- (8) If a member does not adhere to subsection (7), the presiding member may order the member to leave the member's seat, and
- (a) if the member refuses to leave, the presiding member may cause the member to be removed by a peace officer from the member's seat, and
  - (b) if the member apologizes to the Council, Council may, by resolution, allow the member to retake the member's seat.
- (9) A member may require the question being debated at a Council meeting to be read at any time during the debate if that does not interrupt another member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council meeting:
- (a) a member may speak more than once in connection with the same question only
    - (i) with the permission of the presiding member, or
    - (ii) if the member is explaining a material part of a previous speech without introducing a new matter;
  - (b) a member may speak to a question, or may speak in reply, for longer than a total time of 5 minutes only with the permission of the presiding member.

#### **24. Motions Generally**

- (1) Motions shall be phrased in a clear and concise manner so as to express an opinion or achieve a result.
- (2) Council may debate and vote on a motion only if it is first made by one Council member and then seconded by another.
- (3) A motion that deals with a matter that is not on the agenda of the Council meeting at which the motion is introduced may be introduced with the unanimous consent of Council.

- (4) A Council member may make only the following subsidiary motions, when Council is considering a question:
  - (a) to refer to Council Committee,
  - (b) to amend;
  - (c) to lay on the table,
  - (d) to postpone indefinitely,
  - (e) to postpone to a future meeting,
  - (f) to adjourn.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council meeting if requested by a Council member.

## **25. Notice of Motion**

- (1) Any Council member who, during a meeting, wishes to bring any new matter before Council, other than a point of order, may do so by way of a motion.
- (2) If any member present at the time such a motion is presented, and before debate on the motion commences, calls for notice of motion, then the motion shall be placed on the agenda of the next Regular Council meeting.
- (3) If, during a meeting, a Council member wishes to give notice his or her intention to move a motion at a future meeting:
  - (a) the Council member must first deliver to the Mayor, the Chief Administrative Officer and the Corporate Officer, either before or during the meeting, a written notice of motion;
  - (b) the notice of motion must set out all of the details of the motion;
  - (c) the notice of motion must stipulate the date of the meeting at which the Council member intends to move the motion;
  - (d) the presiding officer may require that the Council member, or the Corporate Officer, read aloud the notice of motion; and
  - (e) if acknowledged by the presiding member, the Corporate Officer shall add the motion to the agenda for the meeting as indicated in subsection (c).

## **26. Amendments Generally**

- (1) Amendments must be strictly relevant to the main motion and not alter in a material way, or be contrary to, the principle embodied in the main motion.

- (2) A Council member may, without notice, move to amend a motion that is being considered at a Council meeting.
- (3) An amendment may propose removing, substituting for, or adding to the words of an original motion.
- (4) A proposed amendment must be reproduced in writing by the mover if requested by a member.
- (5) A proposed amendment must be decided before the main motion being considered is put to a vote.
- (6) Only one amendment to an amendment can be considered at any one time.
- (7) Subject to section 26, an amendment that has been defeated by a vote of Council cannot be proposed again.

## **27. Reconsideration by a Council Member**

- (1) Subject to subsection (5), a Council member may, at the same Council meeting, move to reconsider a matter that, other than to postpone indefinitely, has been taken.
- (2) Council must not discuss the main matter referred to in subsection (1) unless a motion to reconsider that matter is adopted in the affirmative.
- (3) A motion to reconsider shall only be made by a Council member who voted with the prevailing side.
- (4) A vote to reconsider must not be reconsidered.
- (5) Council may only reconsider a matter that has not
  - (a) had the approval or assent of the electors and been adopted,
  - (b) been reconsidered under subsection (1) or section 131 of the *Community Charter [Mayor may require council reconsideration of a matter]*,
  - (c) been acted on by an officer, employee, or agent of the Town.
- (6) The conditions that applied to the adoption of the original bylaw, resolution, or proceeding apply to its rejection under this section.
- (7) A bylaw, resolution, or proceeding that is reaffirmed under subsection (1) or section 131 of the *Community Charter [mayor may require Council reconsideration of a matter]* is as valid and has the same effect as it had before reconsideration.

## **28. Reconsideration by the Mayor**

- (1) Without limiting the authority of a council to reconsider a matter, the Mayor may require Council to reconsider and vote again on a matter that was the subject of a vote.
- (2) As restrictions on the authority under subsection (1),
  - (a) the Mayor may only initiate a reconsideration under this section
    - (i) at the same Council meeting as the vote took place, or
    - (ii) within the 30 days following that meeting, and
  - (b) a matter may not be reconsidered under this section if
    - (i) it has had the approval of the electors or the assent of the electors and was subsequently adopted by the Council, or
    - (ii) there has already been a reconsideration under this section in relation to the matter.
- (3) On a reconsideration under this section, Council
  - (a) must deal with the matter as soon as convenient, and
  - (b) on that reconsideration, has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- (4) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration, the bylaw or resolution is of no effect and is deemed to be repealed.

## **PART V -- BYLAWS**

### **29. Reading and Adopting Bylaws**

- (1) Before a bylaw is adopted by Council, it must be given three readings, all of which may be given at one Council meeting.
- (2) Any amendment to a proposed bylaw shall be made by a motion of Council after the proposed bylaw has received second reading and before it receives third reading. If the proposed bylaw has been amended, the motion at third reading shall be "That the bylaw be given third reading as amended".
- (3) Subject to section 477 of the *Local Government Act [OCP adoption procedures]*, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council members present.

- (4) Despite section 135(3) of the *Community Charter [requirements for passing bylaws]*, and in accordance with section 477 and 480 of the *Local Government Act [adoption procedures for official community plan and municipal zoning bylaw]*, Council may adopt a proposed official community plan or zoning bylaw at the same meeting at which the proposed bylaw passed third reading.

### **30. Signing Bylaws**

After a bylaw is adopted and signed by the Corporate Officer and the presiding member of the Council meeting at which it was adopted, the Corporate Officer must have it placed in the Town's records for safekeeping and endorse upon it:

- (a) the Town's corporate seal,
- (b) the dates of its readings and adoption, and
- (c) the date of Ministerial approval or approval of the electorate if applicable.

## **PART VI -- COUNCIL COMMITTEE MEETINGS**

### **31. Council Committee Recommendations:**

Council may take any of the following actions in connection with a recommendation it receives from Council Committees:

- (a) agree or disagree with the recommendation,
- (b) amend the recommendation,
- (c) refer the recommendation back to Council Committee, or
- (d) postpone consideration of the resolution.

### **32. Council Committee Proceedings**

For certainty, the rules and procedures of the Council under sections 14 to 28, except section 17, of this Bylaw shall be observed by Council Committees, so far as possible and unless otherwise specified in this Bylaw.

### **33. Strategic Planning Committee Meetings**

- (1) Council appoints all Council members to the Strategic Planning Committee.
- (2) The Strategic Planning Committee may meet on an as needed basis, in the same manner as prescribed in section 6 [Special Council Meetings] or as regularly scheduled by resolution of Council.

- (3) Where meetings of the Strategic Planning Committee are regularly scheduled, a meeting may be cancelled by the Mayor for any reason or by the Corporate Officer for lack of agenda items.
- (4) The Strategic Planning Committee has no decision making authority.

**34. Strategic Planning Committee Presiding Member and Quorum**

- (1) The presiding member of Strategic Planning Committee meetings shall be
  - (a) the Mayor or Acting Mayor, or
  - (b) chosen by the Strategic Planning Committee from amongst its members.
- (2) The quorum of the Strategic Planning Committee is the majority of Council members.

**PART VII -- GENERAL**

**35. Severance**

If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

**36. Repeal or Amendment**

- (1) This Bylaw may not be amended or repealed and substituted unless Council first gives notice in accordance with section 94 of the *Community Charter [public notice]*.
- (2) The Comox Council Procedure Bylaw, 2009 is hereby repealed.

**37. Adoption**

Read a FIRST TIME this	5 <sup>th</sup>	day of August	, 2020
Read a SECOND TIME this	5 <sup>th</sup>	day of August	, 2020
Read a THIRD TIME this	5 <sup>th</sup>	day of August	, 2020
Notice of the proposed repeal of the Comox Council Procedure Bylaw, 2009 and substitution with this Bylaw, in accordance with sections 94 and 124(3) of the <i>Community Charter</i> , given this	19 <sup>th</sup> and 26 <sup>th</sup>	day of August	, 2020
ADOPTED this		day of	, 2020

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MAYOR

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CORPORATE OFFICER

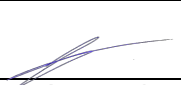


# TOWN OF COMOX PLANNING REPORT

<b>TO:</b>	JORDAN WALL, CHIEF ADMINISTRATIVE OFFICER
<b>FROM:</b>	MARVIN KAMENZ, DIRECTOR OF DEVELOPMENT SERVICES COREY COOPER, PLANNING TECHNICIAN REGINA BOZEROCKA, PLANNER I
<b>SUBJECT:</b>	DEVELOPMENT VARIANCE PERMIT APPLICATION: DVP 20-4 197 ELLIS STREET
<b>DATE:</b>	SEPTEMBER 2, 2020 – RCM

  
Submitted by

  
Concurrence

  
Approval

**Planner’s recommendation:**

That Development Variance Permit DVP 20-4 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 to the September 2, 2020 Planning Report on DVP 20-4.

**Proposal:**

The proposal is to vary Comox Zoning Bylaw 1850 for a single-family dwelling that is under construction, to permit the roof ridge of the one-storey portion of the building frontage to be 0.80 metres lower than the roof ridge of a multi-storey portion, as opposed to a minimum of 1.20 metres lower.

Application Summary is contained in **Attachment 1**, the applicant’s submission is contained in **Attachment 2** and photos of the east (front) elevation of the single-family dwelling are contained in **Attachment 3**.

**Background:**

In accordance with standard procedures, notification of Council’s intent to consider this Development Variance Permit at the September 2<sup>nd</sup>, 2020 Regular Council Meeting was mailed to abutting properties owners and tenants.

Public submissions received in advance of the September 2<sup>nd</sup>, 2020 RCM will be distributed to Council prior to commencement of the September 2<sup>nd</sup>, 2020 RCM.

S:\00 Council Agenda Development\02 Reports For Sr Staff Discussion\197 Ellis - DVP20-4 - Copy\DVP 20-4\_RCM Sept 2 2020\_197 Ellis-CC.docx

SEPTEMBER 2, 2020

**OCP Implications:**

An objective of the Town of Comox Official Community Plan is to provide more affordable and sustainable housing through a variety of means including identifying areas for infill development.<sup>1</sup> The subject property's OCP Land Use designation is Residential: Townhouses & Ground Oriented Infill. This designation allows for single family development on lots of approximately 350 sq. m. provided sufficient site and design controls are in place to encourage compatibility with surrounding existing development.<sup>2</sup> These site and design controls are addressed in the Zoning Implications section of this Report.

The subject property is located within Development Permit Area (DPA) #2: Ground Oriented Infill, DPA #17: Coach Houses, and DPA #18: Secondary Suites. Single-family dwelling construction meets applicable exemptions criteria and a Development Permit is not required.

**Zoning Implications:**

The subject property is zoned CD23 and has a parcel area of approximately 360 sq. m.

CD 23 zone, site and design controls to encourage compatibility with surrounding existing development focus on reducing building mass and creation of pedestrian interest. These site and design controls include allowing a reduced front setback for the non-garage portion of a dwelling and requiring that a second storey be smaller than the ground floor.

Currently, the CD23 zoning requirement is that there be at least a 1.2 meter difference in building height between the one-storey portion of the building and the two-storey portion (see Figure below). The Development Variance Permit application is to vary this to allow that the difference between the one-storey portion and the two-storey portion of the building be at least 0.8 metres (i.e. allow the one-storey portion to be up to 0.4 metres higher than permitted in the CD23 zoning).

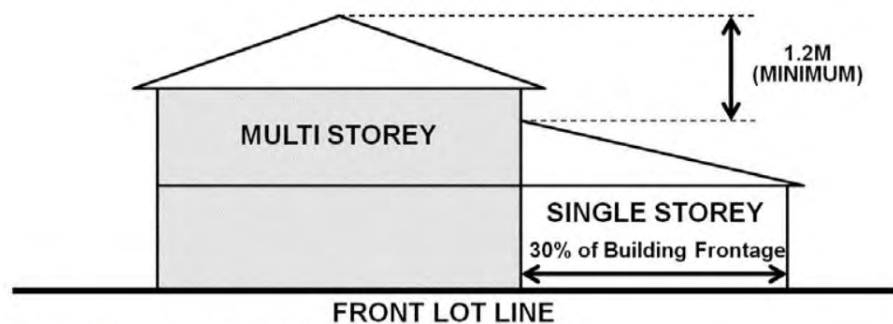


Figure 823-1. Elevation Block Out

<sup>1</sup> OCP section 2.1.1.2(3)

<sup>2</sup> OCP sections 2.1.1.5(b) and (d)

**SEPTEMBER 2, 2020**

The impact of this variance in regards to reducing building mass and creating pedestrian interest is negligible as the building design uses:

1. An offset front setback of the garage relative to the remainder of the building to effectively break up the building into three planes (see Attachment 3); and
2. The placement of a deck over the garage in such a manner that the height differential of the one storey portion in relation to the two storey portion is relative to the deck rail as oppose to the top of the parapet wall (see Attachment 3).

MK/ CC/ RB

Schedule 1: Development Variance Permit Conditions

Attachments: 3

cc: John & Brenda Bavin, 197 Ellis Street, Comox B.C., V9M 1R2  
jbbavin@telus.net

SEPTEMBER 2, 2020

SCHEDULE 1

**DEVELOPMENT VARIANCE PERMIT CONDITIONS**

1. This Development Variance Permit is to permit the construction of a single-family dwelling.
2. Comox Zoning Bylaw 1850 is hereby varied as follows:

- a. Section 823.8(3)(a)

From:

For multi-storey dwelling units, except for when no portion of the first storey is more than 0.6 metres above the established ground level, as measured along the building frontage:

(a) a minimum of 30% of the building frontage shall be a maximum of one storey, extending the full depth of the parcel with the roof ridge a minimum of 1.2 metres lower than the roof ridge of any multi-storey portion as shown in Figure 823-1;

To:

For multi-storey dwelling units, except for when no portion of the first storey is more than 0.6 metres above the established ground level, as measured along the building frontage:

(a) a minimum of 30% of the building frontage shall be a maximum of one storey, extending the full depth of the parcel with the roof ridge a minimum of 0.80 metres lower than the roof ridge of any multi-storey portion and retention of open space area above deck area as shown (drawing number A-1 of 5 dated 2019-03-26) in Attachment 2.

3. Alterations to building elevation components and site plan as shown (drawing number A-1 of 5 dated 2019-03-26) in Attachment 2 are permitted other than alterations to roof components and deck components including open space.



SEPTEMBER 2, 2020

**ATTACHMENT 1**

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<b>Proposal:</b>	Development Variance Permit application DVP 20-4 for a single-family dwelling that is under construction, proposes to vary Comox Zoning Bylaw 1850 section 823.8(3)(a) to permit the roof ridge of the one-storey portion of the building frontage to be 0.80 metres lower than the roof ridge of a multi-storey portion, as opposed to a minimum of 1.20 metres lower.	
<b>Applicant:</b>	John & Brenda Bavin	
Legal Description:	Lot B Section 53 Comox District Plan EPP81673	
Civic Addresses:	197 Ellis Street	
<b>OCP:</b>		
Land Use Designation:	Residential: Townhouses & Ground Oriented Infill	
Development Permit Areas:	DPA #2: Ground Oriented Infill, DPA #17: Coach Houses, and DPA #18: Secondary Suites	
<b>Zoning</b>	CD 23 Single-Family – Ellis Street	
Permitted uses include:	Accessory structures and uses, Home Occupations, Secondary Suites, and Single-family dwellings	
Section 823.8(3)(a)	<p>Existing</p> <p>A minimum of 30% of the building frontage shall be a maximum of one storey, extending the full depth of the parcel with the roof ridge a minimum of 1.2 metres lower than the roof ridge of any multi-storey portion.</p>	<p><b>Proposed Variances</b></p> <p>A minimum of 30% of the building frontage shall be a maximum of one storey, extending the full depth of the parcel with the roof ridge a minimum of 0.80 metres lower than the roof ridge of any multi-storey portion.</p>
<b>Surrounding Uses:</b>	Single-Family Residential developments to the north, south, east, and west.	

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**DVP 20-4  
197 ELLIS STREET**

**SEPTEMBER 2, 2020**

**ATTACHMENT 2**

**APPLICANT'S SUBMISSION**

## VARIANCE APPLICATION RATIONALE 197 ELLIS STREET

We are building a single family dwelling, which complies with the land use of the site. Building materials will consist of metal and hardie panels on the exterior facade. This house will be very energy efficient and is oriented to the sun with suitable overhangs to obtain passive solar energy. At mid-construction it had an air test from Elemental Energy Advisors that resulted in an air change of .75 ACH. This would meet the requirements for a Step Code 5 house. On top of that we will be putting solar panels on the roof to help meet a net Zero designation. Other than a roof hatch that will allow access to service the solar panels, and the solar panels themselves, there is no mechanical equipment on the roof.

The house also has some adaptable features to it which include 3 foot wide doors, sufficient room for a stair lift to be attached when needed, entry doors with recessed sills, a walk in tub, etc.

This contemporary modern design follows the City of Vancouver Passive Design Toolkit which especially emphasizes keeping corners and joints to a minimum to reduce the possibility of creating thermal bridges through which heat can dissipate to the outside of the building.

We are applying for a variance to the Town of Comox, for Zone CD23, Zoning Bylaw 1850, Section 823-1a. Specifically, the part which states that the roof lines of a multi storey house requires a minimum height differential of 1.2 meters. At the moment, our house has a differential of 0.94 meters. We are short 0.26 meters or 10.25 inches. The maximum height allowable on our lot is 8.0 meters and our height is 7.4 meters or 2 feet below the allowable height.

The wall that is creating this problem is mainly there to help support the overhang needed to provide a passive solar design. It is also there to provide a minimum protection to the southeasterly winds that blow resulting in a wind free spot for the BBQ. As well, it reduces the frequent illumination through our living room windows from headlights coming around the corner from Beaufort Avenue onto Ellis Street. The width of this wall was reduced by 6 inches from the original plans and is now 1.27 meters or 4 feet, 2 inches wide.

If necessary, we can add 10.25 inches or more onto the overall height of the Ellis street side parapet wall, however we feel that the proportions for the house create a cohesive design with a lower height that allows the neighbours a better view. Also, the current size of the Ellis Street wall would be reduced visually by a large planter against most of the lower part of that wall.

Neighbours have been consulted, and the main consensus is that the small difference in height on the support wall in question can't be seen by neighbours to the north and west of the house, and is of little consequence for those to the east and south, but raising the east wall would not be desirable as it would decrease the view for those to the west, north, and east.

The proposed variance may help the Town of Comox develop bylaws relating to this style of house that has passive elements to it as well as meeting high Step Code Standards which all municipalities must meet in the future.

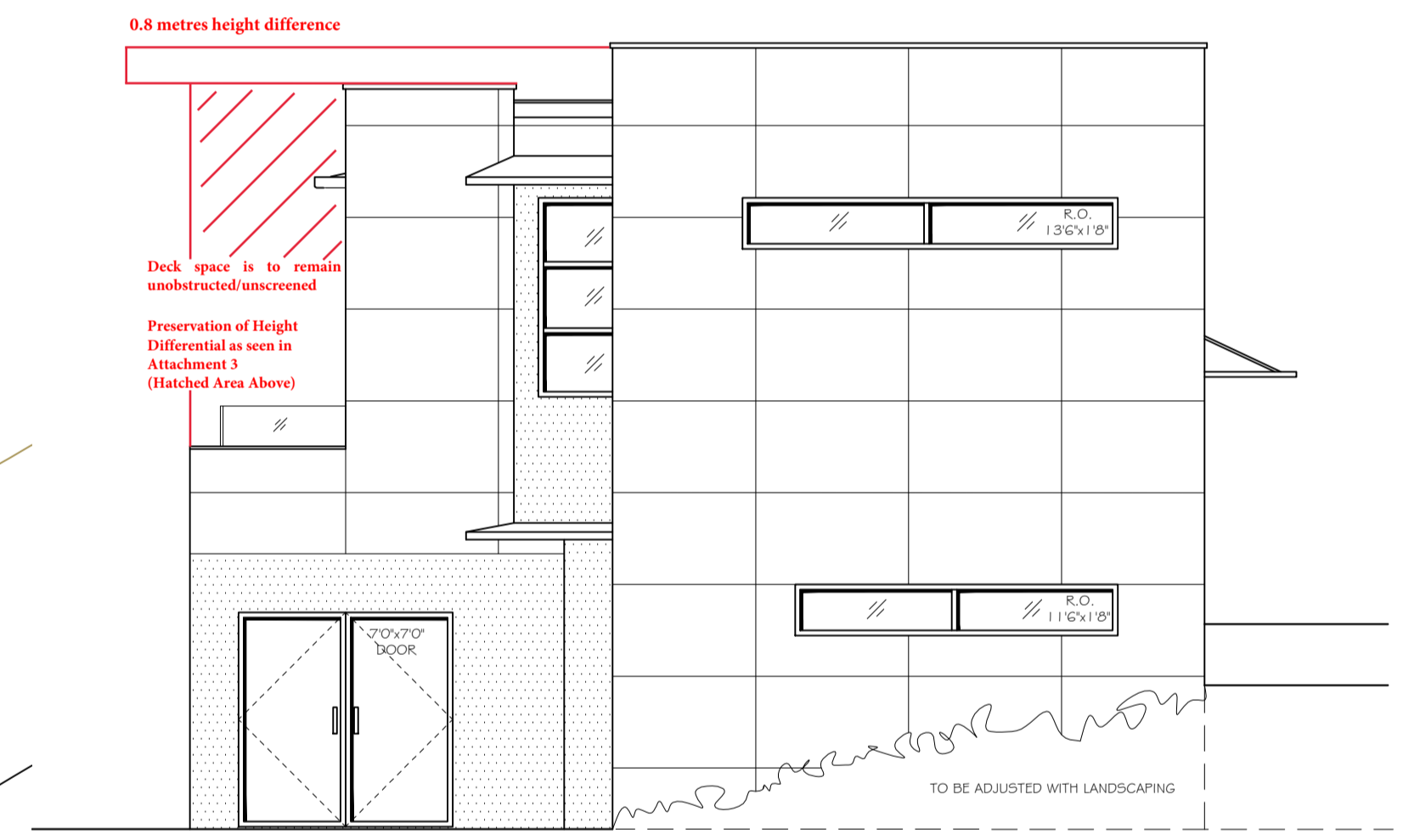
The requested variance would not affect the public infrastructure.

**PROJECT DATA**

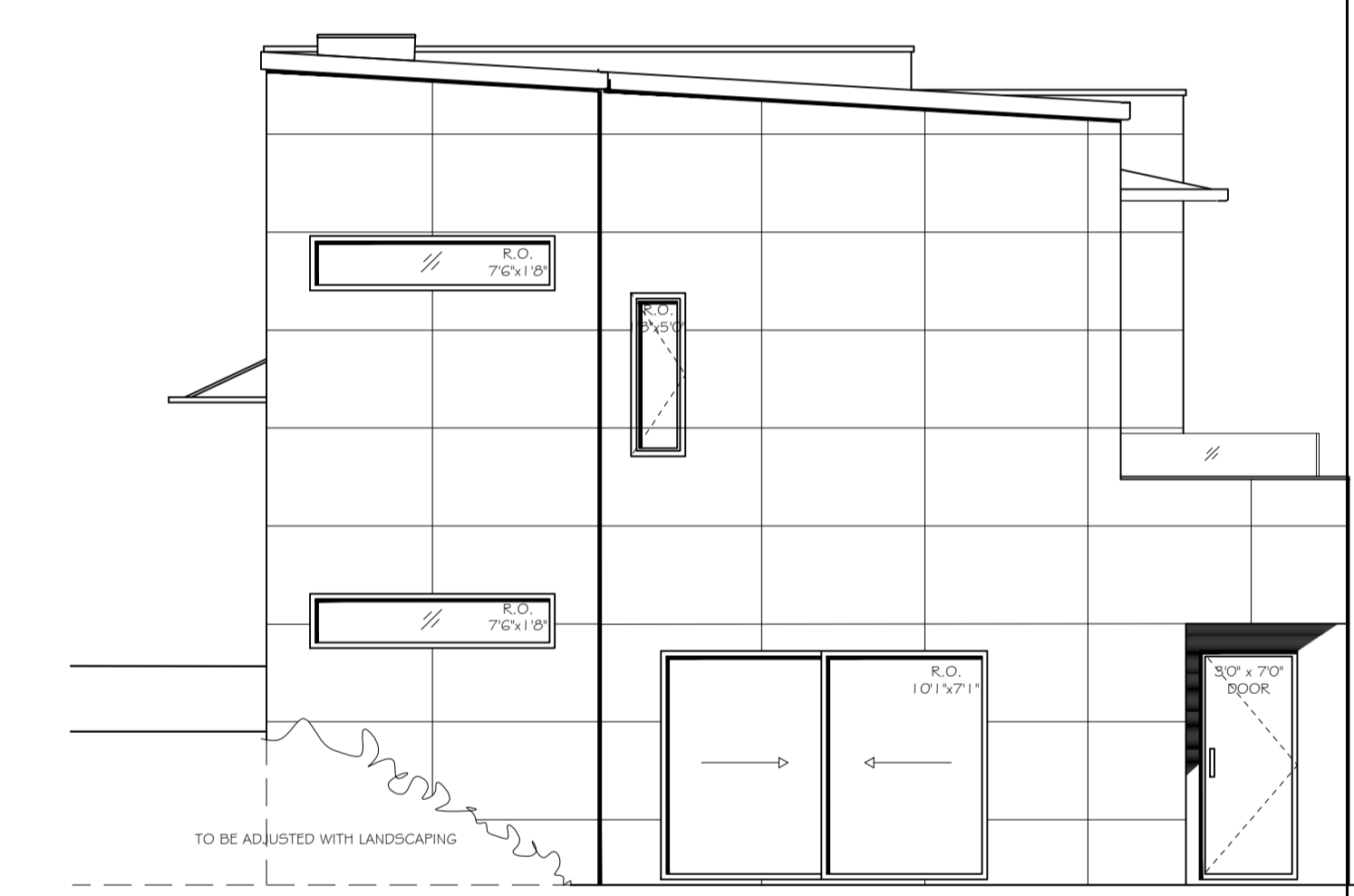
LEGAL ADDRESS : LOT B SECTION 53 COMOX DISTRICT PLAN EPP 81673  
 PARCEL ID : 030-496-136  
 CIVIC ADDRESS : 197 ELLIS STREET COMOX, B.C.  
 ZONING : CD 23 (COMPREHENSIVE DEVELOPMENT 23) SINGLE FAMILY-ELLIS STREET  
 PARCEL AREA : 359.2 M<sup>2</sup> ( 3,866.9 SQ.FT)  
 PARCEL COVERAGE : PROPOSED BUILDING = 1,355 SQ.FT  
 1,355/ 3,866.9 = 0.35 (35%)  
 FLOOR AREA : BOTTOM FLOOR AREA= 1,286 SQ.FT  
 TOP FLOOR AREA= 960 SQ.FT  
 75% OF BOTTOM FLOOR = 1,286 X 75%= 960 SQ.FT  
 SETBACK REQUIREMENT (PRINCIPAL BUILDING)  
 FRONT YARD SETBACK : REQUIRED 3.5M (11.5FT)  
 PROPOSAL 3.52M (11.6FT)  
 REAR YARD SETBACK : REQUIRED 7.5M (24.6FT)  
 PROPOSAL 7.53M (24.7FT)  
 SIDE YARD SETBACK : REQUIRED 1.8M (5.9FT)  
 PROPOSAL 1.83M (6.0FT)  
 MAXIMUM HEIGHT OF BUILDING : 8.0M (26.25FT)  
 PROPOSAL 6.83M (22.42FT)



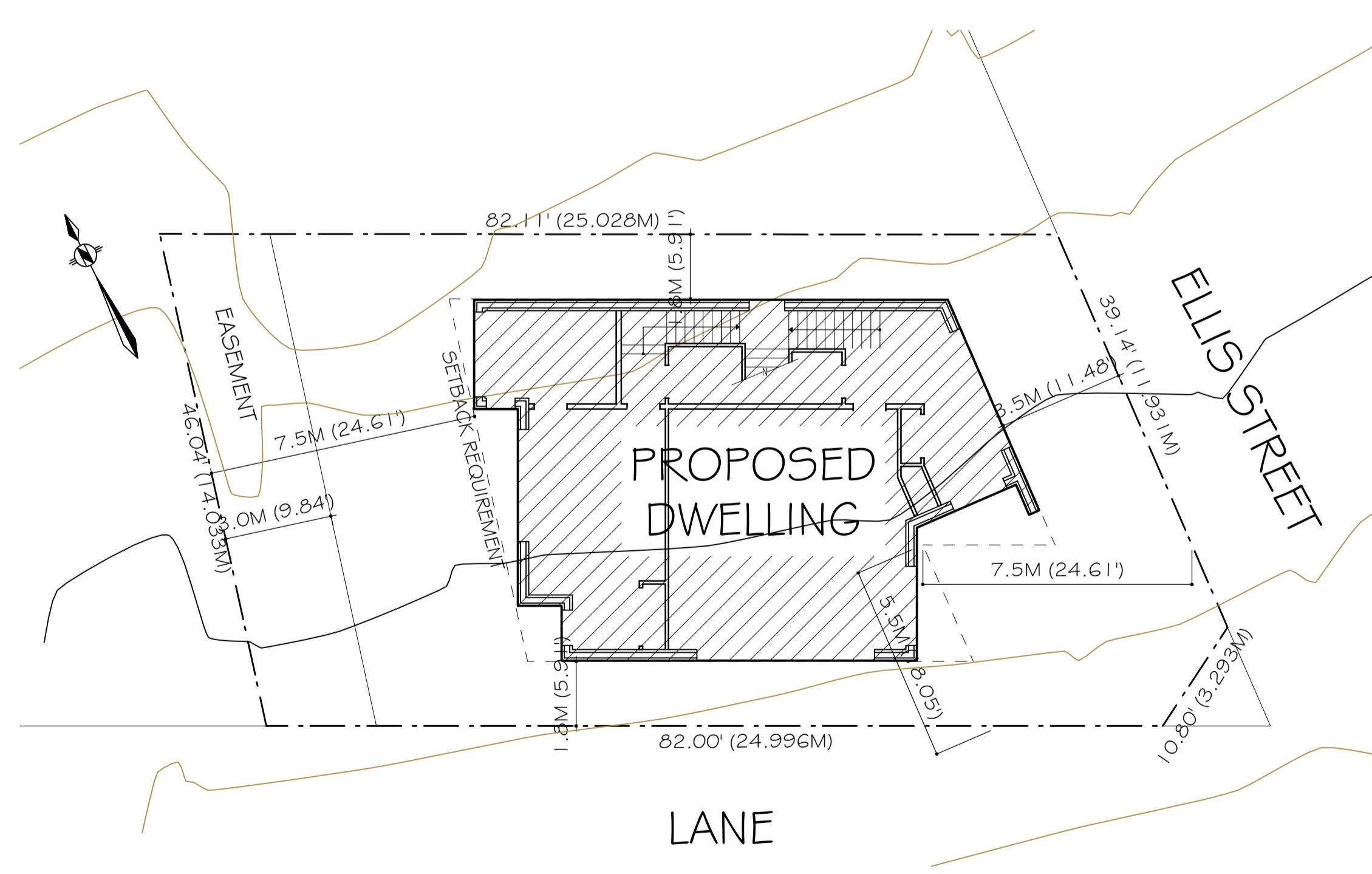
**SOUTH ELEVATION**  
 1/4" = 1'-0"



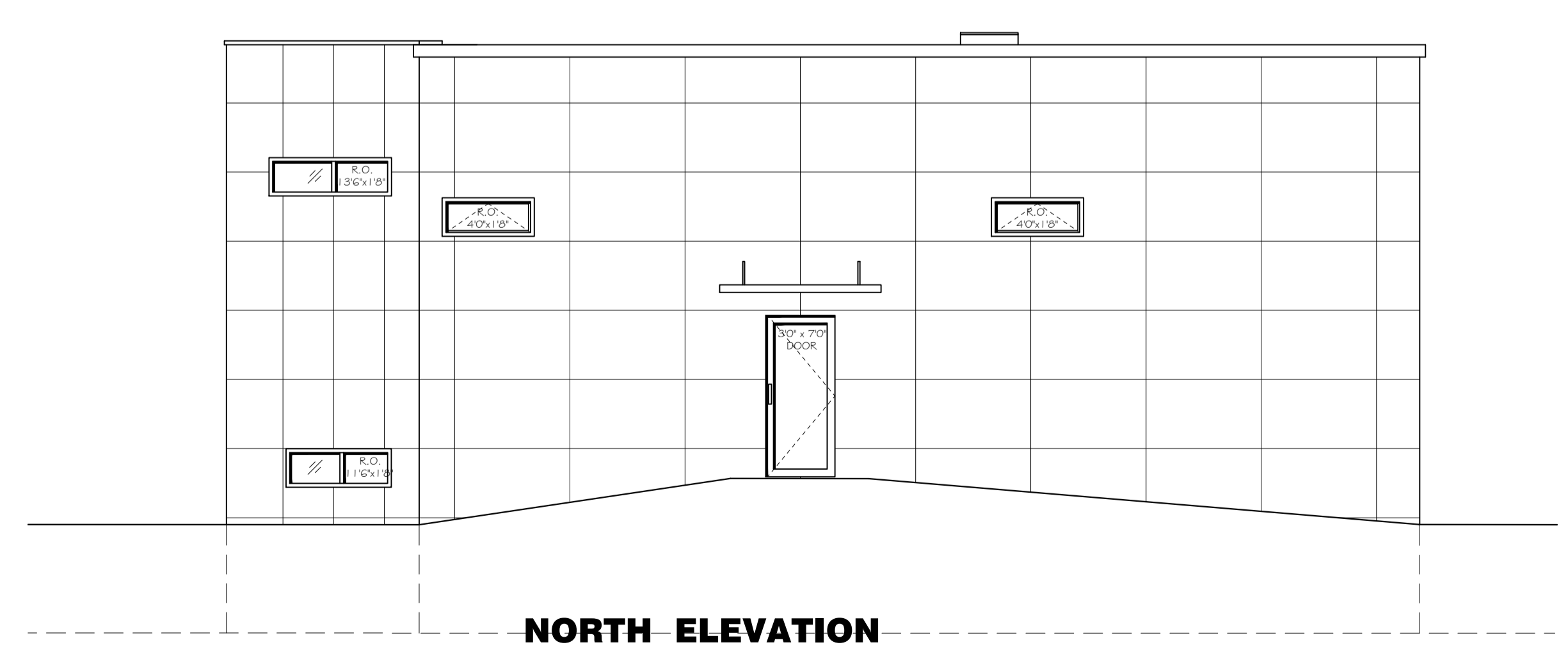
**EAST ELEVATION**  
 3/16" = 1'-0"



**WEST ELEVATION**  
 3/16" = 1'-0"



**SITE PLAN**  
 3/32" = 1'-0"



**NORTH ELEVATION**  
 1/4" = 1'-0"

REVISIONS:

NO.	DATE	DESCRIPTION
1	MAR 26/19	ISSUED FOR B.P.

CONTRACTOR TO VERIFY ALL LINES, LEVELS, SURVEYS, DIMENSIONS, LOCATION OF BUILDING ON SITE AND LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION. ALL WORK TO BE DONE IN ACCORDANCE WITH THE B.C. BUILDING CODE, CURRENT EDITION AND ALL LOCAL BUILDING BYLAWS.  
 COPYRIGHT RESERVED. THESE PLANS ARE THE PROPERTY OF SHIZEN HOME DESIGN TO BE USED SOLELY FOR THE PROJECT SHOWN. UNAUTHORIZED REPRODUCTION OR USE IN ANY MANNER IS NOT PERMISSIBLE.

**Attachment 2**

PROJECT:  
 BAVIN RESIDENCE  
 197 ELLIS STREET COMOX, B.C.

SCALE: AS NOTED	FILE: 19-G
CREATED: MAR26/19	EDITED BY: KY

DRAWING NAME:  
 SITE PLAN ELEVATIONS

DRAWING NUMBER:  
 A-1 OF 5



SHIZEN HOME DESIGN  
 #18-255 ANDERTON AVE COURTESY B.C. V1N 2G9  
 PHONE: (250)338-5310  
 E-MAIL: SHIZEN@SHIZEN.CA

**DVP 20-4  
197 ELLIS STREET  
SEPTEMBER 2, 2020**

**ATTACHMENT 3**

**PHOTOS**



PLANE 1

PLANE 2

PLANE 3

Height Differential  
To Be Preserved





**TOWN OF COMOX**  
**Regular Council Meeting**

<b>FROM:</b>	Clive Freundlich, Director of Finance
<b>SUBJECT:</b>	Budget Variance Report, with year-end estimates
<b>MEETING DATE:</b>	September 2, 2020
<b>DATE:</b>	August 27, 2020

*Clive Freundlich*  
 Submitted by

Concurrence

*[Signature]*  
 Approval

**RECOMMENDATION:**  
 For information only.

Attached are the municipal budget variance to August 26, 2020, with year-end estimates.

**BACKGROUND:**  
 Staff have undertaken a detailed review of our current revenues and expenditures, and from there, made estimates to the end of the year for 2020.

From the revenue and expenditures as of August 26, 2020 the Town' is working within its budget parameters. The projected revenues and expenditures to December 31st show that there is no significant difference from the adopted budget overall at this time.

It should be noted that due to COVID-19 some anticipated cost saving that may not be fully realized. However, at this time there does not appear to be any significant impact on the Town's budget.

As managers continue to be vigilant in trying to keep our costs down, we will see this budget through to a successful conclusion.



## One Page Summary Report

### **Budget Variances as at August 26, 2020**

Overall, the Town's revenues and expenditures are within budget parameters as at August 26, 2020.

### **End of Year Estimates:**

#### Revenue:

1. Municipal property taxes
  - Utility company 1% in-lieu of property taxes were under-budgeted by \$68,000
  - Property tax penalties exceed budget by \$46,500.
2. Sales of services
  - Development services revenue anticipated to be slightly higher than budget, \$7,000.
  - Recreation is anticipating a revenue shortfall of approx. \$100,000 in fitness studio revenue.
3. Government Transfers
  - \$100,000 over budget received in 2020.
4. Investment income
  - The Town has been regularly investing to optimize returns. In 2020, anticipating an investment return of approx. \$250,000 over budget.

#### Operating expenses:

1. General Municipal
  - Corporate (shared resources). overage anticipated in costs of services \$73,000.
  - Information technology. overage anticipated due to the COVID-19 response \$71,000
2. Bylaw enforcement
  - Overage anticipated in hiring of a full-time enforcement officer \$41,000
3. Other Protective services.
  - Overage paid to CVRD EOC due to COVID-19
4. Recreation
  - The recreation projected savings of approximately \$300,000 mostly from staffing reductions. The actual cost savings will be monitored and brought forward again in the fall.

#### Capital expenditures:

It is anticipated that the 2020 capital spending program will continue as provided in the adopted financial plan.

Town of Comox  
Budget Variance Report  
As at Aug 26, 2020  
One Page Summary

Description	2020 Budget	Aug 26, 2020 Actual	Over (under) Variance	Target 66% Percent	End of Year Estimate	Estimate Variance
<b>Revenue</b>						
Municipal Property taxes	\$ 11,504,480	11,676,276.18	\$ 171,796	101%	11,620,314	115,834
Sales of Services	9,231,203	7,686,371.71	(1,544,831)	83%	9,203,903	(27,300)
Government Transfers	1,305,240	1,438,886.52	133,647	110%	1,440,000	134,760
Investment Income	400,000	534,098.72	134,099	134%	650,000	250,000
Developer Contributions	317,300	-	(317,300)	-	317,300	-
Other	94,292	20,308.40	(73,984)	22%	94,292	-
<b>Total Revenue</b>	<b>22,852,515</b>	<b>21,370,941.53</b>	<b>(1,481,573)</b>	<b>94%</b>	<b>23,325,809</b>	<b>473,294</b>
	(1,830,355)	(2,569,994)				
	(7.42%)	(10.73%)				
<b>Operating Expense</b>						
<u>Fiscal</u>						
Interest payments on debt	27,240	14,819.11	(12,421)	54%	27,240	-
Amortization expense	3,000,000	-	(3,000,000)	-	3,000,000	-
Other fiscal Adjustments	177,642	94,428.79	(83,213)	53%	177,642	-
<b>Total fiscal</b>	<b>3,204,882</b>	<b>109,247.90</b>	<b>(3,095,634)</b>	<b>3%</b>	<b>3,204,882</b>	<b>-</b>
General Municipal	13,675,692	7,752,003.84	(5,923,688)	57%	13,869,835	194,143
Water Fund	2,834,232	1,006,455.94	(1,827,776)	36%	2,834,232	-
Sewer Fund	2,508,938	2,079,168.93	(429,769)	83%	2,508,938	-
<b>Total Functions</b>	<b>19,018,862</b>	<b>10,837,628.71</b>	<b>(8,181,233)</b>	<b>57%</b>	<b>19,213,005</b>	<b>194,143</b>
<b>Total operating expense</b>	<b>22,223,744</b>	<b>10,946,876.61</b>	<b>(11,276,867)</b>	<b>49%</b>	<b>22,417,887</b>	<b>194,143</b>
Revenue over expense	628,771	10,424,064.92	9,795,294		907,922	279,151
<b>Add</b>						
Add back amortization	3,000,000	-	(3,000,000)	-	3,000,000	-
Transfers from reserves	2,016,750	-	(2,016,750)	-	2,016,750	-
Proceeds of debt	-	-	-	-	-	-
<b>Total Addition</b>	<b>5,016,750</b>	<b>15,000.00</b>	<b>(5,001,750)</b>	<b>-</b>	<b>5,016,750</b>	<b>-</b>
<b>Deduct</b>						
Transfers to reserves	3,344,221	-	(3,344,221)	-	3,344,221	-
Principal repayment on debt	23,250	23,225.20	(25)	100%	23,250	-
Capital, General Fund	2,183,050	481,845.70	(1,701,204)	22%	2,183,050	-
Capital, Water Fund	65,000	2,000.00	(63,000)	3%	65,000	-
Capital, Sewer Fund	30,000	16,779.50	(13,221)	56%	30,000	-
<b>Capital Total</b>	<b>2,278,050</b>	<b>500,625.20</b>	<b>(1,777,425)</b>	<b>22%</b>	<b>2,278,050</b>	<b>-</b>
<b>Total Deduction</b>	<b>5,645,521</b>	<b>523,850.40</b>	<b>(5,121,671)</b>	<b>9%</b>	<b>5,645,521</b>	<b>-</b>
Revenue over expenditure	\$ -	9,915,214.52	\$ 9,915,215		279,151	279,151

Town of Comox  
Budget Variance Report  
As at Aug 26, 2020

	2020 Budget	Aug 26, 2020 Actual	Over (under) Variance	Target 66% Percent	End of Year Estimate	Estimate Variance
<b>Revenue</b>						
<b>Property Tax</b>						
General municipal taxation	\$ 8,903,280	\$ 8,961,376.17	\$ 58,096	101%	8,903,280	-
Parcel tax (incl. LAS parcel tax)	683,440	685,287.47	1,847	100%	683,440	-
1% Utility Tax	82,360	150,694.56	68,335	183%	150,694	68,334
Business Improvement Area	72,900	72,922.30	22	100%	72,900	-
Payments in lieu of taxes	1,724,000	1,725,643.88	1,644	100%	1,725,000	1,000
Penalties and interest on taxes	38,500	80,351.80	41,852	209%	85,000	46,500
<b>Total Property Tax</b>	<b>11,504,480</b>	<b>11,676,276.18</b>	<b>171,796</b>	<b>101%</b>	<b>11,620,314</b>	<b>115,834</b>
<b>Sale of Services</b>						
General Government	154,300	200,714.60	46,415	130%	220,000	65,700
Protective Services	646,046	27,842.50	(618,204)	4%	646,046	-
Solid Waste	1,767,181	1,467,116.46	(300,065)	83%	1,767,181	-
Development Services	93,000	97,865.55	4,866	105%	100,000	7,000
Transportation	10,000	4,800.00	(5,200)	48%	10,000	-
Marina	383,852	375,426.55	(8,425)	98%	383,852	-
Recreation	775,204	502,989.63	(272,214)	65%	675,204	(100,000)
Water services	2,749,590	2,515,553.85	(234,036)	91%	2,749,590	-
Sewer services	2,652,030	2,494,062.57	(157,967)	94%	2,652,030	-
<b>Total Sale of Services</b>	<b>9,231,203</b>	<b>7,686,371.71</b>	<b>(1,544,831)</b>	<b>83%</b>	<b>9,203,903</b>	<b>(27,300)</b>
<b>Government Transfers</b>						
Federal / Provincial	1,305,240	1,438,886.52	133,647	110%	1,440,000	134,760
Provincial	-	-	-	-	-	-
Regional & Other	-	-	-	-	-	-
<b>Total Government Transfers</b>	<b>1,305,240</b>	<b>1,438,886.52</b>	<b>133,647</b>	<b>110%</b>	<b>1,440,000</b>	<b>134,760</b>
<b>Investment Income</b>						
Interest & investment gains	400,000	534,098.72	134,099	134%	650,000	250,000
<b>Total Investment Income</b>	<b>400,000</b>	<b>534,098.72</b>	<b>134,099</b>	<b>134%</b>	<b>650,000</b>	<b>250,000</b>
<b>Developer Contributions</b>						
Contributions	317,300	-	(317,300)	-	317,300	-
<b>Total Developer Contributions</b>	<b>317,300</b>	<b>-</b>	<b>(317,300)</b>	<b>-</b>	<b>317,300</b>	<b>-</b>
<b>Other</b>						
Other Revenue	94,292	20,308.40	(73,984)	22%	94,292	-
Gain (loss) on Sale of Assets	-	-	-	-	-	-
<b>Total Other</b>	<b>94,292</b>	<b>20,308.40</b>	<b>(73,984)</b>	<b>22%</b>	<b>94,292</b>	<b>-</b>
<b>Total Revenues</b>	<b>\$ 22,852,515</b>	<b>21,355,941.53</b>	<b>\$ (1,496,573)</b>	<b>93%</b>	<b>\$ 23,325,809</b>	<b>\$ 473,294</b>

## Budget Variance Report

As at Aug 26, 2020

Description	2020 Budget	2020-08-26 Actual	Over (under) Variance	Percent	End of Year Estimate	Estimate Variance
<b>Operating Expense</b>						
<b>Fiscal</b>						
Interest payments on debt	27,240	14,819.11	(12,421)	54%	27,240	-
Amortization expense	-	-	-	-	-	-
Other Fiscal	177,642	94,428.79	(83,213)	53%	177,642	-
<b>Total fiscal expense</b>	<b>204,882</b>	<b>109,247.90</b>	<b>(95,634)</b>	<b>53%</b>	<b>204,882</b>	<b>-</b>
<b>Core</b>						
General Government						
Building maintenance	149,984	34,447.65	(115,536)	23%	149,984	-
Corporate (shared resources)	177,627	169,738.03	(7,889)	96%	250,000	72,373
Council	494,100	126,392.75	(367,707)	26%	494,100	-
Administration	584,190	372,181.10	(212,009)	64%	584,190	-
Finance	949,810	620,314.66	(329,495)	65%	949,810	-
Information Technology	179,000	174,595.35	(4,405)	98%	250,000	71,000
General Government subtotal	2,534,711	1,497,669.54	(1,037,041)	59%	2,678,084	143,373
Protective services						
Building maintenance	-	-	-			
Police	1,882,960	837,158.00	(1,045,802)	44%	1,882,960	-
Fire	1,420,070	778,614.71	(641,455)	55%	1,420,070	-
Bylaw enforcement	58,730	77,107.66	18,378	131%	100,000	41,270
Building inspections	125,876	84,305.46	(41,571)	67%	125,876	-
Other protective service	41,500	50,596.00	9,096	122%	51,000	9,500
Protective services subtotal	3,529,136	1,827,781.83	(1,701,354)	52%	3,579,906	50,770
Solid waste management	1,512,151	806,420.55	(705,730)	53%	1,512,151	-
Planning services	475,700	311,322.78	(164,377)	65%	475,700	-
Transportation						
Building maintenance	76,238	31,809.53	(44,428)	42%	76,238	-
Transportation	1,711,766	1,274,025.05	(437,741)	74%	1,711,766	-
Transportation subtotal	1,788,004	1,305,834.58	(482,169)	73%	1,788,004	-
Parks, Rec & Culture						
Building maintenance	274,000	206,396.64	(67,603)	75%	274,000	-
Parks	1,412,205	749,152.03	(663,053)	53%	1,412,205	-
Recreation (see comment)	1,947,545	862,209.77	(1,085,335)	44%	1,947,545	-
Culture	31,250	10,143.49	(21,107)	32%	31,250	-
Marina	171,070	102,970.56	(68,099)	60%	171,070	-
Parks, Rec & Culture subtotal	3,836,070	1,930,872.49	(1,905,197)	50%	3,836,070	-
General service	13,675,772	7,679,901.77	(5,995,870)	56%	13,869,915	194,143
Water service	2,734,232	1,006,455.94	(1,727,776)	37%	2,734,232	-
Sewer service	2,458,938	2,079,168.93	(379,769)	85%	2,458,938	-
<b>Total core expense</b>	<b>18,868,942</b>	<b>10,765,526.64</b>	<b>(8,103,415)</b>	<b>57%</b>	<b>19,063,085</b>	<b>194,143</b>

## Budget Variance Report

As at Aug 26, 2020

Description	2020 Budget	2020-08-26 Actual	Over (under) Variance	Percent	End of Year Estimate	Estimate Variance
<b>Special Projects</b>						
General Government	52,200	5,100.00	(47,100)	10%	52,200	-
Protective services	(28,500)	47,144.26	75,644	(165%)	(28,500)	-
Solid Waste management	-	-	-	-	-	-
Development services	29,000	-	(29,000)	-	29,000	-
Transportation services	197,000	15,431.18	(181,569)	8%	197,000	-
Parks, Recreation & Culture	(249,780)	4,426.63	254,207	(2%)	(249,780)	-
General service	(80)	72,102.07	72,182	(90128%)	(80)	-
Water service	100,000	-	(100,000)	-	100,000	-
Sewer service	50,000	-	(50,000)	-	50,000	-
<b>Total Special Projects</b>	<b>149,920</b>	<b>72,102.07</b>	<b>(77,818)</b>	<b>48%</b>	<b>149,920</b>	<b>-</b>
<b>Total Operating Expense</b>	<b>19,223,744</b>	<b>10,946,876.61</b>	<b>(8,276,867)</b>	<b>57%</b>	<b>19,417,887</b>	<b>194,143</b>
Revenue over expense	3,628,771	10,409,064.92	6,780,294		3,907,922	279,151
<b>Add</b>						
Add back amortization	-	-	-	-	-	-
Transfer from reserves	2,016,750	-	-	-	2,016,750	-
Proceeds of debt	-	-	-	-	-	-
<b>Total Addition</b>	<b>2,016,750</b>	<b>15,000.00</b>	<b>(2,001,750)</b>	<b>1%</b>	<b>2,016,750</b>	<b>-</b>
<b>Deduct</b>						
Transfers to reserves	3,344,221	-	(3,344,221)	-	3,344,221	-
Principal payment on debt	23,250	23,225.20	(25)	100%	23,250	-
<b>Capital</b>						
General Government	469,950	196,500.85	(273,449)	42%	469,950	-
Protective services	-	1,123.50	1,124	-	-	-
Solid Waste management	-	-	-	-	-	-
Development services	160,000	153,202.00	(6,798)	96%	160,000	-
Transportation	1,190,000	65,906.95	(1,124,093)	6%	1,190,000	-
Parks, Recreation & Culture	363,100	65,112.40	(297,988)	18%	363,100	-
General service	2,183,050	481,845.70	(1,701,204)	22%	2,183,050	-
Water service	65,000	2,000.00	(63,000)	3%	65,000	-
Sewer service	30,000	16,779.50	(13,221)	56%	30,000	-
<b>Capital Total</b>	<b>2,278,050</b>	<b>500,625.20</b>	<b>(1,777,425)</b>	<b>22%</b>	<b>2,278,050</b>	<b>-</b>
<b>Total Deduction</b>	<b>5,645,521</b>	<b>523,850.40</b>	<b>(5,121,671)</b>	<b>9%</b>	<b>5,645,521</b>	<b>-</b>
Revenue over expenditure	\$ -	9,900,214.52	\$ 9,900,215		279,151	279,151



# TOWN OF COMOX Regular Council Meeting

<b>FROM:</b>	Clive Freundlich, Director of Finance
<b>SUBJECT:</b>	Draft 2019 Annual Financial Statements
<b>MEETING DATE:</b>	September 2, 2020
<b>DATE:</b>	August 27, 2020

Submitted by

Concurrence

Approval

**RECOMMENDATION:**

That the Draft 2019 Annual Financial Statements be received and approved.

**BACKGROUND:**

The 2019 Financial Statements were prepared by the Town of Comox staff, and audited by MNP.

At the September 2, 2020 Regular Council meeting MNP will present the 2019 Financial Statements to Council. Upon Council’s approval of the statements, MNP will provide their audit opinion on the statements in accordance with Canadian public sector accounting standards.



Consolidated Financial Statements of

# Town of Comox

Year Ended December 31, 2019

DRAFT

# Town of Comox

## Index to Consolidated Financial Statements

### Year Ended December 31, 2019

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Independent Auditors' Report

Statements

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2. Consolidated Statement of Operations
3. Consolidated Statement of Change in Net Financial Assets
4. Consolidated Statement of Cash Flows

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Supplemental Schedules

1. Schedule of Expenses by Object (Type)
2. Schedule of Continuity of Reserve Funds
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4. Continuity of Equity in Tangible Capital Assets
5. Schedule of Tangible Capital Assets
6. Schedule of Operations by Segment (2019)
7. Schedule of Operations by Segment (2018)

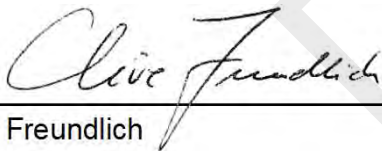
# Town of Comox

## Management's Responsibility for Financial Reporting

The preparation of information in these Consolidated Financial Statements is the responsibility of management. The consolidated financial statements have been prepared in accordance with Canadian public sector accounting standards and are outlined under “Significant Accounting Policies” in the notes to the financial statements. Management is responsible for the integrity and objectivity of these statements as well as the supplementary statements and schedules.

Management maintains a system of internal accounting controls to provide reasonable assurance that assets are safeguarded and that transactions are authorized, recorded and reported properly. Management also maintains a program of proper business compliance.

MNP LLP, the Town’s independent auditors, have conducted an examination of the consolidated financial statements in accordance with Canadian auditing standards and have expressed their opinion in a report accompanying this statement.



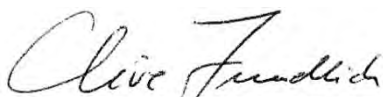
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Clive Freundlich  
Director of Finance

Town of Comox  
 Consolidated Statement of Financial Position  
 as at December 31, 2019

	2019	2018
<b>Financial Assets:</b>		
Cash	\$ 5,385,262	\$ 2,931,482
Short-term investments (Note 2b)	26,746,160	27,985,120
Receivables (Note 3)	1,571,975	830,543
Land for resale	9,847	9,847
	<b>33,713,244</b>	<b>31,756,992</b>
<b>Financial Liabilities:</b>		
Payables (Note 4)	4,024,242	2,996,310
Deferred revenue (Schedule 3)	1,231,889	1,218,066
Restricted revenue (Schedule 3)	6,353,348	6,259,802
Deposits	1,790,886	1,658,338
Debenture debt (Note 5)	146,780	185,389
Future payroll obligations (Note 8)	912,936	929,636
	<b>14,460,081</b>	<b>13,247,541</b>
<b>Net Financial Assets</b>	<b>19,253,163</b>	<b>18,509,451</b>
<b>Non-financial assets:</b>		
Tangible capital assets (Schedule 5)	88,923,013	86,967,255
Supply inventory	222,230	259,092
Prepaid expenses	83,750	60,227
Shares in Courtenay Golf Club Ltd.	8,750	8,750
	<b>89,237,743</b>	<b>87,295,324</b>
<b>Accumulated surplus (Note 16)</b>	<b>\$ 108,490,906</b>	<b>\$ 105,804,775</b>

Contingent liabilities (Note 6)  
 Subsequent event (Note 17)



Clive Freundlich, Director of Finance, responsible for  
 financial administration for the Town of Comox

The accompanying notes are an integral part of these consolidated financial statements.

Town of Comox  
Consolidated Statement of Operations  
Year Ended December 31, 2019

	Budget (Note 15)	2019	2018
<b>Revenue</b>			
Property valuation tax	\$ 8,761,766	\$ 8,736,441	\$ 8,412,203
Parcel taxes	624,200	618,605	633,208
Grants in-lieu of taxes	1,540,800	1,679,854	1,534,872
Revenue from taxation	10,926,766	11,034,900	10,580,283
Utility fees	6,853,250	6,811,730	6,639,049
Other sale of service	2,658,322	2,766,685	2,877,311
Licences, permits & planning fees	330,850	266,800	434,084
Developer cost charges applied	709,140	222,754	25,109
Tangible capital assets contributed	-	-	726,221
Donations	39,500	9,427	116,597
Investment income	450,000	825,478	457,170
Penalties and interest on taxes	56,500	67,631	67,556
Actuarial earnings on sinking fund	-	15,383	68,802
Rentals	163,700	149,796	142,280
Other	89,000	44,408	128,129
Gain on disposal of assets	-	1,000	100,595
Unconditional Grants	375,000	372,809	375,137
Conditional Grants	2,030,842	1,360,990	880,025
	24,682,870	23,949,791	23,618,348
<b>Expenses</b>			
General government	2,293,533	2,498,581	1,870,803
Protective services	3,632,885	3,251,181	3,311,773
Solid waste management	1,464,270	1,315,311	1,333,212
Development services	824,760	576,041	504,708
Transportation	3,721,106	3,523,814	3,490,689
Parks, recreation, and culture	4,917,190	4,601,315	4,628,663
Marina	150,941	156,863	198,977
Water services	2,971,937	2,896,192	2,655,577
Sewer services	2,620,460	2,444,362	2,350,223
	22,597,082	21,263,660	20,344,625
<b>Annual surplus</b>	2,085,788	2,686,131	3,273,723
Accumulated surplus, beginning of year	105,804,775	105,804,775	102,531,052
<b>Accumulated surplus, end of year</b>	\$ 107,890,563	\$ 108,490,906	\$ 105,804,775

The accompanying notes are an integral part of these consolidated financial statements.

Town of Comox

Consolidated Statement of Change in Net Financial Assets

For the Year Ended December 31, 2019

	<b>Budget</b>	<b>2019</b>	<b>2018</b>
	(Note 15)		
<b>Surplus for the year</b>	\$ 2,085,788	\$ 2,686,131	\$ 3,273,723
Tangible capital assets contributed	-	-	(726,225)
Acquisition of tangible capital assets	(10,654,216)	(5,090,207)	(3,218,928)
Amortization of tangible capital assets	3,000,000	3,134,449	3,061,818
Disposition of tangible capital assets	-	-	11,369
	(5,568,428)	730,373	2,401,757
(Increase) / decrease in supply inventory	-	36,862	(939)
(Increase) / decrease in prepaid expenses	-	(23,523)	17,564
	-	13,339	16,625
Increase (decrease) in Net Financial Assets	(5,568,428)	743,712	2,418,382
Net Financial Assets at beginning of year	18,509,451	18,509,451	16,091,069
<b>Net Financial Assets at end of year</b>	<b>\$ 12,941,023</b>	<b>\$ 19,253,163</b>	<b>\$ 18,509,451</b>

The accompanying notes are an integral part of these consolidated financial statements.

Town of Comox  
 Consolidated Statement of Cash Flows  
 as at December 31, 2019

	2019	2018
Net inflow (outflow) of cash related to the following activities:		
<b>Operating activities:</b>		
Surplus for the year	\$ 2,686,131	\$ 3,273,723
Non-cash items included in operations:		
Contribution from developers	-	(726,225)
Amortization of tangible capital assets	3,134,449	3,061,818
Disposition of tangible capital assets	-	11,369
Actuarial adjustment on debt	(15,383)	(68,802)
Net changes to financial assets & liabilities through operations:		
(Increase) / Decrease in receivables	(741,432)	(12,416)
Increase in payables	1,027,932	795,869
Increase in deferred revenue	13,823	101,648
Increase in restricted revenue	93,546	798,595
Increase in deposits	132,547	169,667
Increase / (Decrease) in future payroll obligations	(16,700)	13,485
(Increase) / Decrease in supply inventory	36,862	(939)
(Increase) / Decrease in prepaid expenses	(23,523)	17,564
	6,328,252	7,435,356
<b>Investing Activities</b>		
Short-term investing	1,238,960	(6,809,769)
<b>Capital Activities</b>		
Acquisition of tangible capital assets	(5,090,207)	(3,218,928)
<b>Financing activities:</b>		
Debenture principal repaid	(23,225)	(174,070)
Increase / (Decrease) in cash and cash equivalents	2,453,780	(2,767,411)
Cash and cash equivalents, beginning of year	2,931,482	5,698,893
<b>Cash and cash equivalents, end of year</b>	<b>\$ 5,385,262</b>	<b>\$ 2,931,482</b>
Supplemental cash flow information		
Interest paid	\$ 13,925	\$ 27,934
Interest received	\$ 825,478	\$ 457,170

The accompanying notes are an integral part of these consolidated financial statements.

# Town of Comox

## Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

### 1. PURPOSE

The Town of Comox was incorporated in 1946 to provide municipal services to its residents, and is governed by the Community Charter and the Local Government Act of British Columbia.

### 2. SIGNIFICANT ACCOUNTING POLICIES

#### (a) British Columbia Municipalities

It is the policy of the Town to follow accounting principles generally accepted for British Columbia municipalities and to apply such principles consistently. As part of this policy, the resources and operation of the Town are segregated into various funds for accounting and financial reporting purposes, each being treated as a separate entity with responsibility for the stewardship of the assets allocated to it.

The consolidated financial statements are prepared in accordance with recommendations of the Public Sector Accounting Board (PSAB). The consolidated financial statements include the financial position, financial operations, change in net financial assets, and change in cash flows of the one economic entity of the Town of Comox. Inter-fund transactions and fund balances have been eliminated on consolidation.

#### (b) Short-term Investments

Investments are comprised of various investment funds of the Municipal Finance Authority of BC which have fluctuating returns and are carried at the market value, which is equal to the carrying value, and Guaranteed Investment Certificates.

Short-term Investments	2019	2018
Municipal Finance Authority of BC Funds:		
Short-term Bond Fund *	\$ 49,993	\$ 48,372
Intermediate Bond Fund	397,818	5,836,086
Money Market Fund	510,268	7,491,533
* Adjusted for Trust Fund	958,079	13,375,990
Guaranteed Investment Certificates		
Scotiabank	1,754,423	6,109,130
Coast Capital Savings	21,500,000	6,000,000
Coastal Community Credit Union	2,533,658	2,500,000
	\$ 26,746,160	\$ 27,985,120

#### (c) Trust Fund

A Town-administered trust fund has been excluded from the financial statements. The balance in the fund was \$ 268,904 at December 31, 2019 (\$ 260,802 in 2018). It was invested in the MFA Short-term Bond Fund in 2019 and 2018. Interest earned was \$8,103 in 2019 (\$4,832 in 2018).

# Town of Comox

## Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

### 2. SIGNIFICANT ACCOUNTING POLICIES (continued)

(d) Tangible Capital Assets

Tangible capital assets are recorded at cost, net of disposals, write-downs and amortization. Acquisitions exceeding the capitalization thresholds are capitalized. The Town records certain infrastructure assets as one network without breaking down the asset into component parts. Expenditures to replace components of such a network are expensed as incurred. Amortization is calculated straight line over the estimated life of the class of assets. Amortization is not taken until the asset is in use. Repairs and maintenance are not capitalized, but are expensed in the period in which they occur. Betterments which enhance the asset life or capacity are capitalized.

Major Asset Category	Threshold	Estimated Life
Land	\$ 10,000	Indefinite
Land improvements	\$ 10,000	25 years
Buildings	\$ 10,000	50 years
Vehicles, Machinery and Equipment	\$ 10,000	8 to 20 years
Computers and programs	\$ 10,000	5 years
Engineered Structures		
Road surfaces	\$ 10,000	25 years
Road sub-surfaces	\$ 10,000	50 years
Sidewalks	\$ 10,000	50 years
Storm drains surface	\$ 10,000	25 years
Storm drains sub-surface	\$ 10,000	75 years
Water	\$ 10,000	75 years
Sewer	\$ 10,000	75 years
Other surface structures	\$ 10,000	25 years

(e) Future Payroll Obligations

- Earned but unpaid vacation is fully accrued and recorded in the financial statements.
- An accrual is made for expected payments of employee sick leave, payout on retirement, disability or death, and termination pay discounted from expected future values to net present value at year-end.

(f) Inventory

Inventory of supplies is recorded as a non-financial asset and is valued at the lower of cost and net realizable value. Cost is determined by the first-in, first-out method. Net realizable value is the estimated selling price in the ordinary course of business, less estimated costs of completion and selling costs.

## Town of Comox

### Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

#### 2. SIGNIFICANT ACCOUNTING POLICIES (continued)

(g) Funds

The financial operations of the Town of Comox are divided into seven funds: General Operating Fund, General Capital Fund, Reserve Fund, Water Operating Fund, Water Capital Fund, Sewer Operating Fund and Sewer Capital Fund. Functionally, the Water and Sewer Funds are used for the services of distribution of potable water and collection and treatment of sanitary sewage respectively. The General Operating Fund is used for all other Town services. Capital Funds (General, Water and Sewer) are used to segregate tangible capital assets and related debt. All revenue and expenses for services are recognized in the operating funds. The Reserve Fund is used to segregate capital and other statutory reserves.

(h) Revenue Recognition

Property tax revenues are recognized in the year they are levied. User fees and garbage revenues are recognized when the service is provided. Interest and operating grants are recognized as earned. Capital grants are recognized when the related acquisition occurs. Grants in lieu of taxes are recorded on an accrual basis when it is possible to reasonably estimate the amounts receivable. User fees, garbage collection and disposal are recognized as revenue on an accrual basis according to rates set in various fees and charges bylaws. Permit fees are recognized once the permit has been approved and the fee collected. Development cost charges are deferred and recognized as revenue in the year an acquisition authorized by bylaw is incurred. Contributed parcels of land are valued at fair market value at the date of contribution. Contributed tangible capital assets are recorded at fair market value when the contribution is received. Transfers are recognized as deferred revenue when transfer stipulations give rise to a liability. Transfer revenue is recognized in the statement of operations as the stipulation liabilities are settled.

(i) Liability for contaminated sites

A liability for remediation of a contaminated site is recognized at the best estimate of the amount required to remediate the contaminated site when contamination exceeding an environmental standard exists, the Town is either directly responsible or accepts responsibility, it is expected that future economic benefits will be given up, and a reasonable estimate of the amount is determinable. The best estimate of the liability includes all costs directly attributable to remediation activities and is reduced by expected net recoveries based on information available at December 31, 2019.

At each financial reporting date, the Town reviews the carrying amount of the liability. Any revisions required to the amount previously recognized is accounted for in the period revisions are made. The Town continues to recognize the liability until it is settled or otherwise extinguished. Disbursements made to settle the liability are deducted from the reported liability when they are made. As at December 31, 2019 the Town has not recorded any liability for contaminated sites as no such sites have been identified.

## Town of Comox

### Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

#### 2. SIGNIFICANT ACCOUNTING POLICIES (continued)

(j) Measurement Uncertainty

The preparation of consolidated financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and the disclosure of contingent assets and liabilities at the date of the consolidated financial statements, as well as the reported amounts of revenues and expenses during the reporting period. Significant areas requiring management estimates are the estimated life of tangible capital assets (used to establish amortization), determination of future payroll obligation, collectability of accounts receivable and provisions for contingencies. Actual results may vary from the estimates and adjustments will be reported and reflected in operations as they become known. Liabilities for contaminated sites are estimated based on the best information available regarding potentially contaminated sites that the Town is responsible for.

#### 3. RECEIVABLES

Receivables are composed of the following amounts:

	2019	2018
Employees	\$ -	\$ 747
Governments	277,685	150,576
Other	1,294,290	679,220
Total receivables	\$ 1,571,975	\$ 830,543

#### 4. PAYABLES

Payables are composed of the following amounts:

	2019	2018
Wages payable	\$ 65,876	\$ 220,903
Governments	2,176,607	2,400,080
Trade & Other	1,781,758	375,327
Total payables	\$ 4,024,242	\$ 2,996,310

Town of Comox  
Notes to the Consolidated Financial Statements  
For the year ended December 31, 2019

5. DEBENTURES ISSUED FOR THE TOWN

The Town's debenture debt arises from participation in debenture issued by the Municipal Finance Authority (MFA) of B.C. These are sinking-fund type debentures with various terms and interest rates.

The outstanding debt reported is the original amount borrowed less the actuarial value of the sinking fund, including interest. The outstanding debentures at December 31, 2019 are:

Issued / Bylaw #	Purposes of Borrowing	Terms	Interest Rate	Amount Borrowed	Sinking Fund	Net Owing	Debt Reserve	Promissory Note
Apr 2004 B/L #2426	Kye Bay Water & Sewer system	19 yrs	2.40%	\$ 317,250	\$ 241,404	\$ 75,847	\$ 5,315	\$ 9,731
Apr 2008 B/L #1520	Pt. Holmes Water	14 yrs	4.65%	270,000	\$ 199,067	70,933	3,820	10,958
Total at December 31, 2019				\$ 587,250	\$ 440,470	\$ 146,780	\$ 9,135	\$ 20,689
Total at December 31, 2018				\$ 587,250	\$ 401,861	\$ 185,389	\$ 8,927	\$ 20,689

Scheduled payments and net balances for the above issues over the next five years are:

Year	Schedule Annual Payments			Sinking Fund		Net Debt
	Principal	Interest	Total	Actuarial Earnings	Outstanding	
2020	\$ 23,225	\$ 13,224	\$ 36,449	\$ 17,095	\$ 106,459	
2021	23,225	13,224	36,449	18,884	64,350	
2022	23,225	9,714	32,939	20,753	20,371	
2023	8,465	6,204	14,669	11,907	-	

At the time the debentures were issued, the MFA deposited 1% of the amount borrowed to its Debt Reserve Fund. This is managed by the MFA and used to secure the debenture issue as a whole (see Note 6 Contingent Liabilities). Once the MFA has repaid the debenture issue, the Town is entitled to the proceeds of its share of the Debt Reserve Fund, including accrued interest.

## Town of Comox

### Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

#### 6. CONTINGENT LIABILITIES

##### (a) Regional District Debt

Regional District debt is, under the provisions of the Local Government Act (Section 836), a direct, joint and several liability of the District and each member municipality within the District, including the Town of Comox. Readers are referred to the Comox Valley Regional District 2019 Audited Financial Statements for specific information and detail.

##### (b) Municipal Finance Authority Debentures

The Town is also contingently liable to the Municipal Finance Authority (MFA) of B.C. for a Debt Reserve Fund, to help secure its participation MFA Debentures (see Note 5). The MFA has the right, if one or more participants in that issue default, to draw upon the Town's share of the Debt Reserve Fund (\$9,135 at December 31, 2019; \$8,927 in 2018), plus Promissory Notes issued by the Town at the time of issue (\$20,689 at December 31, 2019; \$20,689 in 2018).

##### (c) Comox Fire Department

The Comox Fire Department protects both the Town of Comox and the Comox Rural Fire Protection Improvement District, and so is jointly funded by the Town and the District. In the event that this relationship ended, the Town would have to compensate the District for its share of the equity of Fire Department assets. At December 31, 2019 the District's share of those tangible capital assets (at cost and net book value) were \$1,071,528 and \$501,792 respectively (\$1,030,424 and \$496,642 in 2018) and its share of a Fire Department Capital Reserve was \$108,800 (\$85,679 in 2018).

##### (d) Claims

At December 31st there existed outstanding claims against the Town. These claims have been referred to legal counsel and to the Town's liability insurers. It is not possible to determine the Town's potential liability, if any, with respect to these matters.

## Town of Comox

### Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

#### 7. PENSION INFORMATION

The Town of Comox and its employees contribute to the Municipal Pension Plan (a jointly trustee pension plan). The board of trustees, representing plan members and employers, is responsible for administering the plan, including investment of assets and administration of benefits. The plan is a multi-employer defined benefit pension plan. Basic pension benefits are based on a formula. As at December 31, 2018, the plan has about 205,000 active members and approximately 101,000 retired members. Active members include approximately 40,000 contributors from local governments

Every three years, an actuarial valuation is performed to assess the financial position of the plan and adequacy of plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the plan. The actuary's calculated contribution rate is based on the entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for average future entrants to the plan. This rate may be adjusted for the amortization of any actuarial funding surplus and will be adjusted for the amortization of any unfunded actuarial liability.

The most recent actuarial valuation for the Municipal Pension Plan as at December 31, 2018, indicated a \$2,866 million funding surplus for basic pension benefits on a going concern basis.

The Town of Comox paid \$429,181 for employer contributions to the plan in fiscal 2019 (\$438,710 in 2018).

Employers participating in the plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the plan records accrued liabilities and accrued assets for the plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the plan.

#### 8. FUTURE PAYROLL OBLIGATIONS

The Town calculates the value of vacation, sick, severance, and meritorious service accruals to be \$912,936 at December 31, 2019 (\$929,636 in 2018).

Vacation Accrual is calculated to be \$458,530 at December 31, 2019 (\$485,760 in 2018). Sick, Severance, & Meritorious Service is calculated to be \$454,406 at December 31, 2019 (\$443,876 in 2018).

Meritorious Service is for Town employees who have worked at least 10 years for the Town and then retire, become permanently disabled, or die receive 2 days pay for each year of service. The reported liability reflects the likelihood that employees will become eligible for this benefit. The calculations were projected into the future with an inflation factor of 2.0% and discounted back at a discount rate of 2.10% (2% and 2.90% respectively in 2018). Employee retirement benefit payments are being funded by an accounting charge on wages paid in the year.

## Town of Comox

### Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

#### 9. FINANCIAL INSTRUMENTS

Financial instruments consist of cash, short-term investments, receivables, payables, debenture debt, and deposits. It is management's opinion that the Town is not exposed to significant interest, currency or credit risk arising from these financial instruments.

#### 10. ENVIRONMENTAL REGULATIONS

The Town makes every reasonable effort to comply with all environmental regulations that apply to its operations. These regulations may require future expenses to meet applicable standards. Amounts required to meet these obligations will be charged to operations when incurred or set aside as future reserves when they can be reasonably estimated.

#### 11. FEDERAL PAYMENTS IN LIEU OF TAX

Although the Town is not economically dependent upon receipt of Federal Payments in Lieu of Tax (PILT), it normally receives 15% of its revenue from taxation from this source of revenue. Were the Government of Canada to halt its PILT, there would be a significant impact on operations that could result in either a reduction in service levels and/or an increase in property tax rates.

#### 12. RESTRICTION ON DEFERRED REVENUE

The Town receives Development Cost Charges from developers. Section 935 of the Local Government Act requires that these funds are deposited to reserves and limits the use of those reserves (including the interest earned on them) to capital costs related to the purpose for which the charge was collected. Section 941 of the Local Government Act similarly limits the use of cash payments received in lieu of the 5% parklands provided at subdivision of land, for acquisitions of parkland.

## Town of Comox

### Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

#### 13. SEGMENTED INFORMATION

The Town of Comox is a local government that provides a wide range of services to its citizens. For management and reporting purposes the Town's operations are organized and reported by segments. Schedules 6 and 7 (for 2019 and 2018, respectively) of these Financial Statements disclose the Town's revenue and expenses split into the following segments:

General Government – including the activities of Council plus general Town administration, finance, and enforcement of Town bylaws.

Protective Services – including the activities of the RCMP on behalf of Comox, plus the Comox Volunteer Fire Department, building inspection, emergency planning and animal control.

Transportation – including roads, sidewalks, street lighting, traffic control and storm drains.

Solid Waste Management – including collection and disposal of garbage, recyclables and yard waste. The Town does not operate any landfills or transfer facilities.

Development Services – including Town planning and our annual grants to the Downtown Business Improvement Area Association.

Marina – is operation of the Town's marina.

Parks, Recreation, and Culture – including operating the Town's recreation centre and public recreation programs, Town parks and greenways, cultural grants from the Town and events sponsored for the Town, Christmas lighting, and Town buildings used for recreation and cultural activities. The Town is a member of the Vancouver Island Regional Library (VIRL), and owns library space that it rents to VIRL, which operates the Comox library branch.

Water Service – is the distribution of water to Town residents. The Town buys treated bulk water from the Comox Valley Regional District, so the Town neither produces nor treats the water it distributes.

Sanitary Sewer Service – is the collection of sanitary sewage and transmission of the same to the sanitary sewer treatment system operated by the Comox Valley Regional District. The Regional District charges the Town for a share of the costs to operate its system.

Certain allocations are employed in the preparation of segmented financial information. General Property Taxation, Payments in Lieu thereof, and Investment income are not allocated between segments, but are allocated to General Government. Government grants and DCCs used for capital acquisitions are allocated to segments depending on the purpose of the grant. Investment income is allocated to segments depending on the nature of the capital reserves that it has been earned on. Some expenses are allocated to segments based on an estimated use of resources.

The accounting policies used in these segments are consistent with those followed in preparation of the consolidated financial statements as disclosed in Note 2.

There are no inter-segment sales of goods or services.

## Town of Comox

### Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

#### 14. COMMUNITY WORKS (FEDERAL GAS TAX) FUNDS

The Town receives transfers of Community Works (federal gas tax) Funds through the Union of BC Municipalities that can be used to fund eligible expenditures.

Continuity of Funds:	2019	2018
Opening balance at start of year	\$ 3,308,355	\$ 2,809,240
Transfers received during year	1,302,852	657,246
Interest on investments	70,514	56,449
Draws to fund eligible projects	(841,237)	(214,580)
Closing balance at end of year	\$ 3,840,483	\$ 3,308,355

These transfers are recorded as conditional grant revenue because they can only be used for eligible expenditures under the terms of a 2014 agreement between the Government of Canada and the Union of BC Municipalities.

#### 15. RECONCILIATION OF 2019 BUDGET

The Town's budget figures come from a five-year Financial Plan adopted May 8, 2019 in accordance with Section 165 of the Community Charter of BC. That section requires that municipalities must set out for each year of their Plan, the proposed expenditures (including debt principal repayments, transfers to reserves, and tangible capital asset acquisitions) and the proposed funding sources for them (including debt issues and transfers from reserves and accumulated surplus). However, for financial reporting purposes the Town follows public sector accounting standards and reports revenues and expenses, so the following adjustments must be made to the budgeted figures to reconcile them to the Towns 2019 Financial Plan:

Reconciliation of 2019 Budget Reported to Financial Plan:	
Net budget for 2019 reported	\$ 2,085,788
Capital acquisitions in Financial Plan	(10,654,216)
Transfers from capital reserves in Financial Plan	7,433,462
Transfers to capital reserves in Financial Plan	(4,327,024)
Debt principal repayments in Financial Plan	(38,010)
Proceeds of debt	2,500,000
Amortization expense	3,000,000
Net of Financial Plan	\$ -

## Town of Comox

### Notes to the Consolidated Financial Statements

For the year ended December 31, 2019

#### 16. ACCUMULATED SURPLUS

Operating Funds - comprise the principal operating activities of the Town and are separated into General, Water, and Sanitary Sewer Funds.

Capital Funds - used to record the acquisition and disposal of tangible capital assets and related financing and are similarly separated into General, Water and Sanitary Sewer Funds. The General Capital Fund also contains shares in Courtenay Golf Club Ltd. carried at a value of \$8,750.

Reserve Funds - created to hold cash, and investments for specific future requirements. They are comprised of the funds shown in Schedule 2.

Accumulated Surplus	2019	2018
Operating Funds:		
General Operating Fund	\$ 2,659,707	\$ 1,774,980
Water Operating Fund	1,172,919	1,215,250
Sanitary Sewer Operating Fund	2,909,718	2,738,100
	<hr/>	<hr/>
	6,742,344	5,728,330
Capital Funds:		
General Capital Fund	71,655,943	69,942,500
Water Capital Fund	8,833,150	8,702,021
Sanitary Sewer Capital Fund	8,295,889	8,146,095
	<hr/>	<hr/>
	88,784,982	86,790,616
Reserve Funds (Schedule 2)	12,963,580	13,285,829
Net of Financial Plan	<hr/>	<hr/>
	\$ 108,490,906	\$ 105,804,775

#### 17. SUBSEQUENT EVENT

Subsequent to year-end, there was a global outbreak of COVID-19 (coronavirus), which has had a significant impact on businesses through the restrictions put in place by the Canadian, provincial and municipal governments regarding travel, business operations and isolation/quarantine orders. At this time, it is unknown the extent of the impact the COVID-19 outbreak may have on the Town of Comox as this will depend on future developments that are highly uncertain and that cannot be predicted with confidence. These uncertainties arise from the inability to predict the ultimate geographic spread of the disease, and the duration of the outbreak, including the duration of travel restrictions, business closures or disruptions, and quarantine/isolation measures that are currently, or may be put, in place by Canada and other countries to fight the virus.

Town of Comox

Schedule of Expenses by Object (Type)

Year ended December 31, 2019

Schedule 1

	<b>Budget</b>	<b>2019</b>	<b>2018</b>
	(Note 15)		
<b>Expenses</b>			
Salaries, wages and employee benefits	\$ 6,924,473	\$ 7,096,051	\$ 6,453,008
Contracted and general services	11,548,129	8,326,143	8,185,199
Materials, goods, supplies and utilities	1,037,990	2,679,352	2,600,674
Interest and bank charges	86,490	27,666	43,926
Amortization of tangible capital assets	3,000,000	3,134,448	3,061,818
	<b>\$ 22,597,082</b>	<b>\$ 21,263,660</b>	<b>\$ 20,344,625</b>

Town of Comox

Schedule of Continuity of Reserve Funds  
 Year ended December 31, 2019

Schedule 2

	2019	2018
Opening Balance of Reserve Funds	\$ 13,285,829	\$ 10,569,708
Contributions to funds from operations	3,597,598	4,136,858
Interest earned on funds	260,552	212,638
Withdrawals from funds for capital acquisitions	(4,180,399)	(1,633,375)
<b>Closing balance of Reserve Funds (Note 16)</b>	<b>\$ 12,963,580</b>	<b>\$ 13,285,829</b>
Represented by the following financial assets:		
Cash and short-term investments	\$ 12,963,580	\$ 13,285,829
Including the following Reserve Funds:		
Community Works (Federal Gas Tax) Funds (Note 14)	\$ 3,840,484	3,308,355
Asset replacement reserve	82,500	-
Capital Works Reserve	939,263	1,538,984
Equipment Replacement Reserve	521,548	506,411
Municipal Marina Reserve	561,250	467,614
Water Utility Reserve	1,501,381	676,935
Sewer Enterprise Reserve	4,392,463	5,769,769
Lancaster Sewer Lift Station Capital Reserve	79,553	78,110
Point Holmes Sewer Lift Station Capital Reserve	52,464	51,513
Recreation Centre Capital Reserve	5,772	-
Waterfront Walkway Reserve	335	329
Affordable Housing Reserve	180,460	177,187
Fire Department Capital Reserve - Town Share	278,817	214,042
Public Safety Reserve	418,490	410,901
	12,854,780	13,200,150
Fire Department Capital Reserve CFPID share (Note 7c)	108,800	85,679
	<b>\$ 12,963,580</b>	<b>\$ 13,285,829</b>

Town of Comox

Schedule of Deferred and Restricted Revenue Continuity  
 Year ended December 31, 2019

Schedule 3

	2018 Balance	Receipts	Interest	Recognized as Revenue	2019 Balance
<b>Deferred Revenue</b>					
Prepaid property taxes	\$ 825,885	\$ 900,797	\$ 13,432	\$ 834,295	\$ 905,819
Prepaid parcel tax commutation - Kye Bay Water / Sewer	7,662				7,662
Prepaid General fees (Marina, Dog, Business licenses)	92,244	383,231		392,546	82,929
Prepaid Recreation fees	292,275	517,934		574,730	235,479
<b>Total Deferred Revenue</b>	<b>1,218,066</b>	<b>1,801,962</b>	<b>13,432</b>	<b>1,801,571</b>	<b>1,231,889</b>
<b>Restricted Revenue</b>					
<u>Development Charges:</u>					
Open Space Development Cost Charges	2,873,469	73,790	65,718	-	3,012,977
Water Development Cost Charges	1,185,849		26,926	143,961	1,068,814
Major Road Development Cost Charges	591,253	62,754	13,839	-	667,846
Storm Drain Development Cost Charges	665,266	-	15,106	74,609	605,763
Sanitary Sewer Development Cost Charges	171,624	36,428	4,129	4,184	207,997
	5,487,461	172,972	125,718	222,754	5,563,397
<u>Other Restricted Revenue</u>					
5% Payment in Lieu of Parks Dedication	404,361	-	9,181	-	413,542
Developer Payments in Lieu of Parking	30,426	-	691	-	31,117
Developer Contribution for Public Amenities	25,000	-	568	-	25,568
Developer Payments for Affordable Housing	312,554	-	7,170	-	319,724
	772,341	-	17,610	-	789,951
<b>Total Restricted Revenue</b>	<b>6,259,802</b>	<b>172,972</b>	<b>143,328</b>	<b>222,754</b>	<b>6,353,348</b>

# Town of Comox

Continuity of Equity in Tangible Capital Assets  
Year ended December 31, 2019

Schedule 4

	2019	2018
Opening balance of equity in Tangible Capital Assets	86,790,616	85,675,778
Changes in Capital Assets		
Acquisitions of tangible capital assets	5,090,207	3,218,928
Tangible capital assets acquired through development	-	726,225
Write-offs of assets replaced (at NBV)	-	(11,369)
Amortization expense	(3,134,449)	(3,061,818)
Changes in related liabilities		
Principal payment on debenture (to sinking fund)	23,225	174,070
Actuarial earnings on debenture sinking fund	15,383	68,802
<b>Closing Balance of Equity in Tangible Capital Assets</b>	<b>\$ 88,784,982</b>	<b>\$ 86,790,616</b>
Represented by the following:		
Tangible capital assets at net book value (Schedule 5)		
Capital assets at cost	\$ 138,551,362	\$ 133,756,300
Less accumulated amortization	(49,628,349)	(46,789,045)
Tangible capital assets at net book value	88,923,013	86,967,255
Net debenture debt (Note 6)	(146,781)	(185,389)
Shares in Courtenay Golf Club Ltd.	8,750	8,750
	<b>\$ 88,784,982</b>	<b>\$ 86,790,616</b>

Town of Comox  
 Schedule of Tangible Capital Assets  
 Year ended December 31, 2019

Schedule 5

										Totals	
	LandImp	Land Improvements	Buildings	Equipment	Transportation	Storm / Drain	Water Service	Sewer Service	Work in Progress	2019 Total	2018 Total
<b>Cost</b>											
Opening costs	8,985,178	4,919,382	19,064,804	7,269,589	44,971,742	22,885,532	13,254,999	12,061,569	343,505	133,756,300	130,282,689
Additions during the year	-	-	294,916	974,519	2,770,952	229,319	382,015	-	438,486	5,090,207	3,945,153
Add/(Less): Assets put to use	-	-	26,203	34,681	85,615	38,687	17,682	-	(202,868)	-	-
Disposals and write downs	-	-	-	(295,145)	-	-	-	-	-	(295,145)	(471,542)
Closing costs	8,985,178	4,919,382	19,385,923	7,983,644	47,828,309	23,153,538	13,654,696	12,061,569	579,123	138,551,362	133,756,300
<b>Accumulated Amortization</b>											
Opening accum'd amortization	-	2,151,100	4,129,806	4,102,724	21,573,947	6,662,137	4,337,130	3,832,201	-	46,789,045	44,187,400
Amortization	-	165,696	389,708	544,918	1,200,024	323,888	333,668	176,547	-	3,134,449	3,061,818
Accum Amort Adj for Disp/WD	-	-	-	(295,145)	-	-	-	-	-	(295,145)	(460,173)
Closing accum'd amortization	-	2,316,796	4,519,514	4,352,497	22,773,971	6,986,025	4,670,798	4,008,748	-	49,628,349	46,789,045
Net Book Value of Tangible Capital Assets	8,985,178	2,602,586	14,866,409	3,631,147	25,054,338	16,167,513	8,983,898	8,052,821	579,123	88,923,013	86,967,255

DRAFT

Town of Comox  
 Schedule of Operations by Segment  
 Year ended December 31, 2019

	General Government	Protective Services	Solid Waste Management	Development Services	Transportation	Parks, Recreation & Culture	Marina	Water	Sanitary Sewer	Total All Segments	2019 Budget
<b>Revenue</b>											
Property valuation tax	\$ 8,663,154	\$ -	\$ -	\$ 73,287	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 8,736,441	\$ 8,761,766
Parcel taxes	-	-	-	-	4,106	-	-	300,632	313,867	618,605	624,200
Grants in-lieu of taxes	1,679,854	-	-	-	-	-	-	-	-	1,679,854	1,540,800
Utility fees	-	-	1,667,083	-	-	-	-	2,644,363	2,500,284	6,811,730	6,853,250
Other sale of service	80,531	554,098	-	-	1,100	1,750,469	380,487	-	-	2,766,685	2,658,322
Licences, permits & planning fees	60,757	146,616	-	59,427	-	-	-	-	-	266,800	330,850
Developer cost charges applied	-	-	-	-	74,609	-	-	143,961	4,184	222,754	709,140
Tangible capital assets contributed	-	-	-	-	-	-	-	-	-	-	-
Donations	-	-	-	-	-	9,427	-	-	-	9,427	39,500
Investment income	504,640	14,380	-	67,892	88,384	7,095	-	34,606	108,481	825,478	450,000
Penalties and interest on taxes	67,631	-	-	-	-	-	-	-	-	67,631	56,500
Actuarial earnings on sinking fund	-	-	-	-	-	-	-	10,966	4,417	15,383	-
Rentals	-	-	-	-	-	149,796	-	-	-	149,796	163,700
Other	42,212	-	-	-	2,196	-	-	-	-	44,408	89,000
Gain on disposal of assets	-	-	-	-	1,000	-	-	-	-	1,000	-
Unconditional Grants	316,234	56,575	-	-	-	-	-	-	-	372,809	375,000
Conditional Grants	-	25,862	-	-	1,302,852	32,276	-	-	-	1,360,990	2,030,842
	11,415,013	797,531	1,667,083	200,606	1,474,247	1,949,063	380,487	3,134,528	2,931,233	23,949,791	24,682,870
<b>Expenses</b>											
Employees	1,630,755	1,046,290	49,238	431,842	1,235,533	2,345,900	73,189	239,916	43,388	7,096,051	6,924,473
Services	741,849	1,886,014	1,264,656	139,156	205,374	1,368,463	68,100	446,813	2,205,718	8,326,143	11,548,129
Materials	39,095	163,375	1,417	5,043	246,183	327,902	15,574	1,865,634	15,129	2,679,352	1,037,990
Interest	13,925	-	-	-	-	-	-	10,161	3,580	27,666	86,490
Amortization	72,957	155,502	-	-	1,836,724	559,050	-	333,668	176,547	3,134,448	3,000,000
	2,498,581	3,251,181	1,315,311	576,041	3,523,814	4,601,315	156,863	2,896,192	2,444,362	21,263,660	22,597,082
<b>Surplus for the year</b>	\$ 8,916,432	\$ (2,453,650)	\$ 351,772	\$ (375,435)	\$ (2,049,567)	\$ (2,652,252)	\$ 223,624	\$ 238,336	\$ 486,871	\$ 2,686,131	\$ 2,085,788

Town of Comox  
 Schedule of Operations by Segment  
 Year ended December 31, 2018

	General Government	Protective Services	Solid Waste Management	Development Services	Transportation	Parks, Recreation & Culture	Marina	Water	Sanitary Sewer	Total All Segments	2018 Budget
<b>Revenue</b>											
Property valuation tax	\$ 8,322,434	\$ -	\$ -	\$ 72,900	\$ 16,869	\$ -	\$ -	\$ -	\$ -	\$ 8,412,203	\$ 8,415,570
Parcel taxes	-	-	-	-	20,974	-	-	306,844	305,390	633,208	639,290
Grants in-lieu of taxes	1,534,872	-	-	-	-	-	-	-	-	1,534,872	1,468,800
Utility fees	-	-	1,622,349	-	-	-	-	2,540,262	2,476,438	6,639,049	6,710,730
Other sale of service	96,323	546,030	-	-	16,871	1,845,501	372,586	-	-	2,877,311	2,513,222
Licences, permits & planning fees	93,340	281,444	-	59,300	-	-	-	-	-	434,084	193,550
DCC's used for capital acquisitions	-	-	-	-	10,859	-	-	14,250	-	25,109	444,776
TCA acquired through developers	-	-	-	-	499,389	-	-	135,528	91,304	726,221	-
Donations	-	-	-	-	-	116,597	-	-	-	116,597	46,500
Investment income	136,332	14,380	-	67,892	88,384	7,095	-	34,606	108,481	457,170	144,000
Penalties and interest on taxes	67,556	-	-	-	-	-	-	-	-	67,556	52,000
Actuarial earnings on sinking fund	-	-	-	-	21,465	33,592	-	9,753	3,992	68,802	-
Rentals	-	-	-	-	-	142,280	-	-	-	142,280	130,200
Other	125,821	-	-	-	1,438	-	-	-	870	128,129	135,500
Gain on disposal of assets	-	22,965	-	-	77,630	-	-	-	-	100,595	-
Unconditional Grants	319,058	56,079	-	-	-	-	-	-	-	375,137	375,000
Conditional Grants	2,720.00	17,600	-	-	794,446	65,259	-	-	-	880,025	1,137,240
	10,698,456	938,498	1,622,349	200,092	1,548,325	2,210,324	372,586	3,041,243	2,986,475	23,618,348	22,406,378
<b>Expenses</b>											
Employees	1,247,807	1,014,488	48,387	395,134	1,056,038	2,340,288	73,463	213,223	64,180	6,453,008	6,165,800
Services	539,618	1,978,053	1,283,686	105,784	297,051	1,483,175	74,623	335,425	2,087,784	8,185,199	9,277,306
Materials	32,635	185,047	1,139	3,790	279,087	304,359	7,584	1,764,978	22,055	2,600,674	2,755,650
Interest	9,361	-	-	-	9,500	9,073	-	14,340	1,652	43,926	69,250
Amortization	41,382	134,185	-	-	1,849,013	491,768	43,307	327,611	174,552	3,061,818	3,000,000
Other	-	-	-	-	-	-	-	-	-	-	15,000
	1,870,803	3,311,773	1,333,212	504,708	3,490,689	4,628,663	198,977	2,655,577	2,350,223	20,344,625	21,283,006
<b>Surplus for the year</b>	\$ 8,827,653	\$ (2,373,275)	\$ 289,137	\$ (304,616)	\$ (1,942,364)	\$ (2,418,339)	\$ 173,609	\$ 385,666	\$ 636,252	\$ 3,273,723	\$ 1,123,372

[Date]

Ref: 256384

Honourable John Horgan  
Premier  
PO Box 9041 Stn Prov Govt  
Victoria BC V8W 9E1

Honourable Carole James  
Minister of Finance  
PO Box 1234 Stn Prov Govt  
Victoria BC V1A 2BC

Dear Premier and Minister James:

During the month of July, I held 10 consultation sessions about COVID-19 and economic recovery with municipal mayors and regional district chairs or their representatives across the province. The sessions provided an opportunity for local governments to contribute directly to British Columbia's recovery conversation. The Ministry of Municipal Affairs and Housing invited representatives from 189 local governments including 21 regional districts and 14 resort communities to the conversations. The discussion and ideas that were generated helped inform this letter and I am pleased to share them with you.

Overwhelmingly, local government representatives were most concerned about connectivity, infrastructure, transit and food security. The ministry also heard that people want more than economic recovery, they want to make things better for everyone and COVID-19 provides the opportunity to do that as we restart the economy towards recovery.

The consultation sessions were guided by the principles, values and measures outlined in the government's discussion paper, Building B.C.'s Recovery, Together. They focused on the importance of getting people back to work quickly, the value of equity, leaving no one behind, restoring the Province of British Columbia's revenue base, supporting climate commitments, and having an immediate and demonstrable impact on economic recovery.

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Local governments put forward a variety of practical, innovative and valuable ideas in the consultation sessions. The following priority themes (common topics or subject areas for recovery investment) were identified:

- **Connectivity/Broadband**
- **Investment in Infrastructure**
- **Transit/Transportation**
- **Agriculture/Food Security**
- **Child Care**
- **Low Wage Workers/Employment**
- **Health Care, Mental Health and Social Services**
- **Tourism/Recreation**
- **Education/Training**
- **Clean Energy and Technology**
- **Affordable Housing**
- **Industry/Business Development**
- **Reconciliation**

These priority themes (described further in **Appendix 1**) cut across all local governments, independent of size and location. They also reflect a strong sense of “building back better” – an idea that has been widely expressed by many who say that with the hard economic impact of COVID-19 comes an opportunity to diversify, innovate, collaborate and partner to make things better for people and communities as we work towards economic recovery.

The priority themes and ideas expressed by local government leaders were primarily focused on what could be done to help various sectors in their communities rather than on the needs of the local governments themselves. At the same time, the importance of local governments having enough supports and capacity to restart operations was also noted.

A number of local governments have laid off workers, experienced real revenue losses (e.g. transit, user fees) and faced significant new costs (e.g. adapting local government facilities and services to a COVID-19 environment). Some local governments also noted the opportunity to rethink local government financing to ensure that their financial tools are sufficiently robust and sustainable to meet the increased and changing demands on local governments and their services.

I would like to take this opportunity to recognize the dedication, hard work and leadership local governments are providing to their communities, each with unique needs, during a challenging and ever-evolving time. As B.C. has moved into restart and now recovery planning, local governments have not only been working hard to get themselves back to full operation in a safe way, they have also been supporting the businesses, non-profits and other interests in their communities. This includes patio expansions for restaurants, shop local campaigns, virtual community events, business information tools, local economic recovery task forces and direct contributions in dedicated time and resources.

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Most importantly, local governments have been doing this work in collaboration with other local governments across their regions, First Nation neighbours, all sectors in their communities and the Province. The commitment to come together in response to the unprecedented COVID-19 emergency persisted as we worked together to get restarted and now continues in rebuilding together as local governments work with the Province to plan for recovery.

I appreciate the time that everyone took out of their busy lives to participate in the consultation sessions and the recommendations they provided from their unique positions on the front lines of the pandemic.

It gives me great pleasure to provide this input from my calls with local government leaders to the economic recovery engagement process. I expect that some local governments will also be submitting ideas into that process directly. The Union of BC Municipalities has also prepared a letter for submission and I am very pleased to include it here.

Sincerely,

A handwritten signature in black ink, appearing to read 'Selina Robinson', written in a cursive style.

Selina Robinson  
Minister

pc: Her Worship Mayor Maja Tait, President, Union of BC Municipalities  
Local Governments in British Columbia

## **Appendix 1 – Description of Priority Themes**

### **Connectivity/Broadband**

Digital connectivity is the number one opportunity that emerged in almost every engagement session, especially for rural and remote communities. To fully participate in the new economy, communities need digital access through broadband, cellular mobility, and capacity development to effectively use these technologies. Reliable and affordable high-speed internet is critical to removing barriers to growth and community well-being to enable working from home, remote schooling, moving traditional businesses to an online format and developing new types of businesses. Improving connectivity generates opportunities for everyone to learn new skills and access essential services and it will make it easier for communities to attract new residents and business investment that creates jobs for the long-term.

### **Investment in Infrastructure**

Local governments recognize that continued investment in critical infrastructure projects that facilitate the delivery of public services, such as drinking water, sewage collection and treatment, cultural and recreational facilities, parks and transportation are good investments for everyone and creates primary and secondary jobs in their communities. Investment in infrastructure addresses environmental, economic and social dimensions, and is seen as having general economic benefits for all industry sectors. Several communities have also noted that they have “shovel-ready” projects.

### **Transit/Transportation**

Effective transit and transportation networks are vital for economic recovery as they help bring people back to work and allow businesses to distribute their products and get the supplies they need. Local leaders identified a need for transit funding to make up for revenue losses and to enable the service frequency and safety that will get riders “back on board”. Other transportation infrastructure needs identified include expansion of highways, increased ferry services and investment in railway and municipal airports.

### **Agriculture/Food Security**

During the pandemic, it became even more apparent that food security is an essential need. The ability for small producers to increase their capacity and structural support is needed to ensure food is marketed, produced, processed, packaged, distributed and sold locally. Local leaders acknowledged that our reliance on foreign agricultural workers impacts food security and identified an opportunity to create a skilled domestic agricultural workforce in order to reduce reliance on workers from outside B.C.

### **Child Care**

The provision of childcare is essential for enabling workers to return to work and speed up economic recovery. Many communities identified a lack of adequate childcare in their communities. Local leaders recognize that investments in safe, reliable and affordable childcare is vital to economic recovery.

### **Low Wage Workers/Employment**

The disproportionate impact of COVID-19 on low wage workers especially in certain sectors (e.g. tourism, retail and food services, agriculture and non-profits), and particularly women and youth, highlights the need for support for these workers. Local leaders talked about supplementing wages as a way to stimulate recovery that would also make it easier to recruit for often hard-to-fill jobs. Some local governments noted that their communities would benefit if they could hire students and others for temporary positions in the short term, until the economy picked up.

### **Health Care, Mental Health and Social Services**

The pandemic and emergency measures have strongly impacted vulnerable populations. Isolation from services and support networks has had a profound impact on the homeless population, families living in poverty, and individuals struggling with pre-existing mental health and substance use issues. Local governments and non-profit organizations have been at the forefront of mitigating these impacts during the pandemic. Support from the Province and collaboration with local governments and non-profit organizations is essential in post-pandemic planning as this provides an opportunity to not just “pick up where we left off” but re-shape and strengthen B.C.’s health care, mental health and social services.

### **Tourism/Recreation**

Some local governments with great natural assets, noted the challenge of diversifying their tourism economies to be more resilient over the long term. Investments to support local governments in enhancing natural assets through the development of trails, parks and facilities such as campsites and washrooms will help create new jobs, especially for youth, expand tourism and improve outcomes for people and communities.

### **Education/Training**

A number of local governments identified the need for training programs to attract young people that can participate in the economy and some others noted that resource-based workers were also going through a separate economic downturn (i.e. mill closures) and that sector could also benefit from retraining and education programs.

### **Clean Energy and Technology**

Communities have asked for consistent investment to help them transition to a low carbon future and support green technology aligned with CleanBC goals. These investments will ensure that communities and local businesses are ready to seize economic opportunities coming from clean energy and technology and create more and higher-value jobs. Additionally, local governments noted that investments in climate change adaptation and mitigation activities and studies would have long-term benefits.

### **Affordable Housing**

There is still a shortage of affordable housing in the province. Investment in affordable housing will reduce chronic homelessness and support vulnerable populations by providing those most in need with a safe place to call home. Affordable and workforce housing will allow people to return to work quickly and give them the security they need to fully participate in the economy. Building affordable housing not only provides much needed housing but employs hundreds of skilled workers and can provide new workers with opportunities to learn new skills.

### **Industry/Business Development**

Innovation and investment in traditional resource industries such as forestry is a critical component of economic recovery as these industries support and create jobs in many of B.C.'s rural communities. Communities and businesses need support to capitalize on innovative and emerging opportunities. Local governments recognize the need to assist businesses in developing an online presence and the need to work in collaboration with their local business community on an ongoing basis to promote economic recovery.

### **Reconciliation**

The pandemic has highlighted the need to work together across communities and regions. Investing in ways to foster partnerships with Indigenous neighbours that not only support reconciliation but also builds community economic resilience is a real opportunity before us. There is strong willingness among local governments to work in collaboration with neighbouring Indigenous communities (as many have done in COVID-19 response); it was noted that some smaller and rural/remote local governments as well as First Nations lack resources and capacity for the level of engagement needed to achieve real economic progress.

July 31, 2020

The Honourable John Horgan  
Premier of British Columbia  
PO BOX 9041, STN PROV GOV  
Victoria BC V8W 9E1

The Honourable Carole James  
Minister of Finance and Deputy Premier  
Room 153, Parliament Buildings  
Victoria, BC V8V 1X4

Dear Premier Horgan and Minister James:

**Re: UBCM Response to *Building BC's Recovery, Together***

On behalf of BC local governments, please find attached the Union of BC Municipalities submission to the Province's *Building BC's Recovery, Together* consultation document.

Our submission reflects the results of member outreach undertaken over the March – May period, as well as more recent local government engagement on specific policy files such as public transit.

As well, I am pleased to advise that at our July 17<sup>th</sup> meeting, the Executive formally constituted a Special Committee on Economic Recovery, comprising members of the Presidents Committee. We would welcome the opportunity to work collaboratively with you to share the perspectives of local government as we continue to move forward with the Restart Plan.

I also wish to take this opportunity to thank you for your leadership as we continue to navigate our province through this challenging and unprecedented time.

Yours truly,



Mayor Maja Tait  
UBCM President

Cc: Hon. Selina Robinson, Minister of Municipal Affairs and Housing

*Attachment: UBCM Submission to the Province's Building BC's Recovery, Together*

## Union of BC Municipalities Submission to the Province's *Building BC's Recovery, Together* Consultation Paper

### 1. Introduction

The Union of British Columbia Municipalities (UBCM) represents 100% of the local governments in British Columbia (BC), as well as eight First Nations members, and has advocated for policy and programs that support its membership's needs since 1905.

BC local governments are recognized as orders of government in their respective jurisdictions under the Community Charter and Local Government Act. As the order of government closest to its citizens, local government leaders know the significant impact that this pandemic has had on BC residents; small and large businesses; non-profit groups and other community-based organizations.

As the recognized, collective voice of BC local government, UBCM is pleased to provide this submission to the Province's *Building BC's Recovery, Together* consultation process.

### 2. *Building BC's Recovery, Together* Consultation Process

The Province's *Building BC's Recovery, Together* consultation process offers British Columbians an opportunity to provide their feedback either through the consultation paper, on line survey or one of the virtual town halls. Due to the personal focus of the Province's consultation, UBCM was unsure if this was the appropriate avenue for us to make our views known. However, at our July board meeting Executive members directed that we prepare a submission to ensure that the local government voice was heard as part of the Province's recovery process. As a result, our submission does not respond directly to the questions posed within the Province's consultation paper (*page 12*) but instead provides an overview of the feedback we have heard from our members after undertaking our own member engagement.

So while our submission may not fit within the Province's template for response, we note that many of the elements covered within our submission do align with the provincial priorities identified on page 11 of the consultation paper as follows:

- STRENGTHENING OUR HEALTH CARE SYSTEM
- CREATING AND RESTORING GOOD-PAYING AND SUSTAINABLE JOBS
- BECOMING MORE SELF-SUFFICIENT
- IMPROVING EDUCATION, TRAINING AND APPRENTICESHIP OPPORTUNITIES
- TAKING ADVANTAGE OF BC'S ABUNDANT CLEAN ENERGY
- MOVING FORWARD ON MEANINGFUL RECONCILIATION WITH INDIGENOUS PEOPLES
- BUILDING THE CRITICAL INFRASTRUCTURE AND SERVICES THAT ALL COMMUNITIES NEED TO THRIVE
- ENSURING THAT BC IS ON A STRONG FISCAL FOOTING

And while our submission may not directly reference all of the identified provincial priorities, UBCM does have a repository of resolutions and policy positions that would indicate broad member support for all of the priorities that have been identified.

In the Province's consultation paper, it states: *"As conversations across the province move from restart to recovery, it is clear recovery means more than returning to the past. This is an opportunity for businesses, organizations and non-profit agencies to help us generate solutions to address the challenges they face."*

UBCM concurs with this statement. By identifying the challenges facing local governments, as well as possible solutions, we hope our submission helps to generate new and creative opportunities for BC local government. We view our submission as a first step to help inform the Province's recovery process and look forward to further engagement in the coming months.

### **3. UBCM Perspectives on Recovery**

#### **Local Government and Financial Recovery**

In late March 2020, UBCM reached out to a wide of range of local governments to gather information on the immediate and projected long-term financial pressures facing local governments, their residents, and local businesses as a result of the pandemic. Many local governments identified a loss of variable revenue, the shelving of capital projects, a re-evaluation of property taxes, new costs of supporting vulnerable populations, and concerns over reserve restrictions and looming financial deadlines. In response to these concerns, UBCM raised potential relief measures with the Province that focused on property taxes, legislated financial timelines, restrictions on reserves, capital project timelines, grants, and infrastructure stimulus funding.

In early April, the Province introduced a financial relief framework that initiated temporary changes to B.C.'s property tax framework to provide financial support for businesses and local governments. Among the changes introduced, local governments were given the ability to borrow, interest-free, from their capital reserve funds and municipalities will be able to access school tax revenue collected for the Province until the end of the year. UBCM committed to monitoring the impact of the measures on local government finances, and working with the Province to ensure that local governments had the necessary resources to sustain their communities.

After a second round of outreach, many of our members acknowledged the provincial measures were a modest first step in attempting to address the pandemic-related financial challenges for communities. The measures provided local governments with some flexibility, enhanced cash flow, and short-term certainty that assisted them in financial decision-making. These provincial measures were viewed as a tool for governments to use in the interim, as well as support for local businesses. Even with these provincial measures, many local governments had to re-evaluate their budgets and make extremely difficult decisions and adjustments on capital spending, service levels, staffing, and proposed property tax increases, to ensure continued operation and delivery of critical services. Many local governments also engaged in layoffs of casual, temporary and facility related staff in early April, with the continued uncertainty of the pandemic impacting potential future layoffs.

While there was a general feeling that local governments might be able to financially weather the next several months, our members expressed particular concern about their finances in coming year(s). The risk of delinquencies amongst residential and commercial property taxpayers remains high as the economic fallout from the pandemic mounts. Local governments are concerned that the continued loss of non-taxation revenue, coupled with the uncertainty of tax delinquencies, will hinder the ability of local governments to advance capital projects, maintain existing essential services, and pay back reserves without significant property tax increases in the years ahead.

Upon receiving this feedback, UBCM called for additional provincial support measures in May to address local government funding shortfalls, mitigate the risk of tax delinquencies, and facilitate a revival of local economies. In particular, UBCM called for financial support for transit to aid local economic recoveries; an infrastructure stimulus framework to generate economic returns for communities; and an expansion of the property tax deferral program to all residents to reduce the risk of tax delinquencies. A copy of our May 8<sup>th</sup> letter to Minister Robinson is attached to this submission.

In addition, UBCM supported the Federation of Canadian Municipalities' request for a minimum of \$10 billion in emergency operating funding, with an additional \$2.4 billion for communities with transit systems, to be provided through a direct federal allocation to local governments.

Recently the federal government announced a \$19 billion funding program to support provinces with their recovery efforts, with specific funding to be targeted to local governments, specifically transit services. On July 22<sup>nd</sup> the Province announced it would target up to \$1 billion of additional spending to address COVID-19 impacts and restart plans of local governments and public transit services, conditional on matching federal contributions under a 50/50 cost-sharing criteria. UBCM welcomes this announcement and looks forward to working with the Province to identify how best to support local governments with their recovery efforts.

### **Local Government and Public Transit**

As noted above, in the early days of the pandemic, UBCM reached out to local governments to identify their financial challenges. And while we heard predictably about property taxes, and the loss of other revenue sources (i.e. casinos, parking and recreation fees) we also heard very specific concerns around transit, and the significant impact on local government budgets.

UBCM then followed up with officials from BC Transit, TransLink and the Mayors' Council on Regional Transportation to get a better understanding of the impacts on transit communities across BC. The financial impact is, and continues to be devastating.<sup>1</sup> In May, the UBCM Executive directed that we offer our support to BC Transit and TransLink communities to address the problem in a collective way. On June 16<sup>th</sup>, UBCM hosted a Public Transit Forum for all BC Transit and TransLink communities. What we found most interesting was, despite facing major financial challenges, mayors from transit communities commented on how important it was to remain on track; how they wanted to be part of the conversation to make transit more nimble and better able to adapt to these crisis situations.

During the Forum a document outlining draft principles and recommendations was shared with participants. The document specifically asked the Province to work with all transit / community partners on the development of a transit recovery strategy to address the financial impacts; and a rebuilding strategy that would

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<sup>1</sup> For example: Kelowna - \$3M losses predicted over next 12 months; Nanaimo RD - \$2.5 - \$3 million in 2020; Nelson - \$100,000 in revenue losses to date; Prince George - \$100,000-\$200,000 in revenue losses to date.

focus on how to sustain, grow and identify alternative funding models to support public transit.

UBCM recognizes that the Mayors' Council is working with Minister Robinson to address TransLink community concerns, however there is no comparable collective for BC Transit communities. As a result, UBCM wrote to the Minister of Transportation and Infrastructure on behalf of BC Transit communities offering to assist. We indicated our interest in working with the Province to coordinate a consultation process with affected communities to identify how best to support them to deliver transit at this critical time, and into the future. A copy of our June 29<sup>th</sup> letter to Minister Trevena is attached.

As noted earlier, UBCM was pleased to learn of the July 22<sup>nd</sup> announcement by the Minister of Finance to earmark up to \$1 billion to fund the Province's portion of municipal and transit services assistance, depending on the outcome of further federal cost-sharing discussions. We look forward to learning more about how this funding will be allocated to support transit communities recover from fare losses and rebuild the system to be more resilient. UBCM remains committed to working with the Province to identify other funding models to ensure transit can remain sustainable not only at this critical time, but through the recovery process into the future.

### **Local Government and Infrastructure**

As the Province turns its attention to the recovery phase of the pandemic, Infrastructure stimulus has historically generated significant economic returns for local communities, through increased employment, the flow through of dollars to local businesses, and the creation of much needed community assets.

When UBCM reached out to its members this past spring about recovery, members expressed broad support for securing an infrastructure stimulus framework that:

- maximizes flexibility on project category, eligible costs, procurement and timelines;
- provides 100% funding for any recovery program and/or current infrastructure program; and
- ensures administrative ease and efficiency in recognition of local staff capacity.

In addition, members noted that any infrastructure stimulus framework should support "shovel worthy" projects over shovel ready projects, expedite BC announcements in the Investing in Canada Infrastructure Program (ICIP), and remove existing federal stacking rules. UBCM believes that the current Gas Tax funding model is the appropriate model for any infrastructure stimulus framework,

as it maximizes local choice and flexibility to ensure funds are invested in the areas with the greatest need and economic return.

An ancillary issue that has surfaced repeatedly in our discussion of infrastructure stimulus relates to procurement. While we understand existing trade agreements prescribe specific procurement obligations, our members have expressed a desire to procure locally, where possible, as means to support local economic recovery. Local governments have expressed frustration with the BC Bid process, as it does not permit local governments to hire/buy local due to specified procurement thresholds. Adjustments to procurement thresholds or processes may provide an opportunity for economic stimulus, at a time when local economic development is critical to the overall provincial recovery effort.

### **Local Government and Broadband Connectivity**

Improved and expanded broadband internet connectivity has been, and continues to be a key priority for UBCM. Its importance has been underscored in 2020 by the move to work and conduct business remotely during the COVID-19 pandemic. In the early days of the pandemic local governments with limited connectivity struggled to conduct normal council/board business in a virtual format. While most local governments found ways to adapt, there are still many regions of our province that continue to struggle daily due to the lack of, or inadequate connectivity. The pandemic has revealed how vulnerable these communities are when disasters happen, and highlight how important it is to remedy the current situation.

We applaud the Province for expanding the Connecting British Columbia program in response to the COVID-19 pandemic to help internet service providers (ISPs) undertake immediate network equipment upgrades to rapidly improve capacity and internet speeds in underserved areas, but unfortunately it is still not enough. None of the current funding programs address the issue of existing, dormant backbone and last-mile infrastructure that either lacks an ISP to make use of it, or is owned by an existing Internet service provider that declines to activate and use it. Consequently, action needs to be taken to require ISPs or the owners of network infrastructure to activate and make use of existing, dormant network infrastructure to help achieve universal broadband Internet access.

Addressing the broadband connectivity gap is critical to the recovery effort. Communities need reliable adequate broadband connectivity to conduct the day to day business of local government; attract and retain business; support distance education / learning opportunities; access online health support/services; and ensure that their citizens are able to engage fully in a virtual environment.

## Local Government and Societal Impacts of COVID-19

While much of our submission has focused on economic recovery, our Executive and broader membership have identified the significant social impacts associated with the pandemic. As noted in the Province's consultation paper, hundreds of thousands of individuals have lost their jobs with those most impacted coming from the service sectors, notably retail, restaurants, hotels and tourism.

An example of this impact is very clearly evident on a community such as Whistler, a tourist destination, dominated by service sector employment. The following account was shared by Councillor Jen Ford, UBCM Third Vice-President:

*The Whistler Food Bank saw an immediate and alarming uptick in need for food security. Prior to Covid, the food bank handed out bags to roughly 45 households each week (one day per week it was open). In the first week, we saw 100, in the next week we were up to 200, and the peak was just before the CERB cheques started, there was 600 bags in a week. We moved to the conference centre with 5 day per week service. The service has remained strong with an average of 200 bags per week, and will remain at the conference centre through September. This move made sense to allow for adequate spacing and processing of the food donations. There are also outreach services available on site for support navigating CERB applications, financial support, and multicultural outreach. Prior to Covid, the majority of people would talk about insecure and unstable housing as the biggest issue. That has changed substantially, and it is now job insecurity and mental health.*

*As far as the tourism impact, Whistler generates 25% of the provincial tourism export revenue. The closure of hotels and reduced capacity of restaurants will be felt for many, many months ahead. Many of the local restaurants have reopened, and all the hotels have reopened, but we're seeing an entirely different kind of guest who is spending less and staying for shorter stays, unlike our typical visitor. Every business in town is being challenged by far fewer workers and few applicants, so service levels are difficult.*

The societal impacts of the pandemic cannot be underestimated. Additional and ongoing support is needed to assist vulnerable populations that have been significantly affected. Whether its unemployment, homelessness, substance abuse/addictions, mental health or other situations requiring social support services, communities are on the front line working with the Province, local organizations and volunteers to do what they can to help their residents.

#### 4. UBCM Role in the Provincial Recovery Effort

In order to effectively respond to, and recover from, the current pandemic, it is imperative that federal, provincial, local and aboriginal governments work collaboratively to address the devastating health, safety, social and economic impacts that have impacted every resident, in every region of our province and country.

At the July 2020 UBCM Executive meeting, board members directed that a Special Committee on Economic Recovery be established to serve as a contact point for provincial and federal governments to support recovery efforts. The newly established Special Committee is comprised of the following Executive members:

- Mayor Maja Tait, President
- Councillor Brian Frenkel, 1<sup>st</sup> VP
- Councillor Laurey-Anne Roodenburg, 2<sup>nd</sup> VP
- Councillor Jen Ford, 3<sup>rd</sup> VP
- Councillor Arjun Singh, Past President
- Councillor Craig Hodge, GVRD/Metro Rep.

Members of the Special Committee would welcome the opportunity to meet with the Province to discuss our submission or any other matters as they pertain to local governments and pandemic recovery.

#### 5. Concluding Remarks

On behalf of local governments across BC, UBCM thanks the Province for undertaking the ***Building BC's Recovery, Together*** consultation process. We appreciate the opportunity to share what we have heard from our members since the state of emergency was declared in March 2020.

While this submission is not exhaustive of the issues and challenges facing our members, we consider it to be an accurate portrayal of the key concerns facing BC local government. As the collective voice of local government, UBCM stands ready to work with the Province and offer our assistance as BC moves forward through the recovery phase.

*Attachments:*

- *May 8, 2020 letter to Minister Robinson*
- *June 29, 2020 letter to Minister Trevena*

May 8, 2020

The Honorable Selina Robinson  
Minister of Municipal Affairs and Housing  
PO Box 9056 Stn Prov Govt  
Victoria, BC V8W 9E2  
Via Email: MAH.minister@gov.bc.ca

Dear Minister Robinson,

On behalf of the Union of British Columbia Municipalities (UBCM), I wish to thank you for listening to the range of financial pressures facing local governments that were raised in our discussions with you and your staff in April. The Province's willingness to move quickly and develop measures seeking to address those financial challenges was welcomed by UBCM and its members.

The measures announced on April 16<sup>th</sup> were an important first step in supporting our members and their local economies, as they provided additional relief to small business and gave some flexibility to help local governments maintain operations. At the time of their announcement, UBCM committed to monitoring the impact of the measures on local government finances, and working with the Province to ensure that local governments had the necessary resources to sustain their communities.

We have since reached out to our membership to gauge the impact of the provincial financial relief framework, and to identify a stimulus approach that would assist a post-pandemic recovery in our communities. Outlined below you will find a summary of our outreach findings, coupled with a request for additional measures that would address local government funding shortfalls, mitigate the risk of tax delinquencies, and facilitate a revival of local economies.

### **Provincial Financial Relief Measures**

Many of our members acknowledge the April 16<sup>th</sup> measures as a modest first step in attempting to address the pandemic-related financial challenges of communities. The measures provided local governments with some flexibility, enhanced cash flow, and short-term certainty that assisted local governments in their financial decision making. They were viewed as a tool for governments to use in the interim, as well as financial support for local businesses. It should be

noted that many local governments had to re-evaluate their budgets and make extremely difficult decisions and adjustments on capital spending, service levels, staffing, and proposed property tax increases, to ensure continued operation and delivery of critical services. Many local governments also engaged in layoffs of casual, temporary and facility related staff in early April, with the continued uncertainty of the pandemic impacting potential future layoffs.

While there is a general feeling that local governments might be able to financially weather the next several months, our members are particularly concerned about their finances for the following year(s). The risk of delinquencies amongst residential and commercial property taxpayers remains high as the economic fallout from the pandemic mounts. Local governments are concerned that the continued loss of non-taxation revenue, coupled with the uncertainty of tax delinquencies, will hinder the ability of local governments to advance capital projects, maintain existing essential services, and pay back reserves without significant property tax increases in the years ahead.

### **Expanded Property Tax Deferral Program**

Given the risk of property tax delinquencies, local governments are seeking an expansion of the existing Property Tax Deferral Program to cover all residential tax payers at a minimum. While the program's eligibility covers a significant number of residents, there remains a sizeable number of ineligible residents that require support. An expanded program would mitigate the risk of delinquencies, and provide a greater degree of certainty for budgeting and long-term financial planning.

### **Transit Financial Support**

The need for financial support for transit has also emerged as an issue amongst transit dependent communities throughout the province. Not only has the loss of fare revenue significantly impacted many local government budgets, but the decreased ridership arising from physical distancing requirements threatens the financial sustainability of existing services levels. Transit is a service critical to supporting local economic recoveries, and UBCM's members are looking for provincial funding assistance to support the sustainability of transit in their communities.

### **Economic Recovery Stimulus Funding**

UBCM's members are seeking economic recovery stimulus funding once the Province fully turns its attention to the recovery phase of the pandemic. Infrastructure stimulus has historically generated significant economic returns for local communities, through increased employment, the flow through of dollars to local businesses, and the creation of much needed community assets.

To that effect, UBCM's members are broadly supportive of securing an infrastructure stimulus framework which maximizes flexibility on project category, eligible costs, procurement and timelines; provides 100% funding for any recovery program and/or current infrastructure program; and which ensures administrative ease and efficiency in recognition of local staff capacity. In addition, any infrastructure stimulus framework should support shovel worthy projects over shovel ready projects, expedite BC announcements in the Investing in Canada Infrastructure Program (ICIP), and remove existing federal stacking rules. UBCM believes that the current Gas Tax funding model is the appropriate model for any infrastructure stimulus framework, as it maximizes local choice and flexibility to ensure funds are invested in the areas with the greatest need and economic return.

I wish to thank you for your leadership and collaboration on combating the impact of the pandemic in BC's communities. I look forward to working with the Province on these proposed measures to ensure that local governments have the resources necessary to sustain their operations and services while stimulating their local economies.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maja Tait', is positioned above the typed name.

Mayor Maja Tait  
UBCM President

June 29, 2020

The Honourable Claire Trevena  
Minister of Transportation and Infrastructure  
Room 306 Parliament Buildings  
Victoria, BC V8V 1X4

Dear Minister Trevena:

**Re: Public Transit in BC**

On behalf of UBCM I wanted to take the opportunity to update you on work that we have undertaken to support transit communities in BC. While all BC communities have been financially impacted by COVID-19, UBCM has found that transit communities are struggling even more so. I shared some initial findings when we connected a few months ago, and now have additional feedback that I felt was important to convey.

In response to member concerns, UBCM hosted a Transit Forum on June 16<sup>th</sup> for both TransLink and BC Transit communities. The session was well attended with over 90 participants and was planned in coordination with the TransLink Mayors' Council. The Forum opened with a joint presentation by Erinn Pinkerton, President and CEO, BC Transit and Kevin Desmond, CEO, TransLink on the state of public transit in BC. Both presenters noted that the next two years will bring continued uncertainty and the need to be nimble and responsive.

Mayors from both TransLink and BC Transit communities shared the financial and operational challenges they have faced over the past four months and how they have tried to adapt. Discussion focused on a draft set of principles and recommendations that reflected on how to recover from current losses and what is needed to rebuild public transit. This document, attached, received overwhelming support.

And, despite the significant financial losses faced by many transit communities, it was heartening to learn that over 90% of participants indicated that their community remains committed to the same growth, transportation and other local/regional plans and objectives that they had in place prior to COVID-19. Interestingly, the Mayors commented on how important it was to remain on track; the importance of continued transit growth and the need to make transit more nimble and adaptive to respond to these crisis situations.

And finally, over 98% of Forum participants supported being part of a collaborative approach (UBCM, BC Transit and TransLink communities) going forward that would advance the recommendations for rebuilding transit in BC to the provincial and federal government.

UBCM and its local government members recognize that transit is an essential service that is key to the Province's Restart Plan. Based on what we heard from Forum participants, there is an opportunity for transit communities to help identify what recovery and rebuilding might look like and to ensure public transit remains sustainable into the future as the Province continues to re-open the economy.

We recognize that the Mayors' Council is already working collaboratively with Minister Robinson's office and would offer our organization as a body that could assist your Ministry in establishing an ongoing working relationship with BC Transit communities.

In closing, we would welcome an opportunity to meet with you to discuss how we can work in partnership to develop a recovery and rebuild strategy for BC public transit.

Yours truly,



Mayor Maja Tait  
UBCM President

**Att: *Principles and Recommendations to the Province for Rebuilding Transit in BC***

cc: Hon. Selina Robinson, Minister of Municipal Affairs and Housing (Responsible for TransLink)  
Mayor Jonathon Cote, City of New Westminster and Chair, Mayors' Council  
Mayor Colin Basran, City of Kelowna  
Mayor Jack Crompton, Resort Municipality of Whistler  
Kevin Desmond, CEO, TransLink  
Erinn Pinkerton, CEO and President, BC Transit  
Mike Buda, Executive Director, Mayors' Council on Regional Transportation

**Town of Comox – Administration**

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**Subject:** FW: Continuing Vandalism, indiscriminate/Parking Traffic violations Church and Buena Vista  
**Attachments:** IMG\_20200805\_061714.jpg; IMG\_20200805\_061754.jpg; IMG\_20200226\_082101.jpg;  
IMG\_20191222\_102810.jpg; IMG\_20191222\_102831.jpg

LOG: 4010-20	REFER:	AGENDA: RCM
FILE: 20-323	ACTION: MR	02Sep20

**RECEIVED**

Aug. 5, 2020

**TOWN OF COMOX**

**From:** Charles Romain <[chuckromain@hotmail.com](mailto:chuckromain@hotmail.com)>

**Sent:** August 5, 2020 8:50 AM

**To:** Town of Comox – Administration <[town@comox.ca](mailto:town@comox.ca)>; Lorraine Romain <[lorriromain@hotmail.com](mailto:lorriromain@hotmail.com)>; council <[council@comox.ca](mailto:council@comox.ca)>

**Subject:** Continuing Vandalism, indiscriminate/Parking Traffic violations Church and Buena Vista

Good Morning,

Once again we are experiencing continuing vandalism, noise, indiscriminate/parking traffic violations at Church and Buena Vista.

Just about every evening as the pub is closing loud rowdy individuals depart either on foot or vehicle and create a disturbance. The disturbances are either loud yelling/foul language, vehicle noise, tipping over rubbish containers when out for collection, vandalizing property, rubbish/stones thrown in yards, etc.

During the day a number of vehicles park in no parking zones, U turn on road/at the intersections, speed, endanger pedestrians/cyclists, trucks ignoring signage, etc.

It is requested that the Town of Comox speak to the owners of the Church street Pub and have the owners provide security/oversight at closing to mitigate noise and vandalism.

The bylaw officers check the area and issue park tickets on days they are available but it is hit and miss. The RCMP are not interested in enforcing the traffic rules and taking any action to mitigate the vandalism.

What is needed is a tow away sign for parking violators, intelligent assessment of traffic flow and roadway (perhaps a traffic circle/pedestrian crossing at Church & Buena Vista, one-way traffic on Church, other ideas?) 10 min parking spots in front of Cannabis, Bakery shops, and proper sidewalks and curbs.

It is apparent that the town and council is stone deaf when it comes to ensuring the well being of citizens living in this area. Businesses seem to be the winners here not the citizens. We are honestly considering moving on if the situation does not improve.

Best Regards

Mr. Charles Romain, MMM, CD.  
1812 Buena Vista Avenue  
Comox, British Columbia  
V9M 2B7  
Canada

[chuckromain@hotmail.com](mailto:chuckromain@hotmail.com)

+1 250-890-2022 (Home)

+1 403-932-9086 (Mobile)

+1 407-580-5698 (USA Mobile)









**Town of Comox – Administration**

**RECEIVED**

**From:** Dawn Lupton <dawnlupton2@gmail.com>  
**Sent:** August 7, 2020 12:14 PM  
**To:** Town of Comox – Administration  
**Subject:** Division of Claddagh Estates

Aug. 7, 2020

**TOWN OF COMOX**

July 31, 2020  
Re: Proposed subdividing of Claddagh Estates

LOG: 20-342	REFER:	AGENDA:
FILE: 3320-01	ACTION: MR	RCM 02Sep20

Dear Mayor Arnott, Council, and Planning Department,  
We understand you have received, or may soon receive, two separate applications to subdivide two lots (#15 and #17) of Claddagh Estates. It was only four years ago that Council and the Planning Department rejected a previous application by the developer to divide these lots. Residents were overwhelmingly opposed. We feel strongly that the same reasons the zoning proposal was rejected at that time, is still relevant today.

- Claddagh Estates is a unique, planned 17 lot neighbourhood. We all bought into the concept of the waterfront lots, coupled with the large rural lots. Our higher taxes reflect the unique development we all enjoy.
- at the time of development, a variance was granted to the developer by the Town, allowing the waterfront lots to be smaller (which contravened the OCP for the area), as long as the rural lots were left larger, a park was included, and the development was not gated, thus open to the public.
- Claddagh is identified by the Town of Comox as a Wildlife Corridor - and it truly is. We see a variety of wildlife every day - including two eaglets taking flight from our resident nest, herons, many deer, mink, owls, a variety of birds, and even rare birds that avid 'birders' frequent the area to observe.

We understand that the Claddagh development was set to the current 17 lots after an \$800,000 public consultation process that included a consultants report. Allowing division of these lands, will open up a slippery slope to further applications for development - not a direction residents wish to go. The entire Point Holmes area is a playground for all Comox Valley residents. Many people drive through our area on a daily basis and often stop at the Claddagh park to enjoy the views.

We truly do not want to lose the beauty of these lands.

We are disappointed that we are having to make our voices heard once again on this matter, so soon after the last application. We ask that you honour the original development plan that we all bought into, and reject any attempts to subdivide Claddagh Estates.

Thank you.

Dawn Lupton and Jay Rozzano  
Lot 14 Claddagh Estates

**Lara Greasley**

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**From:** Town of Comox – Administration  
**Sent:** August 19, 2020 8:58 AM  
**To:** Lara Greasley  
**Subject:** FW: Claddagh Estates

**RECEIVED**

Aug. 19, 2020

**TOWN OF COMOX**

LOG: 20-346	REFER:	AGENDA: RCM 02Sep20
FILE: 3320-01	ACTION: MR	

**From:** RICHARD COCKWILL <cockwill@shaw.ca>  
**Sent:** August 8, 2020 9:18 AM  
**To:** Town of Comox – Administration <town@comox.ca>  
**Subject:** Claddagh Estates

o - cifle  
Copies: Council  
JW / MK/ SA / LP LG

August 4, 2020

Dear Mayor Arnott, Council and Planning Department,  
Re: Subdivision of Claddagh Estates

We understand, you may be receiving an application to divide Lot 15 of Claddagh Estates and we would like to express, once again, our firm opposition to any subdivision of these lands. It was only a few short years ago that council, on the recommendation of the Planning Department, and at the vocal opposition of many residents, turned down an application by the Claddagh developer to subdivide this same property. The residents of Claddagh bought into the waterfront/rural concept of this unique development. The larger lots in our neighbourhood were an agreed compromise for the smaller waterfront lots the developer was eventually permitted - thus varying the expectations of the OCP.

If division of these lands is allowed, we know already of two more properties within Claddagh who may also apply to sub-divide. It is a slippery slope, and the beauty of this area will be lost forever.

Claddagh is special. It is an identified Wildlife Corridor.

We firmly oppose any application to subdivide these lands.

Thank you.

Cathy and Rick Cockwill

Lot #8 Claddagh Estates

File: 3320-01  
Action: MR  
Agenda: RCM 02 Sept 20  
O - C file: 3320-01  
Copies: Council  
JW/MK/SA/LP/LG<sub>1</sub>

## Town of Comox – Administration

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**Subject:** FW: Municipal Proclamation Request - Waste Reduction Week 2020  
**Attachments:** 2020\_Sample Municipal Proclamation.pdf; 2020\_Sample Municipal Proclamation.pub

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**From:** Jessie Christophersen <[Jessie@rcbc.ca](mailto:Jessie@rcbc.ca)>  
**Sent:** August 11, 2020 10:35 AM  
**Subject:** Municipal Proclamation Request - Waste Reduction Week 2020

**RECEIVED**

Aug. 11, 2020

Good morning,

Proclaim Your Support for Waste Reduction Week in Canada!

**TOWN OF COMOX**

Each year the [Recycling Council of British Columbia](#) (RCBC) organizes BC's involvement in observing this important week. We would like to ask all municipal councils in British Columbia to officially declare October 19<sup>th</sup> through 25<sup>th</sup>, 2020 as Waste Reduction Week in their respective communities.

[Waste Reduction Week in Canada](#) is intended to raise awareness about waste and its environmental and social impacts. The theme of Waste Reduction Week, "Too Good to Waste", is meant to draw attention to the richness and diversity of the natural world and the importance of working towards ecological sustainability through waste avoidance and resource conservation.

Please join RCBC in proclaiming October 19<sup>th</sup> through 25<sup>th</sup>, 2020 as National Waste Reduction Week in Canada and lending your support!

I have attached a sample Municipal Proclamation in PDF and in Publisher form for your convenience. Of course, you are free to use your own Proclamation format, too.

Completed Proclamations can be emailed or mailed as per the contact information below. Thanks for your continued support of this important event!

Regards,  
Jessie



**Jessie Christophersen**  
**Information & Member Services Coordinator**  
Recycling Council of British Columbia  
#10 – 119 West Pender Street, Van., BC  
V6B 1S5  
T: (604) 683-6009 ext. 317  
E: [jessie@rcbc.ca](mailto:jessie@rcbc.ca)  
W: [www.rcbc.ca](http://www.rcbc.ca)

*Download the BC Recyclepedia app:*





WASTE  
REDUCTION  
WEEK  
IN CANADA

\_\_\_\_\_  
(Name of Municipality)

**hereby recognizes**

## **Waste Reduction Week in Canada** **October 19-25, 2020**

As a municipality, we are committed to conserving resources, protecting the environment and educating the community.

We recognize the generation of solid waste and the needless waste of water and energy resources as global environmental problems and endeavor to take the lead in our community toward environmental sustainability.

We have declared October 19-25, 2020, Waste Reduction Week in

\_\_\_\_\_  
Municipality

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Position



Please send this declaration to the Recycling Council of BC  
By fax at 604-683-7255 or by email at [wrw@rcbc.ca](mailto:wrw@rcbc.ca).  
We thank you again for your commitment to waste reduction.

**RECEIVED**

Aug. 13, 2020



**TOWN OF COMOX**

August 13, 2020

Mayor Arnott and Council  
Town of Comox  
1809 Beaufort Avenue  
Comox, BC, V9M 1R9

LOG: 20-350	REFER:	AGENDA: RCM 02Sep20
FILE: 6520-20/0:	ACTION: MR	

By email: town@comox.ca

O-cfile Copies: Council JW/ SA
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**RE: Application for 2020 Community Excellence Awards**

Dear Mayor Arnott and Council,

Thank you for submitting the following application(s) for the 2020 Community Excellence Awards:

- Excellence in Sustainability - Draft Anderton Corridor Neighbourhood Concept Plan

The Selection Committee will review all applications and the winners will be announced at the Community Excellence Awards ceremony held during UBCM’s 2020 Convention which is being virtually this year.

This year, the awards ceremony will take place from 1:20 – 2:00 pm on Wednesday, September 23, 2020.

We hope you are able to participate in our virtual awards ceremony to celebrate this year’s winners. If you have any questions, please contact 250 356-5193 or awards@ubcm.ca.

Sincerely,

Danyta Welch  
Manager, Local Government Program Services

cc: *Jordan Wall, CAO, Town of Comox*  
*Shelley Ashfield, Director of Operations, Town of Comox*

## Town of Comox – Administration

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**Subject:** FW: September Street Closure

O - Cfile 5400-04  
Copies - Council  
- JW/LP/SR/LG

**From:** Haeley - Comox BIA <comoxbia@gmail.com>

**Sent:** August 12, 2020 9:24 AM

**To:** Jordan Wall <jwall@comox.ca>

**Cc:** council <council@comox.ca>

**Subject:** September Street Closure

**RECEIVED**

Aug. 12, 2020

**TOWN OF COMOX**

LOG: 20-354	REFER:	AGENDA: RCM 02Sep20
FILE: 5400-04	ACTION: Mr	

Hello,

Thank you so much for having me 'attend' the Council meeting last Wednesday as well as trusting our judgement on closing Comox Ave September 4 and 5th. After careful consideration and communication we have decided to not close Comox Ave this year. I have outlined our reasons below:

1. Comox has not done a street closure in a few years - if we do this closure without any entertainment, activity on the street, side events - the street closure would look and feel bare. This would affect our street closures in the future because we run the risk of the community only remembering the boring one we did and not being drawn to a great one that is programmed.
2. Downtown Courtenay published an article saying they decided not to follow through with their closure due to health officials advising them against it. Unfortunately, this is not 100% true but when I mention that we are looking into closing Comox Ave, most people ask me how we can do it when Courtenay can't - and it doesn't look great on our part.
3. The closure is scheduled for September - with the ever changing health guidelines - it may be challenging to adhere to public safety (perceived safety) and end up cancelling it anyways.
4. Keeping the street open - allows for us to promote individual sales and events that our businesses want to run that weekend (as we can only really do one or the other without looking like an event) - which we will do carefully.
  - Run a 10 -day Family Scavenger hunt leading up to the weekend on Social Media
  - Work with the Radio to promote individual sale/events of businesses - again not calling it a Comox Event but promoting individual businesses
  - Promote individual sales and events on Social Media
  - Promote Food and Beverage Parklets and Take Out

I feel it has been such a challenging summer to get things moving and accomplished with community fears and businesses input - but I look forward to exploring the other options this year to invest in some long term projects (street sign blades and art sculptures) and of course helping our food and beverage businesses navigate the winter with limited indoor seating.

Thanks so much for all your support Jordan,

Haeley

--

**Haeley Dewhirst**  
**Executive Director, Comox BIA**  
Cell: 250 650 2015



770 Harmston Avenue, Courtenay, BC V9N 0G8  
Tel: 250-334-6000 Fax: 250-334-4358  
Toll free: 1-800-331-6007  
www.comoxvalleyrd.ca



O - Cfile: 6030-01  
Copies - Council  
- JW/SA/LP/LG

File: 5380-03

August 18, 2020

Sent via email only: jwall@comox.ca

Mayor and Council  
Town of Comox  
1809 Beaufort Avenue  
Comox, BC V9M 1R9

**RECEIVED**

**Aug. 18, 2020**

**TOWN OF COMOX**

Dear Mayor and Council:

LOG: 20-357	REFER:	AGENDA: RCM 02Sep20
FILE: 6030-01	ACTION: MR	

**Re: Use of Skyrocket for Municipal Landscaping**

I am writing on behalf of the Comox Valley Sewage Commission in regards to the ongoing utilization of the finished compost material produced as part of the Comox Strathcona Waste Management organics collection pilot project within the Comox Valley.

This pilot program, operating since the summer of 2013, has been processing co-mingled food and yard waste collected from the Town of Comox and the Village of Cumberland as part of their curbside collection program. The finished compost material has been made available to member municipalities free of charge, sold to the public and utilized as cover material for the closure of the historical cell at the Comox Valley Waste Management Centre (CVWMC).

While the provision of this organic compost is an added benefit for the municipalities, we understand it is predominately being utilized in ornamental plantings, such as flower beds, shrubs and trees within municipal parks, boulevards and other property. With the ongoing pandemic driving tremendous interest back into local food production and backyard vegetable gardening, the demand from the public for this high-quality compost product has increased. With much of the available compost at the CVWMC being held back from public sale in anticipation of demand from the Town of Comox and the others, public demand is not being met. In recognition that the highest and best use for this product is food production, the Commission is encouraging your municipality to consider switching to the Skyrocket product for your landscaping needs.

SkyRocket compost is a high-nitrogen soil amendment, made of wood chips mixed with biosolids and composted over time to create nutrient-rich mulch. Biosolids contain macronutrients and organic matter that replenishes soil and helps it to retain moisture. Every batch of SkyRocket is tested to ensure it meets or exceeds the regulations for a Class A compost, which is the highest of the three levels that regulate organic matter recycling. SkyRocket is tested for pathogens, nutrient value, moisture, pH and metals content. Micro-bacteriological testing is also performed for coliform bacteria, as well as testing for metals (lead, mercury, chromium, copper, etc.). It's important to note that in addition to meeting provincial regulations, this product also meets the requirements under the *Fertilizers Act* administered by the Canadian Food Inspection Agency. SkyRocket has no restrictions on its final use.

With these considerations in mind, the Commission respectfully requests that your municipality consider utilizing the Comox Valley Sewage Service's Skyrocket compost for municipal use in ornamental plantings. The Sewage Commission has waived municipal fee rates for SkyRocket compost until the end of 2022 to reduce municipal costs during the COVID-19 renewal period, and decrease pressure on the sale of organics compost.

Comox Valley Regional District staff would be pleased to conduct a tour of the Biosolids Composting Facility to municipal staff in order to gain a better understanding of the composting process and the quality of the end product.

Should your municipality choose to take advantage of this opportunity, a response regarding your intention and estimated use would be appreciated to allow a reduction in the amount of organic compost held back for municipal use.

We look forward to working towards a mutually beneficial arrangement.

Sincerely,

***D. Frisch***

David Frisch  
Chair  
Sewage Commission

cc: Russell Dyson, Chief Administrative Officer  
Jordan Wall, Chief Administrative Officer, Town of Comox  
Shelly Russwurm, Corporate Officer, Town of Comox

June 17, 2020

John Watson  
Executive Director  
Comox Valley Economic Development Society

Dear John:

In response to your question regarding possible impacts from the new contract on the Society's current accounting and financial statement reporting, we have reviewed the draft contract provided June 16, 2020 and the relevant guidance and accounting standards set out by CPA Canada. We are aware that the contract wording is under review, so we have analyzed the intent of the existing clauses, on the assumption that while the wording may change, the spirit and intent would remain the same. A copy of the specific draft contract that we reviewed has been attached to this letter as Appendix B. Should the underlying substance of any of the clauses be altered, the conclusions reached below may need to be re-evaluated. In addition, nothing in this letter constitutes legal advice or opinion, the analysis provided below is strictly limited to financial reporting and accounting implications.

**The Society is currently reporting under Canadian Accounting Standards for Not-for-Profit Organizations (ASNPO), in accordance with our analysis of June 2011 that determined ASNPO to be the correct financial statement framework.** In our research at that time, we analyzed the existing contract and determined that the Society was not controlled by any one government for financial reporting purposes (control in this context being measured by the criteria noted below in Appendix A).

As the appropriate accounting framework for the Society is based on the issue of control for accounting purposes, we have analyzed the draft contract against the control criteria outlined in Canadian Public Sector Accounting Standards.

**Our conclusion is that when Clause 13 is enacted, control would exist, with the Comox Valley Regional District (CVRD) controlling CVEDS for accounting purposes.**

**Given the conclusion above, CVRD would then consolidate CVEDS as a controlled entity.** To accomplish this consolidation, CVEDS financial information (and potentially the audited financial statements) would need to be completed in advance of CVRD's financial statement preparation to allow for inclusion in CVRD's financials. Historically, CVRD finalizes its reporting in late March, which would mean that **CVEDS audited financial statements would need to be completed by late February.**

As a government controlled entity, CVEDS would no longer be able to report under ASNPO. Clause 9 in the draft contract would need to be amended as it specifically requires ASNPO, instead we recommend that it be changed to:

*“The Society will follow accounting principles as set out by CPA Canada, and under the appropriate reporting framework, ensuring that....”*

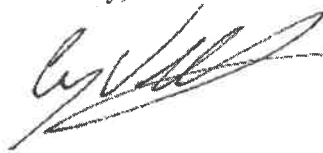
**We conclude that CVEDS would be classified as a Government Not-for-Profit Organization (GNPO).** For GNPOs there are two options for acceptable reporting framework:

1. Public Sector accounting standards (PSAB) – the same set of standards followed by CVRD
2. Public sector accounting standards with the NPO standards – this set of standards differs from the reporting framework used by CVRD, and is a hybrid of PSAB and NPO reporting

**We recommend discussion with CVRD staff to determine the reporting framework to use, as an important consideration is the ease of consolidation into CVRD’s financial statements.** Option 1 (PSAB) would be the easiest to accomplish, as it would only involve elimination of transactions between CVRD and CVEDS. Option 2 (PSAB with NPO) would involve completing CVEDS financials, then adjusting them to match CVRD before the consolidation could occur, therefore creating additional time, effort and cost to both organizations. Under either option, **there will be a significant change to the presentation of the Society’s financial statements**, based on the conversion from NPO to one of the options presented above.

This conclusion is relevant to the CVRD and we acknowledge that it would be appropriate to share this communication with CVRD staff due to the consolidation issue noted above.

Sincerely,



Cory Vanderhorst, CA  
Assurance Services

## Appendix A - Analysis

Based on our review of the draft contract, we provide the following updated analysis to support our conclusions above.

### Analysis of control under PSAB:

- a) Indicators that provide persuasive evidence:
  1. Government has the power to unilaterally appoint or remove a majority of the members of the governing body of the organization;
    - a. This does not appear to currently be met, however Clause 13 allows for a scenario where CVRD elected officials have this control. This would be a question of fact with respect to the number of voting members and Board members.
  2. Government has ongoing access to the assets of the organization, has the ability to direct the ongoing use of those assets, or has ongoing responsibility for losses;
    - a. Possibly met by Clauses 15, 16, 17, 24 and 25 that direct Society staff time and effort towards specific outcomes and reporting
  3. Government holds the majority of the voting shares or a "golden share" that confers the power to govern the financial and operating policies of the organization; and
    - a. Not met
  4. Government has the unilateral power to dissolve the organization and thereby access its assets and become responsible for its obligations.
    - a. Not met – Per Clause 22, on dissolution of the Society funds would be spread between CVRD, City of Courtenay and Town of Comox. Therefore, no single government satisfies this criteria.
- b) Other indicators that may provide evidence of control when the government has the power to:
  5. provide significant input into the appointment of members of the governing body of the organization by appointing a majority of those members from a list of nominees provided by others or being otherwise involved in the appointment or removal of a significant number of members;
    - a. This is likely met by Clause 13
  6. appoint or remove the CEO or other key personnel;
    - a. Not met directly by the clauses in the draft contract
  7. establish or amend the mission or mandate of the organization;
    - a. Not met, however Clause 14 does require notification of changes to CVRD
  8. approve the business plans or budgets for the organization and require amendments, either on a net or line-by-line basis;
    - b. This is met by Clauses 24 and 25
  9. establish borrowing or investment limits or restrict the organization's investments;
    - a. Not met
  10. restrict the revenue-generating capacity of the organization, notably the sources of revenue; and
    - a. Not met, although potentially met through the Work Plan approval process

11. establish or amend the policies that the organization uses to manage, such as those relating to accounting, personnel, compensation, collective bargaining or deployment of resources.
  - a. Not met

In our opinion, signing of the contract does not create a change in control for accounting purposes. However, the enactment of Clause 13, and the ability that then lies with CVRD elected officials, would provide evidence that control exists. Additional factors that support a conclusion of control are the specific requirements in Clauses 11, 15, 16, 17, 24 and 25, as well as the reporting and coordination requirements in clauses 22 through 25 (MNP notes that the numbering repeats and will be corrected in future drafts).

For clarification, the determination of control is subjective and based on professional judgment. No single criteria overrides the others, and all need to be viewed together to form a conclusion. When viewed in conjunction with a level of financial dependence, the clauses in the new contract that give expanded Board level control and involvement in directing operations and reporting outcomes point towards a situation where control exists.

Analysis of reporting framework:

Based on this conclusion, the reporting framework for the Society will change. The options to be analyzed are:

- a) Is the Society a government business entity (GBE)? No, it is not structured to earn a profit, nor can it maintain its operations or meet its liabilities without government funding.
- b) Is the Society a government not-for-profit organization (GNPO)? Yes, the Society meets the criteria in the CPA handbook for GNPOs.

**Appendix B**

THIS AGREEMENT MADE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BETWEEN:

**COMOX VALLEY REGIONAL DISTRICT**

770 Harmston Avenue  
Courtenay BC V9N 0G8

(the "CVRD")

AND:

**COMOX VALLEY ECONOMIC DEVELOPMENT SOCIETY**

(Inc. No. S23751)  
102-2435 Mansfield Drive  
Courtenay BC V9N 2M2

(the "Society")

WHEREAS:

- A. The CVRD is empowered by Bylaw No. 345 being "Comox Valley Economic Development Conversion Bylaw No 345, 2016", to convert and establish the Comox Valley economic development service for the purpose of providing for the economic development commission to encourage the responsible expansion of the Comox Valley economic base as well as enhance wealth and employment opportunities.

NOW THEREFORE in consideration of the mutual promises and covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both parties, the CVRD and the Society covenant and agree as follows:

**Provision of Services**

1. The Society will provide economic development services (the Services) for the benefit of the residents and participating local governments of the Comox Valley in accordance with the Comox Valley Economic Recovery Task Force (Schedule B) and local business support.
2. The Society shall provide the Services in accordance with the terms and conditions set out in this agreement.
3. The Society shall carry out the Services in and from land and premises that are zoned to permit the activities of the Society, and in accordance with any other applicable laws, regulations and bylaws ('enactments') and orders made under such enactments.

**Fee for provision of services**

- 4.a) Subject to deductions made under Section 30, the CVRD will pay to the Society the funding identified in Schedule A on the following basis:
  - i January to June, paid no later than January 15 of each year
  - ii July to December, paid no later than August 15 of each year

- 4.b) If one of the municipalities or electoral areas that is a participant in the Comox Valley economic development service through the CVRD withdraws from that Service, the CVRD shall provide six months' notice of withdrawal in writing to the Society. Following such notice, the parties shall, in good faith, renegotiate the amount of financial contribution payable by the CVRD to the Society under this Section 4 of this Agreement, to reflect the proportion of the tax requisition that would be affected by the withdrawal of the participant. If the parties are unable to reach agreement on the amount of the reduction applicable to the payment, the matter shall be resolved by way of Dispute Resolution under section 38.
5. The Society shall be responsible for the payment of all expenses associated with the Service, other than the costs paid directly by the CVRD referred to in section 30.
6. In the event the Society fails to pay for any expenses associated with the Service, the CVRD shall deduct the corresponding amounts from the funds requisitioned by the CVRD for the Service, and may in its discretion pay such expenses directly.

#### **Accounting Services, Audit and Records**

7. The Society will provide the Services in a professional, timely and transparent way through the reporting provisions contained within this Agreement, as befits the provision of the Services to the CVRD in accordance with Schedule B.
8. The Society will not have any authority, actual or implied, to commit the CVRD to obligations outside this Agreement, without the prior written consent of the CVRD.
9. The Society will follow accounting principles in Canadian accounting standards for not-for-profit organizations ensuring that good financial practices, management, controls and procurement policies are in effect and will maintain at all times, accurate books, records and accounts for the Society, including all receipts and invoices supporting any expenditures, applied on a consistent basis from year to year and permit the CVRD to inspect the same at all reasonable times and to make copies thereof.
10. The Society shall present audited financial statements prepared by an independent accountant at the annual general meeting that include the statement of financial position, the statements of operations and changes in net assets and related schedules, and cash flows for the Service for the preceding fiscal period January 1 to December 31.
11. The Society shall present a Statement of Financial Information (SOFI) showing remuneration and expenses paid to each employee in excess of \$75,000.00 for the preceding fiscal period January 1 to December 31.
12. The Executive Director, or a designated employee responsible for preparing the financial statements, of the Society will meet annually with financial staff of the CVRD to discuss the audited financial statements. These meetings are intended to be for the exchange of information only.
13. The Society shall make changes to the Society's Bylaws to allow for Comox Valley Elected Officials to be voting members of the Society by September 30, 2020.
14. The Society shall not make any changes to the Bylaws or membership of the Society that affect the membership in the Society or the election, appointment of persons to or on the Board of Directors of the Society or the powers or duties of the members or Directors of the Society without the CVRD receiving written notice of proposed changes.
15. The CVRD and the Society shall collaborate to investigate the potential for the integration of shared services, including but not exclusive of financial accounting, co-location at 770 Harmston Avenue. A report shall provide recommendations on the potential of integration for the CVRD Board and the Society consideration by December 31, 2020.

16. The Society Board shall complete a 360 degree Employee Performance Assessment of the Executive Director by December 31, 2020 and an assessment is to be completed annually. The Executive Director shall complete annual Employee Performance Assessments for each full time staff member.

**Asset Management Plan**

17. The Society shall provide an updated asset management plan for the Vancouver Island Visitor Information Centre by January 30, 2022. An updated asset management plan shall be taken into consideration every five years. The CVRD may consider contributing to a reserve fund towards the replacement of the Vancouver Island Visitor Information Centre subject to funds being available.

DRAFT

**Term of Agreement**

18. This Agreement commences August 1, 2020 and expires on December 31, 2022, subject to earlier termination.
19. This Agreement may be renewed for an additional one (1) year term through the mutual consent of CVRD and the Society. A one year renewal or a new agreement shall be completed by June 30, 2022.

**Early Termination**

20. This Agreement is immediately terminated, if the Society:
  - a. Voluntarily winds up its affairs or disbands;
  - b. Becomes bankrupt;
  - c. Fails to hold a general meeting for a period of 18 months; or
  - d. Fails to maintain itself under the *Society Act* of the Province of British Columbia and any amendments thereto or regulations thereunder.
21. If the Society fails to comply with or is in breach of any of the terms and conditions of this Agreement, the CVRD may serve written notice on the Society requiring the Society to remedy the default within 30-days from receipt of such notice, and if the Society fails to cure the default or take such steps as may be reasonably taken to correct or remedy the default within such time period, the CVRD may terminate this Agreement forthwith.
22. At any time during the Term, either party may terminate this Agreement on six months' notice to the other party, and upon the expiration of six months from the date of receipt of such notice, this Agreement shall be terminated.
23. The parties acknowledge that the constitution of the Society provides that in the event of a windup or dissolution of the Society, funds and assets of the Society remaining after the satisfaction of its debts and liabilities, shall be paid to the CVRD, the City of Courtenay, Town of Comox or their successors and any other corporate body incorporated under the *Local Government Act* of the Province of British Columbia and any amendments to it that participate in the funding of the Society, in proportion of the funding provided by each such regional district, local government or corporation during the existence of the Society.

**Planning and Work Plan Approval**

24. The Society will support the Comox Valley Economic Recovery Task Force as prescribed in the Memorandum of Understanding (Schedule B) and to implement short term recovery initiatives resulting from the Task Force. The Society will develop Annual Work Plans for 2021 and 2022 to implement economic recovery strategies resulting from the Comox Valley Economic Recovery Task and other CVRD economic initiatives. The Society will submit a Work Plan for 2021 to the CVRD Board before December 31, 2020 for the provision Services. The Society will submit a Work Plan for 2022 to the CVRD Board before December 31, 2021 for the provision Services.
25.
  - a) On or before April 1 of every year of the Agreement, the CVRD board will either approve the Annual Work Plan and inform the Society or have otherwise returned the Annual Work Plan to the Society with reasons why the Annual Work Plan is not approved;
  - b) If the Society has not, within 90 days of receiving notice from the CVRD Regional District, amended the Annual Work Plan to respond to the matters in disagreement, either party may commence dispute resolution under Section 38;

**Reporting**

22. In every year of this agreement, the Society will:

- a) On or before July 31, provide to the CVRD a written annual report which shall contain information on the Society's performance outcomes relating to the Annual Work Plan, the year's operations, the status of any capital developments.
23. On a quarterly basis of this Agreement, the Society will:
- a) For each "member", send a written status report summarizing the objectives, accomplishments and any changes to initiatives for inclusion in the formal agendas of the local governments participating in the service.
  - b) Work in partnership with each local government designated staff to support external communications on the report activities, and other economic development related items of importance to that local government such as new projects, economic data and research, streamlined process and items that support the ongoing mandate of the economic development service.

#### **Coordination of Activities**

24. The Executive Director of the Society will meet regularly and independently with each of the participating local government chief administrative officers participating in the service upon their request. The purpose of the meetings will be to coordinate the roles, responsibilities and activities of the parties as they relate to this Agreement and specific economic development related applications and or projects that the local government is reviewing.
25. The Society shall maintain a 'living calendar of events' and provide a link to the calendar for the elected officials of the City of Courtenay, Town of Comox, and the CVRD Electoral Directors of Baynes Sound (Area A); Lazo North (Area B) and Puntledge/Black Creek (Area C) and the chief administrative officers of each local government. The calendar shall include events and registration information such that members may consider in a timely manner whether they wish to attend an event.

#### **Seeking Additional Funding Sources**

26. The Society will diligently seek funds from sources other than the CVRD to help fund the Services. The Society may seek the CVRD's assistance to support applications to other grant programs and revenue sources and establish partnerships with local governments to explore revenue generating activities that support both parties.

#### **Review of Economic Development Service**

27. The CVRD shall review all aspects of the Comox Valley Economic Development Service function by June 30, 2022. The review shall include, but not be limited to the following items:
- a) Examination of service models.
  - b) Extensive input from the Society.
  - c) Extensive input from local businesses.

28. Intentionally left blank.

#### **Regional District Service**

29. The CVRD retains the right to administer and manage the regional district's Comox Valley Economic Development service.
30. The CVRD may retain from the amount requisitioned for the Service, amounts for costs incurred by the CVRD in connection with the Service including an administration charge for support services, cost of liability insurance and cost of property insurance in accordance with the CVRD support services policy, studies, reserves and any other costs incurred by the CVRD in connection with or arising from the Service.

**Insurance**

31. The Society shall at its expense, throughout the term of the agreement, maintain and pay for a comprehensive general liability insurance policy or policies with a limit of not less than \$2,000,000 inclusive per occurrence for bodily injury and property damage.
32. The Society shall at its expense, throughout the term of the agreement, maintain and pay for property insurance.
33. The CVRD shall be added as an additional insured to that policy of insurance.
34. The Society shall furnish the CVRD with a certificate or certificates of insurance as evidence that such insurance is in force including evidence of any insurance renewal policy or policies. Every certificate, or certificates of insurance, shall include certification by the insurer that the certificate of insurance specifically conforms to all of the provisions required herein.
35. Maintenance of such insurance and the performance by the Society of their obligation under this clause shall not relieve the Society of liability under the indemnity provisions here and above set forth.

**Indemnity**

36. The Society shall indemnify, save harmless, release and forever discharge the CVRD, its elected officials and appointed officers and employees from and against any and all manner of actions, causes of actions, claims debts, suits, losses, liabilities, costs, demands and expenses whatsoever, whether known, in any way arising from, in connection with or attributable to the actions of the Society, its servants, agents, officers, employees, contractors or subcontractors in connection with this Agreement.

**Employment Relationship**

37. It is understood that this Agreement is strictly between the CVRD and the Society and in no way shall be interpreted as an employment relationship between the CVRD and the Society and their employees and/or its agents and/or their employees, and/or its contractors and/or their employees. Should any differences arise between the Society and any of its employees and/or its agents and/or their employees and/or their contractors and/or their employees, they shall be resolved directly between them and the Society in this connection.

**Dispute Resolution**

38. Where a matter relating to the Annual Work Plan is under dispute under Section 21 and the Parties cannot settle the dispute through negotiation, then the Parties must attempt in good faith to resolve the dispute through mediation before resorting to binding arbitration pursuant to the *Arbitration Act* (British Columbia).
39. If any dispute is referred to mediation or to an arbitrator appointed under the *Arbitration Act*, the costs of the arbitration shall be borne equally by the parties involved in the dispute. The Parties agree that in the event of arbitration, a single arbitrator shall be appointed in lieu of a panel.

**General**

40. This Agreement, and any rights or obligations hereunder, shall not be transferred or assigned by the Society without the prior written consent of the CVRD, and any attempt to do so without such consent will be of no force and effect.
41. The provisions herein contained constitute the entire Agreement between the parties and supersede all previous communications, representations and agreements, whether verbal or written, between the parties with respect to the subject matter hereof.
42. This Agreement shall enure to the benefit of and be binding upon the parties hereto and their successors and permitted assigns.

- 43. Each of the parties hereto hereby covenants and agrees to execute such further and other documents and instruments, and to do such further and other things as may be necessary to implement and carry out the intent of this Agreement.
- 44. This Agreement may not be modified or amended except by an instrument in writing signed by the parties hereto or by their successors or assigns.
- 45. Wherever the singular or masculine are used herein the same shall be deemed to include the plural or the feminine or the body politic or corporate where the context or the parties so requires.
- 46. The headings to the sections of this Agreement are inserted for convenience only and shall not affect the construction hereof.
- 47. Time is expressly declared and stipulated to be of the essence of this Agreement in respect of all payments to be made hereunder and all covenants and agreements to be performed and fulfilled.
- 48. Either party may, in writing, from time to time and at any time waive, in whole or in part, the benefit to it of any provision of this Agreement or any default by the other party, but any waiver on any occasion shall be deemed not to be a waiver of that provision thereafter or of any subsequent default, or a waiver of any other provision or default under this Agreement.
- 49. All notices, requests and demands required or permitted to be given hereunder shall be given in writing and may be delivered personally, or sent by electronic mail transmission to the parties at the addresses on the first page of this Agreement. All notices, requests and demands shall be deemed to have been received when by electronic mail, on transmission; when mailed, on the seventh calendar day after being mailed and when telegraphed or delivered, when actually received.

**Entire Agreement**

- 50. This document, including:  
 Schedule A - Provision of Funding  
 Schedule B – Memorandum of Understanding

The parties hereto have executed this Agreement as of the day and year first above written.

The terms of this Agreement are hereby agreed to, as at the date above:

**COMOX VALLEY REGIONAL  
DISTRICT**

**COMOX VALLEY ECONOMIC  
DEVELOPMENT SOCIETY**

\_\_\_\_\_  
 Jesse Ketler, Chair

\_\_\_\_\_  
 Signature and Title

\_\_\_\_\_  
 James Warren,  
 General Manager of Corporate Services

\_\_\_\_\_  
 Signature and Title

**SCHEDULE A**

**PROVISION OF FUNDING**

1. Delivery of core economic development service requirements including management, administration, personnel and operating costs (excluding leased premises). Delivery of strategic goals, sector priorities and annual work plan objectives for the Comox Valley. Destination Marketing Activities. Delivery of visitor information services

• August 1, 2020 to December 31, 2020	\$339,000.00
• January 1, 2021 to December 31, 2021	\$800,000.00
• January 1, 2022 to December 31, 2022	\$816,000.00