



TOWN OF COMOX

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

REGULAR COUNCIL MEETING **AGENDA FOR WEDNESDAY NOVEMBER 25, 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, this meeting will be conducted by electronic means with some or all members of Council participating electronically. Further, in accordance with Ministerial Order, the public will not be permitted to be in attendance. The meeting will also be live-streamed on the Town's YouTube pages.

Public Question Period takes place at the end of each Council Meeting. Questions concerning agenda items can be emailed to agenda@comox.ca during each Council meeting. 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: 5:00 p.m.

1. INTRODUCTION AND APPROVAL OF LATE ITEMS:

2. ADOPTION OF AGENDA:

3. DELEGATIONS:

- (9) a. [David Mellin \(Stotan Falls Legacy Project\): Preserving the Stotan Falls Area as a Park](#)
- (194) b. [Don Cameron: Development Variance Permit Application: DVP 20-7 1700 Balmoral Avenue](#)

4. ADOPTION OF MINUTES:

- (18) a. [Regular Council Meeting Minutes](#)
That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday November 4, 2020, be Adopted.
- (25) b. [Public Hearing Meeting Minutes](#)
That the Minutes of the Public Hearing, held at d'Esterre Seniors' Centre on Wednesday November 4, 2020, be Adopted.
- (31) c. [Strategic Planning Committee Minutes](#)
That the Minutes of the Strategic Planning Committee, held in Council Chambers on Wednesday November 18, 2020, be Received.

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COMMITTEE RECOMMENDATIONS:(1) [Review of Council Remuneration](#)

That a report be provided by the Chief Administrative Officer on Comox Council remuneration, including an analysis of alternate director compensation for members serving on the Comox Valley Regional District board.

5. COUNCIL COMMITTEE MINUTES AND REPORTS: NIL**6. CONSENT AGENDA:**

(33)

a. [Consent Agenda](#)

ITEM SUMMARY: *The consent agenda contains correspondence or other items that may or may not require Council's attention. The consent agenda is first adopted in its entirety. Should a member wish to discuss any particular item a motion would then be made to move that specific item for discussion.*

RECOMMENDATION(S):

That the Consent Agenda items as follows be received:

- (a) *Comox Valley Regional District board meetings minutes held on Oct. 6 and Oct. 27, 2020*
- (b) *Rick Smith - Unsafe Intersection - Anderton Road and Robb Avenue*
- (c) *Baowu Quan - Penalty for Property Tax*

7. UNFINISHED BUSINESS:

(50)

a. [Strategic Planning and Action Items Report - November 25, 2020](#)

That the Strategic Planning and Action Items Report for November 25, 2020 be received and filed for information.

(74)

b. [2310 Guthrie Road Third Reading and Adoption Report Rezoning Application: RZ 18-6 Development Permit Application: DP 18-4 Development Variance Permit Application: DVP 19-7](#)

- 1. *That Third Reading of Comox Zoning Amendment Bylaw 1897 be rescinded;*
- 2. *That Comox Zoning Amendment Bylaw 1897 be amended to add "interior side setback shall not be less than 0.75 metres where abutting a lane";*
- 3. *That Comox Zoning Amendment Bylaw 1897 (Attachment 2) be given Third Reading as amended;*
- 4. *That Comox Zoning Amendment Bylaw 1897 be Adopted;*
- 5. *That Comox Phased Development Agreement Authorization Bylaw 1898: 2310 Guthrie Road be Adopted;*
- 6. *That Development Permit DP 18-4 be issued, subject to the Development Permit Conditions listed in Schedule 1 of the November 25, 2020 Staff Report on RZ 18-6, DP 18-4 and DVP 19-7; and*

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TOWN OF COMOX**REGULAR COUNCIL MEETING AGENDA OF WEDNESDAY NOVEMBER 25, 2020**

- (74) b. [2310 Guthrie Road Third Reading and Adoption Report Rezoning Application: RZ 18-6 Development Permit Application: DP 18-4 Development Variance Permit Application: DVP 19-7](#)

7. *That Development Variance Permit DVP 19-7 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 25, 2020 Staff Report on RZ 18-6, DP 18-4 and DVP 19-7.*

- (100) c. [2309 McDonald Road Post Public Hearing, Third Reading Report OCP RZ 19-1 Rezoning and OCP Amendment Application DVP 19-1 Development Variance Permit Application](#)

1. *That Comox Official Community Plan Amendment Bylaw 1954 be given Third Reading;*

2. *That Comox Zoning Amendment Bylaw 1955 be given Third Reading; and*

3. *That Comox Phased Development Agreement Authorization Bylaw 1956: 2309 McDonald Road be given Third Reading.*

8. SPECIAL REPORTS: NIL**9. BYLAW ADOPTIONS: NIL****10. NEW BUSINESS:**

- (169) a. [Fire Protection Services for K'ómoks First Nation and KFN Real Estate LP](#)

1. *That a new Fire Protection Services Agreement, as included in the November 25, 2020 Regular Council Meeting Agenda, be approved for the K'ómoks First Nation for a period of five years effective January 1, 2020; and further, that the Mayor and the Corporate Officer be authorized to execute the agreement.*

2. *That a new Fire Protection Services Agreement, as included in the November 25, 2020 Regular Council Meeting Agenda, be approved for KFN Real Estate LP for a period of five years effective January 1, 2020; and further, that the Mayor and the Corporate Officer be authorized to execute the agreement.*

- (194) b. [Development Variance Permit Application: DVP 20-7 1700 Balmoral Avenue](#)

That Development Variance Permit DVP 20-7 be issued subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 25th Planning Report on DVP 20-7.

- (217) c. [Council Meeting Video Recording Policy](#)

That Council adopt the Council Meeting Video Recording Policy No. CCL-060.

11. NOTICES OF MOTION: NIL**12. CORRESPONDENCE: NIL****13. LATE ITEMS:**

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TOWN OF COMOX**REGULAR COUNCIL MEETING AGENDA OF WEDNESDAY NOVEMBER 25, 2020**

14. REPORTS FROM MEMBERS OF COUNCIL:**15. MEDIA QUESTION PERIOD:****16. PUBLIC QUESTION PERIOD:****17. RESOLUTION TO GO IN-CAMERA:****18. RISE AND REPORT FROM IN-CAMERA:****ADJOURNMENT**

CORPORATE OFFICER

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O - Cfile: 0400-03
 Copies - Council
 - JW/MK/LP/LG

LOG: 20-426	REFER:	AGENDA: RCM 25Nov20
FILE: 0400-03	ACTION: MR	



REQUEST TO APPEAR AS A DELEGATION

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

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

Name(s) of person(s) speaking:

DAVID L MELLIN

Organization you are representing: STOTAN FALLS LEGACY PROJECT

Primary purpose of Organization: TO PRESERVE STOTAN FALLS Number of members: THE WHOLE COMOX VALLEY

Mailing address: 1132 DENNY ROAD

City: Comox BC Postal Code: V9M 4B5

Contact name: DAVE MELLIN Email: dmellin@shaw.ca

Phone: RES 250-339-5457 Cell 250-218-0701

Fax:

Subject matter:

Nov. 10, 2020

TO SAVE STOTAN FALLS AREA
 AS A PARK

TOWN OF COMOX

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

TO REQUEST ASSISTANCE TO MAKE SURE
 WE PRESERVE THE STOTAN FALLS AREA
 AS A PARK FOR ALL IN THE COMOX VALLEY TO ENJOY.

Requested meeting and date: A.S.A.P. AV equipment required: YES

Date of application: NOV 03/20

Signature of applicant:
 (or print name)

DAVID L MELLIN

Please Note:

- Regular Council and Strategic Planning Committee Meetings start at 5:00 p.m., Delegations are dealt with at the beginning of each meeting.
- Maximum presentation time is 10 minutes including questions, unless previously approved by the Chair.
- Presenters are to address Council or the Strategic Planning Committee, and not the audience.
- 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.
- Please ensure that your cell phone is turned OFF during the meeting.

Council and Strategic Planning Committee 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 – Administration

From: Barbara Mellin <bdmellin@shaw.ca>
Sent: November 9, 2020 11:11 AM
To: Town of Comox – Administration; Sorichta, Wendy
Subject: Pictures Part 1 Stotan Falls





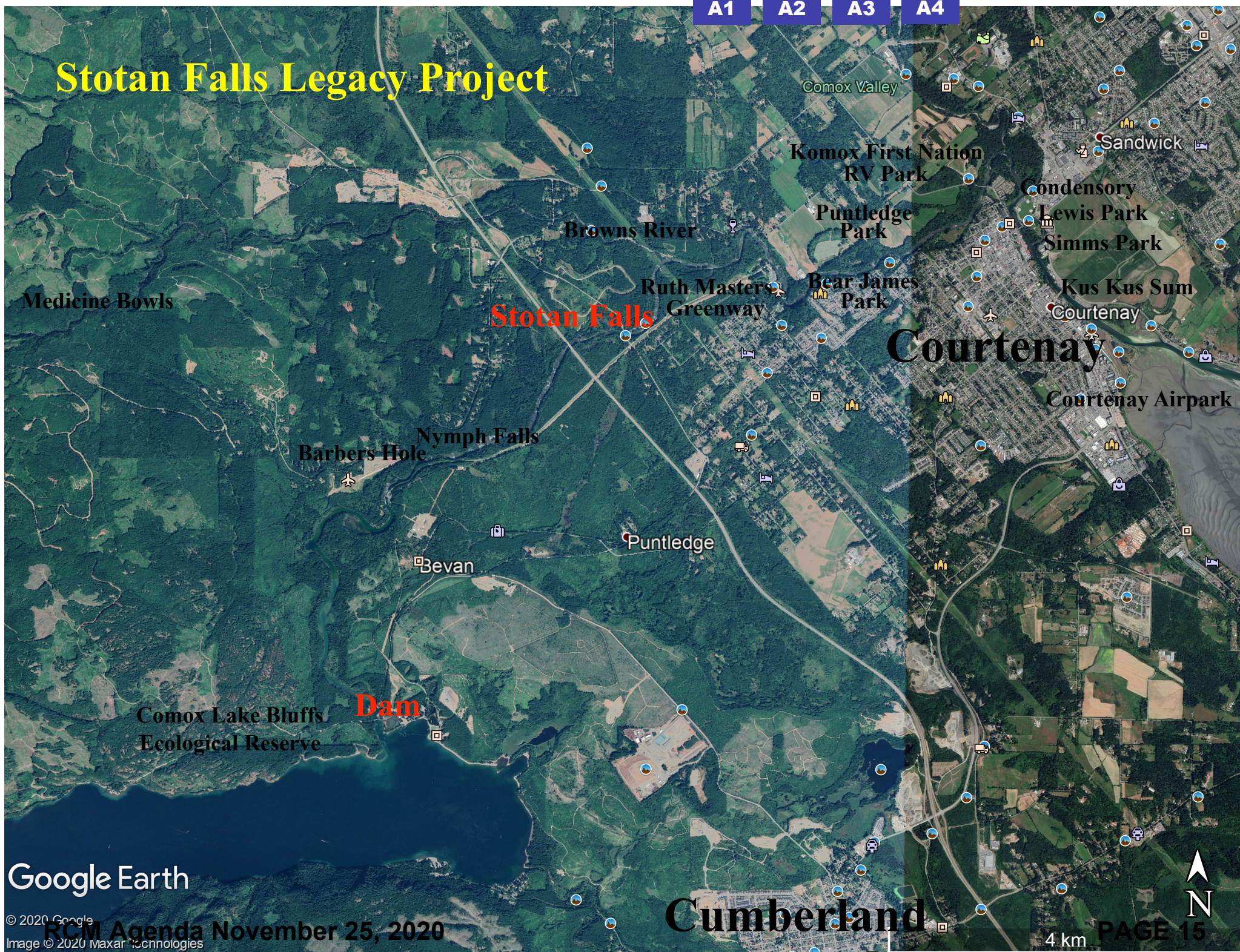
View Above Falls







Stotan Falls Legacy Project



Google Earth

A1

A2

A3

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Norm Lake

Pearl Lake

Google Earth

RCM Agenda November 25, 2020

Image © 2020 Maxar Technologies



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Comox Valley's Recreational Jewel



TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday November 4, 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
 C. Freundlich, Director of Finance
 M. Kamenz, Director of Development Services

Call to Order:

The meeting was called to order at 5:00 p.m.

The Agenda was Adopted.

There were 0 members of the public in attendance.

Pursuant to sections 7(1) and 7(2) of the Local Government Meetings and Bylaw Process (COVID-19) Ministerial Order No. 3 M192, the meeting was conducted by electronic means with some or all members of Council participating electronically. Further, in accordance with section 3(1) of the Ministerial Order No. 3 M192, the public was not permitted to be in attendance. Members of the public were able to attend to view the live-streamed proceedings of Council at d'Esterre Seniors' Centre, 1801 Beaufort Avenue.

Mayor Arnott acknowledged that the Town of Comox is on traditional First Nation land.

1. INTRODUCTION AND APPROVAL OF LATE ITEMS: NIL

2. ADOPTION OF AGENDA: NIL

3. DELEGATIONS: NIL

4. ADOPTION OF MINUTES:

a. Regular Council Meeting Minutes

RCM Minutes

That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday October 21, 2020, be Adopted.

(2020.366) -- CARRIED

b. Special Council Meeting Minutes

Special Council Minutes

That the Minutes of the Special Meeting of Council, held in Council Chambers on Wednesday October 28, 2020, be Adopted.

(2020.367) -- CARRIED

5. COUNCIL COMMITTEE MINUTES AND REPORTS: NIL

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

6. CONSENT AGENDA:

a. Consent Agenda

Consent Agenda

1. *That the Consent Agenda items as follows be received:*
 - (a) *Jane Henderson - E-Transfer tax payment*
 - (b) *Vivian Vaillant - Questions regarding fireworks*
 - (c) *Guy Hollingbury and Carol Swayne - Proposed Rezoning of 1153 Tara Road*
 - (d) *John Watson (CVEDS) Potential Office Space at the Town of Comox*
 - (e) *Brandon Moore - Parking issue on McDonald Road*
 - (f) *Dan Currie - RV Sani-dump station*
 - (g) *John A Fell - Outstanding property tax and penalty*

(2020.368) -- CARRIED
2. *That items (d) and (e) be removed from the consent agenda for discussion.*

(2020.369) -- CARRIED
3. *That the October 21, 2020 enquiry from John Watson, Executive Director of the Comox Valley Economic Development Society, regarding the potential of utilizing a small office workspace while in the Town, be permitted under the conditions as outlined by the Chief Administrative Officer.*

(2020.370) -- CARRIED

7. UNFINISHED BUSINESS:

a. Strategic Planning and Action Items Report - November 4, 2020

Strategic Planning and Action Items

That the Strategic Planning and Action Items Report for November 4, 2020 be received and filed for information.

(2020.371) -- CARRIED

8. SPECIAL REPORTS:

a. Mayor's 2020 Year in Review

Mayor's Year in Review

Mayor Arnott read out the following Year in Review for 2020:

The great challenges we faced as a result of the COVID-19 pandemic in 2020, were matched by significant efforts and strides by council and staff around a range of projects, programs and initiatives. I am pleased to highlight some of these here, through the lens of the Town's strategic priorities.

With the arrival of COVID-19, urgent responses were needed to support the Town's business community and drive economic development measures to assist in the recovery and resilience of the economy. This included the implementation and extension of a Temporary Patio and Parklet Program, to enable Comox food and beverage businesses to expand the footprint of their businesses outdoors, to counter the reduced seating capacity requirements inside their businesses. Further, the Town participated in the Economic Recovery Task Force, which resulted in a number of COVID-19 response initiatives including the submission of two critical Community Economic Recovery Infrastructure Program grants for the construction of additional parking areas at the Comox Valley Airport and the construction of a Marina Service Building at the Comox Marina, part of the next phase of improvements in the park and harbour.

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

a. Mayor's 2020 Year in Review

Mayor's Year in Review

To support the health and well-being of our residents during this difficult time, the Town drove to safely reopen the Comox Community Centre after it had to close in March, through a methodical, phased approach, lead by provincial safety guidelines. The Centre also launched the ActiveNet registration software program to provide an improved user experience for those that register for a range of programs online.

On the community development and planning front, I am pleased to see the movement towards a number of housing developments that will provide over 300 new housing units for residents including rentals, single family to multi-family options, and affordable seniors housing. Two excellent examples include the seniors housing project that was approved on 1782 Balmoral Avenue that will see 55 unit apartment building constructed to help meet critical shortages in affordable seniors housing. In collaboration with the developer and the Comox Valley Children's Day Care Society the project at 695 Aspen Road will not only help deliver a number of multi-family rental units, but will also feature a new non-profit daycare centre for 28 children. We will also host a North East Comox Stormwater Management Plan Open House later this month, to garner feedback on Councils preferred solution for stormwater management in this area, to enable development applications to commence in 2021, which is expected to spur new tax revenue, new housing options, in addition to the creation of new jobs.

Relative to our climate change and environmental priorities, the Town installed new Electric Vehicle charging stations at the Fire Hall and at Town Hall, and partnered with the Comox Centre Mall to install two charging stations on-site. In collaboration with other Island municipalities, the Town secured funding for another EV station to be installed in 2021. Council also updated the Building Bylaw to include the BC Energy Step Code, which requires energy efficiency in new construction in the Town, ahead of the Province's schedule.

I want to recognize the great work of Town staff, now under the leadership of our new Chief Administrative Officer, Jordan Wall, for their resilience and adaptive approach throughout this unprecedented time, and also extend my thanks and appreciation to Council for their efforts.

There are many more initiatives and projects coming in 2021. I encourage all residents to continue to engage with the Town by viewing council proceedings via our new YouTube channel, submitting questions to council, participating in the COVID-19 adapted Open Houses and Public Hearings we continue to hold, and following the various activities and initiatives of the Town on our website, Facebook and Twitter channels, as a way to stay connected.

9. BYLAW ADOPTIONS:

a. Comox Bylaw Notice Enforcement Bylaw No. 1961, 2020

Bylaw Dispute Adjudication Program

That the Comox Bylaw Notice Enforcement Bylaw No. 1961, 2020 be Adopted.

(2020.372) -- CARRIED

b. Comox Building Amendment Bylaw 1962, 2020

Building Amendment Bylaw

That Comox Building Amendment Bylaw 1962, 2020 be Adopted.

(2020.373) -- CARRIED

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

10. NEW BUSINESS:

a. Council Appointments, Acting Mayor Roster, Signing Authorities and Meeting Schedule

Council Appointments

1. *That the following appointments be made to community organizations:*

- (a) *Comox Archives and Museum Society -
Councillor McGowan with Councillor Minions as alternate;*
- (b) *Comox Business in Action -
Mayor Arnott with Councillor Minions as alternate;*
- (c) *Comox Valley Community Justice Centre -
Councillor McKenna with Councillor Bissinger as alternate;*
- (d) *Comox Valley Economic Development Society -
Mayor Arnott with Councillor Grant as alternate;*
- (e) *d'Esterre Seniors Centre -
Councillor McGowan with Councillor McKenna as alternate;*
- (f) *Filberg Heritage Lodge & Park Association -
Councillor Swift with Councillor Bissinger as alternate;*
- (g) *Comox Nautical Days -
Councillor McKenna with Councillor Bissinger as alternate;*
- (h) *Comox Valley Social Planning Society - Councillor McGowan;*
- (i) *Comox Golf Club - Director of Finance; and*
- (j) *Comox Valley Harbour Authority - Parks Superintendent.*

(2020.374) -- CARRIED

2. *That the following appointments be made to the Comox Valley Regional District boards, committees and commissions:*

- (a) *Comox Valley Regional District Board and Comox Valley Sports Commission -
Councillors Grant and Swift, with Councillors Bissinger and Minions as alternates;*
- (b) *Comox-Strathcona Regional Waste Management and Regional Hospital
Districts - Councillors Grant and Swift, with Councillors Bissinger and Minions as
alternates and designated as the members who will regularly attend the
meetings;*
- (c) *Comox Valley Sewer Commission - Councillors Grant, Minions and Swift, with
Councillors McGowan, Bissinger and McKenna as alternates;*
- (d) *Comox Valley Water Committee - Councillor Grant with 2 voting units and
Councillor Swift with 1 voting unit, and with Councillors Bissinger and Minions as
respective alternates; and*
- (e) *Comox Valley Integrated Regional Transportation Select Committee -
Councillor Bissinger, with Councillor McGowan as alternate.*

(2020.375) -- CARRIED

3. *That the following additional appointments be made to community organizations:*

- (k) *Comox Valley Food Policy Council -
Councillor McGowan with Councillor Bissinger as alternate; and*
- (l) *Comox Valley Community Drug Strategy Committee -
Councillor McGowan with Councillor Minions as alternate.*

(2020.376) -- CARRIED

4. *That Councillor McKenna be appointed to the Vancouver Island Regional Library Board,
with Councillor Minions as alternate.*

(2020.377) -- CARRIED

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

a. Council Appointments, Acting Mayor Roster, Signing Authorities and Meeting Schedule

Council Appointments

5. That the Acting Mayor Roster for 2021 be as follows:

- Councillor Ken Grant -	January and July
- Councillor Stephanie McGowan -	February and August
- Councillor Pat McKenna -	March and September
- Councillor Nicole Minions -	April and October
- Councillor Maureen Swift -	May and November
- Councillor Alex Bissinger -	June and December

(2020.378) -- CARRIED

6. That MNP LLP be appointed as the Town auditor for the 2021 calendar year.

(2020.379) -- CARRIED

7. That signing authority for 2021 be designated to Mayor Russ Arnott, Councillor Ken Grant, Councillor Maureen Swift, Chief Administrative Officer Jordan Wall, Director of Finance Clive Freundlich and Director of Corporate Services Shelly Russwurm.

(2020.380) -- CARRIED

8. That the 2021 Regular Council and Strategic Planning Committee meeting schedule, as outlined in the October 29, 2020 report from the Executive Coordinator titled "2021 Council Appointments, Acting Mayor Roster, Signing Authorities and Meeting Schedule" be approved.

(2020.381) -- CARRIED

b. Impacts of Landfill Closures on Comox Waste Collection

Add-a-Day Solid Waste Collection Calendar

THAT Council forwards a request to the Comox Valley Solid Waste Board to reconsider or delay the decision to close the Comox Valley Waste Management Centre on statutory holidays.

(2020.382) -- CARRIED

c. Opportunity for the Public to Hear and See Council Meetings

Streaming of Council Meetings

1. That, in accordance with Ministerial Order No. M192 and despite best efforts, Council reaffirms that the attendance of members of the public cannot be accommodated at Council and Council Committee meetings, due to the room size and maximum person capacity of Council Chambers.

(2020.383) -- CARRIED

2. That, due to the low turnout of the public at d'Esterre Seniors' Centre during Council meetings, and the requirements of the Provincial Health Officer's Order on Gatherings and Events, Council discontinue the opportunity of the public to hear and see meetings in person through attendance at livestreamed events at d'Esterre Seniors' Centre, 1801 Beaufort Avenue.

(2020.384) -- CARRIED

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

c. Opportunity for the Public to Hear and See Council Meetings

Streaming of Council Meetings

3. *That Council continue to ensuring openness, transparency, accessibility and accountability for Council and Council Committee meetings by:*
 - a. *allowing the public to hear and see meetings electronically through livestreamed videos published on the YouTube channel;*
 - b. *allowing the public to ask questions on agenda items via email during Council meetings;*
 - c. *publishing the entire agenda and all background materials on the Town's website;*
 - d. *archiving the meeting video for future viewing by members of the public;*
 - e. *promoting the public's ability to hear and see livestreamed meeting videos electronically; and*
 - f. *continuing to explore options to facilitate public participation.*

(2020.385) -- CARRIED

d. Purchase of Fire Prevention Vehicle

Fire Prevention Vehicle

1. *That Council authorize the purchase of the 2018 Dodge Renegade, currently used as a sponsored fire prevention vehicle, from Comox Valley Dodge for approximately \$30,000.*
2. *That an additional \$12,000 be added to the 2021 Fire Service – Capital Equipment budget.*
3. *That early budget approval be granted for the additional \$12,000 to the 2021 Fire Service – Capital Equipment budget, prior to the formal adoption of the 2021-2025 Financial Plan.*

(2020.386) -- CARRIED

(2020.387) -- CARRIED

(2020.388) -- CARRIED

e. Noise Exemption Permit for Dredging of Comox Valley Marina

Noise Exemption Application

That the Noise Exemption Application dated October 29, 2020 from Comox Valley Marina Ltd., 1805 Beaufort Avenue, requesting exemption from Section 16 [Construction Noise] of the Comox Public Nuisance and Property Maintenance Bylaw, 2010, be approved in order to allow the movement of dredged material by tug at night, during the period December 3 to 23, 2020; and further,

That the applicant be required to place a notice in the Comox Valley Record newspaper as well as provide written notification to residents south of Comox Avenue between Manor Place and Port Augusta Street prior to the work being undertaken.

(2020.389) -- CARRIED

11. NOTICES OF MOTION: NIL

12. CORRESPONDENCE: NIL

13. LATE ITEMS: NIL

14. REPORTS FROM MEMBERS OF COUNCIL: NIL

17. RESOLUTION TO GO IN-CAMERA: NIL

18. RISE AND REPORT FROM IN-CAMERA: NIL

Adjournment:

Regularly moved and seconded that the meeting adjourn at

CARRIED

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

MAYOR

CORPORATE OFFICER

**Public Hearing Meeting Minutes
held at d'Esterre Seniors' Centre, 1801 Beaufort Avenue, Comox, BC
on Wednesday November 4, 2020**

<u>Present:</u>	Mayor	R. Arnott
	Councillors	A. Bissinger, K. Grant, S. McGown, P. McKenna (electronically), N. Minions, M. Swift
	Staff	J. Wall, Chief Administrative Officer S. Russwurm, Corporate Officer M. Kamenz, Director of Development Services R. Bozerocka, Planner
<u>Absent:</u>		Nil

Call to Order:

The Public Hearing Meeting was called to order at 7:00 p.m.

There was one member of the public in attendance.

Pursuant to Ministerial Order No. 3 M192, the November 4, 2020 Public Hearing was conducted by electronic means with some or all members of Council participating electronically. A maximum of 15 members of the public was permitted to attend the Public Hearing in order to enable patrons to maintain a distance of two metres from one another. The Public Hearing was also live-streamed via the Town's YouTube Channel for members of the public that are not able to attend in person.

In accordance with the Gatherings and Events Order of the Public Health Officer, access to the Public Hearing was controlled and closely monitored. As well, the first and last names and telephone number, or email address, of patrons who attend the Public Hearing was collected.

PUBLIC HEARING STATEMENT

Mayor R. Arnott made the following statement:

This Public Hearing is hereby convened pursuant to Section 464 of the Local Government Act for the purpose of hearing representations from those persons who believe that their interest in property is affected by the proposed:

- 1. Official Community Plan and Rezoning Application OCP RZ 19-1 (2309 McDonald Road):**
 - a. Comox Official Community Plan Amendment Bylaw 1954
 - b. Comox Zoning Amendment Bylaw 1955
 - c. Comox Phased Development Agreement Authorization Bylaw 1956: 2309 McDonald Road
 - d. Development Variance Permit Application DVP 19-1

The proposed bylaws have received first and second readings, but have not passed third reading or been adopted by Council. Notices of this Public Hearing have been published in accordance with the requirements of the Local Government Act. Also, a copy of the proposed bylaws and development variance permit application, supporting documentation and any submissions to Council received from the public have been available for inspection at Comox Town Hall as required by the Local Government Act. Copies are also available for review at the desk of the clerk.

To maintain order and to ensure everyone a reasonable opportunity to be heard, I ask that each person wishing to speak first have their name added to the Speaker's List, located at the desk of the Clerk. Once called by the Chair, please begin your presentation to Council by clearly stating your name and address. Please make your presentation as brief as possible. After all have had an opportunity to be heard, anyone wishing to have further input may once again sign the Speaker's List.

Council will not debate with each other or members of the public. Council will not answer questions; we are here to hear from you. Technical questions may be directed by the Chair to the staff.

Everyone will be given a reasonable opportunity to be heard at this meeting. No one will be, or should feel, discouraged or prevented from making his or her views heard. Please refrain from any conduct that would intimidate others or discourage them from speaking.

Due to COVID-19 restrictions, please respect physical distancing requirements while lining up to enter or leave this room, or to have your name added to the Speaker's List. Because of maximum capacity limits on this room, we have an overflow room set up if needed next door in the lounge area, and this meeting is being livestreamed on that side. Those wishing to speak who are waiting next door may have their name added to a Speaker's List in that area, and will be called over once it is their turn. Once you have addressed Council, please move over to the lounge side, if necessary, to allow others the opportunity to address Council.

If members of the public are not able to attend at tonight's meeting due to maximum capacity limits, tonight's meeting will be recessed once we have heard from those physically present. The meeting will reconvene tomorrow night at 7:00 p.m. to hear from you.

1. Official Community Plan Rezoning Application RZ 19-1 (2309 McDonald Road):

Application Summary

a) Official Community Plan Amendment Bylaw 1954

In summary, the purpose of Official Community Plan Amendment Bylaw 1954 is to:

- designate the subject property as Residential: Townhouses & Ground Oriented Infill,
- include the property in Development Permit Areas
 - o #2 Ground Oriented Infill,
 - o #10 Bald Eagle and Great Blue Heron Nesting Sites/Perching Trees,
 - o #17 Coach Houses and
 - o #18 Secondary Suites, and
- update OCP maps.

b) Comox Zoning Amendment Bylaw 1955

In summary, the purpose of Comox Zoning Amendment Bylaw 1955 is to is to rezone portions of the subject property from Comox Valley Regional District Country Residential – 1 zone,

1. to the following single-family zones:
 - R1.4 Single-Family – Two Storey Coach Houses,
 - R3.2 Single-Family – 450 m² Parcel,
 - R3.8 Single-Family – 450 m² Parcel 2.5m Front Setback,
 - R5.1 Single-Family – 250 m² Parcel Zero Lot Line;
2. to two-family zone R2.3 Two-Family – Front to Back; and
3. to CD30 Comprehensive Development 30: Aspen Townhouses zone.

c) Comox Phased Development Agreement Authorization Bylaw 1956:
2309 McDonald Road

In summary, the Comox Zoning Amendment Bylaw 1955 is to authorize the Town of Comox to enter into a phased development agreement to enter into a Phased Development Agreement with Valley View Estates Ltd. for a term of 10 years, limiting the Town's ability to change the zoning in exchange for amenity contributions of

- \$68,469 to the Town's Affordable Housing Reserve Fund;
- \$12,864 to the Sewer DCC Reserve Fund; and
- Provision of improvements within the McDonald and Hector Greenways.

d) Development Variance Permit Application DVP 19-1

In summary, the Development Variance Permit Application DVP 19-1 is to

- reduce local and major collector road pavement widths;
- require pull-out parallel parking on one side of the road, and barrier curbs, sidewalks and street trees adjacent to the curb on both sides of the road; and
- reduce the rear yard setback for one of the proposed two-family lots.



The Application Summary was received for information

Public Hearing Submissions

Mayor Arnott made the following statement:

Written – To ensure that written submissions are included in the minutes of the meeting, please ensure that all are submitted to the desk of the Clerk before the end of the meeting.

Verbal – The proposed bylaws and development variance permit application are now open for discussion.

Speakers:

Mel McLachlan – 1688 Dogwood Avenue

Mr. McLachlan voiced his concern with the growing traffic in the area, and suggested that Council examine the option of installing a roundabout at the Macdonald/Guthrie/Lerwick intersection.

CLOSE OF PUBLIC HEARING

There being no further speakers on the speaker's list, Mayor Arnott made the following statement:

I would remind those present that legal considerations prevent the members of Council from considering any representation made after the close of this Public Hearing.

Before closing the Public Hearing, I am going to call three times for any further speakers on any of the matters contained in the proposed bylaws and development variance permit application.

For the first time, is there anyone who wishes to make any further representation?

For the second time, is there anyone who wishes to make any further representation?

For the third time, is there anyone who wishes to make any further representation?

There being no further speakers, I declare this Public Hearing closed.

Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:15 p.m.

CARRIED

Statements submitted by residents at the meeting are attached to these Public Hearing Minutes:

Mel McLachlan

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

MAYOR

CORPORATE OFFICER

Certified fair and accurate pursuant to Section 890(7) of the Local government Act.



CORPORATE OFFICER

You may recall I made a brief statement at the last open house dealing with the large housing project by Quality Foods, well here I am again wishing to point out again the growing traffic situation in this area. My point is brief.. If we --- you--- truly want to address climate change, the easiest way to do so is to deal with ghg emissions from traffic. Modern engineers will tell you that modern roundabouts are safer, more efficient and much cleaner than signal controlled intersections. The greatest expense when installing one is the cost of land. The present intersection at Macdonald and Lerwick/Guthrie is spacious enough to accommodate a roundabout. Working in conjunction with Courtenay, a modern roundabout will create a quieter and safer neighbourhood while reducing our contribution to the climate crisis significantly. Is there any avenue open to council to examine this option and work to remediate this obsolete signalized intersection ?

Transport Canada 5 POLICY RECOMMENDATIONS

Given the considerable benefits of roundabouts in terms of greatly improved safety, increased mobility, reduced fuel use and emissions as well as social benefits, Canadian jurisdictions should consider a proactive policy, such as that used by British Columbia and Virginia, formally requiring that a roundabout be looked at as a first option for an intersection. The cost-benefit analyses should go well beyond initial construction costs and consider in addition environmental, economic and safety costs over a 20 year life-cycle period. <http://www.tc.gc.ca/eng/policy/report-acg-roundabouts-menu-1758.htm>

MEL McLachlan

Dogwood Ave Comox

mssmcl@shaw.ca

RECEIVED

NOV 04 2020

TOWN OF COMOX

TOWN OF COMOX
Minutes of the Strategic Planning Committee Meeting,
held in Council Chambers on Wednesday November 18, 2020

Present:

Mayor	R. Arnott
Councillors	A. Bissinger (electronically), K. Grant, S. McGowan, P. McKenna (electronically), N. Minions, M. Swift
Staff	J. Wall, Chief Administrative Officer S. Russwurm, Corporate Officer C. Freundlich, Director of Finance G. Schreiner, Fire Chief (electronically)

Absent: Nil

Pursuant to Ministerial Order, the meeting was conducted by electronic means with some or all members of Council participating electronically. Further, in accordance with Ministerial Order, the public was not permitted to be in attendance.

Mayor Arnott acknowledged that the Town of Comox is on traditional First Nation land.

Call to Order: The meeting was called to order at 5:00 p.m.

The Agenda was Adopted.

1. Departmental Updates:

a. Finance Department Presentation

Mr. Clive Freundlich, Director of Finance, provided a summary for Council on the Town's finances, including:

- pre- and post-COVID budget,
- projected total actual spending for 2020,
- property tax payments,
- revenue needs for 2021, and
- asset management planning.

2. Strategic Priorities Report:

a. Strategic Priorities Report

The Strategic Priorities Report for November 18, 2020 was received for information.

3. Discussion Items:

a. Review of Council Remuneration

COMMITTEE RECOMMENDATIONS:

1. That a report be provided by the Chief Administrative Officer on Comox Council remuneration.

That the main motion be amended to include an analysis of alternate director compensation for members serving on the Comox Valley Regional District board.

CARRIED

TOWN OF COMOX - STRATEGIC PLANNING COMMITTEE MEETING MINUTES

a. Review of Council Remuneration**COMMITTEE RECOMMENDATIONS:****2. Main motion as amended:**

That a report be provided by the Chief Administrative Officer on Comox Council remuneration, including an analysis of alternate director compensation for members serving on the Comox Valley Regional District board.

*CARRIED***4. Staff Reports: NIL****5. Correspondence: NIL****Adjournment:**

Regularly moved and seconded that the meeting adjourn at 6:45 p.m.

CARRIED

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

CHAIR



COMOX VALLEY REGIONAL DISTRICT BOARD

Tuesday, October 6, 2020

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on October 6, 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:**

Chair:	J. Ketler	Village of Cumberland
Vice-Chair:	A. Hamir	Lazo North (Area B)
Directors:	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
Staff:	R. Dyson	Chief Administrative Officer
	J. Warren	Deputy Chief Administrative Officer
	M. Foort	Chief Financial Officer
	D. DeMarzo	General Manager of Community Services
	J. Martens	General Manager of Corporate Services
	M. Rutten	General Manager of Engineering Services
	S. Smith	General Manager of Planning and Development Services
	L. Dennis	Manager of Legislative Services

ATTENDANCE:

Also in attendance were J. Bast, K. Douville, K. Garrett, S. Hainsworth and A. Mullaly, CVRD.

ADOPTION OF MINUTES:

D. Arbour/W. Morin: THAT the Comox Valley Regional District Board minutes dated September 29, 2020 be adopted.

208

Carried

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/

Article 19: States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

REPORTS:**2020 - 2024 FINANCIAL PLAN – DENMAN ISLAND FIRE PROTECTION, FUNCTION 215 BUDGET AMENDMENT**

D. Frisch/W. Cole-Hamilton: THAT the report dated September 29, 2020 regarding an amendment to the 2020-2024 financial plan in order to complete the purchase of a water tanker truck for the Denman Island fire protection service in this fiscal year be received.

207

Carried

J. Bast, Manager of Fire Services, provided an overview of the staff report regarding an amendment to the 2020-2024 financial plan in order to complete the purchase of a water tanker truck for the Denman Island fire protection service in this fiscal year.

D. Hillian/E. Grieve: THAT the 2020-2024 financial plan and capital expenditure program for the Denman Island Fire Protection Service (function 215) be amended by increasing the vehicle purchase in 2020, project #1030 by \$25,000 to a maximum of \$175,000 to accommodate the purchase of a water tanker truck;

AND FURTHER THAT the purchase of the water tanker truck be funded by transfer from capital reserve funds for this service.

207

Carried

COMMUNITY RESILIENCY INVESTMENT GRANT FUNDING 2021

K. Grant/W. Cole-Hamilton: THAT the report dated September 30, 2020 regarding an update on Community Resiliency Investment (CRI) program grant funding in 2020 and seeking approval to to apply for CRI program grant funding for 2021 in partnership with K'ómoks First Nation (KFN) be received.

208

Carried

J. Bast, Manager of Fire Services, provided an overview of the staff report regarding Community Resiliency Investment (CRI) program grant funding in 2020 and CRI program grant funding for 2021 in partnership with K'ómoks First Nation.

E. Grieve/D. Frisch: THAT staff be authorized to apply for the 2021 Community Resiliency Investment grant funding in partnership with the K'ómoks First Nation to undertake FireSmart activities in the electoral areas and on K'ómoks First Nation lands;

AND FURTHER THAT the Comox Valley Regional District commit to overall grant management if the application is successful through Comox Valley Emergency Program- Electoral Areas function 271;

AND FINALLY THAT this report be forwarded to the Comox Valley Airshed Roundtable council for information.

208

Carried

GRANT STATUS REPORT – SEPTEMBER 30, 2020

D. Frisch/A. Hamir: THAT the report dated September 29, 2020 regarding an update on grant applications and the status of approved grants be received.

208

Carried

2020 PROCUREMENT ACTIVITY REPORT

K. Grant/D. Frisch: THAT the report dated September 29, 2020 regarding procurement contract awards, procurement metrics, and social procurement activities undertaken in 2020 be received.

208

Carried

S. Hainsworth, Manager of Operating and Capital Procurement, provided an overview of the staff report regarding procurement contract awards, procurement metrics, and social procurement activities undertaken in 2020.

REGIONAL TRANSPORTATION MOU - UPDATE

D. Arbour/K. Grant: THAT the report dated October 1, 2020 regarding feedback received respecting a proposed agreement with local municipalities and other jurisdictions for regional transportation planning within the Comox Valley be received.

208 and 212

Carried

J. Martens, General Manager of Corporate Services, provided an overview of the staff report regarding feedback received respecting a proposed agreement with local municipalities and other jurisdictions for regional transportation planning within the Comox Valley.

D. Hillian/K. Grant: THAT the Regional Transportation Memorandum of Understanding attached to the staff report dated October 1, 2020 be approved and forwarded to the Village of Cumberland, Town of Comox, City of Courtenay, Ministry of Transportation and Infrastructure and School District No. 71 for ratification.

208 and 212

Carried

ADDENDUM - UPON APPROVAL OF THE BOARD:

D. Arbour/D. Frisch: THAT the addendum be considered.

208

Carried

ADJOURN TO IN-CAMERA

D. Frisch/K. Grant: THAT the board adjourn to an in-camera session pursuant to the following sub-section of section 90 of the Community Charter:

90(1)(e) The acquisition, disposition or expropriation of land or improvements, if the committee/board considers that disclosure might reasonably be expected to harm the interests of the municipality.

208

Carried

Time: 4:29 pm.

RISE AND REPORT:

The board rose from its in-camera session at 5:02 pm.

TERMINATION:

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

208

Carried

Time: 5:02 pm.

Confirmed this _____ day of _____ 20____:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Lisa Dennis
Manager of Legislative Services



COMOX VALLEY REGIONAL DISTRICT BOARD

Tuesday, October 27, 2020

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on October 27, 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:

Chair:	J. Ketler	Village of Cumberland
Vice-Chair:	A. Hamir	Lazo North (Area B)
Directors:	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
Staff:	R. Dyson	Chief Administrative Officer
	J. Warren	Deputy Chief Administrative Officer
	M. Foort	Chief Financial Officer
	D. DeMarzo	General Manager of Community Services
	M. Rutten	General Manager of Engineering Services
	S. Smith	General Manager of Planning and Development Services
	L. Dennis	Manager of Legislative Services

ATTENDANCE:

Also in attendance were K. Douville, M. Harrison, A. Mulla, C. Wile and M. Zbarsky, CVRD.

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/:

Article 20: Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities; and,

Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

IN-CAMERA MEETING:

RCM Agenda November 25, 2020

K. Grant/D. Arbour: THAT the board adjourn to an in-camera session pursuant to the following sub-sections of section 90 of the Community Charter:

90(1)(b) Personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the regional district on condition of anonymity; and,

90(1)(e) The acquisition, disposition or expropriation of land or improvements, if the committee/board considers that disclosure might reasonably be expected to harm the interests of the municipality.

208

Carried

Time: 4:01 pm.

RISE AND REPORT:

The board rose from its in-camera session at 5:04 pm.

ADOPTION OF MINUTES:

A. Hamir/D. Frisch: THAT the Comox Valley Regional District Board minutes dated October 6, 2020 be adopted.

208

Carried

REPORTS:

BOARD OF VARIANCE - SEPTEMBER 29, 2020

D. Frisch/E. Grieve: THAT the Board of Variance minutes dated September 29, 2020 be received.

208

Carried

PUBLIC HEARING - SEPTEMBER 30, 2020

K. Grant/D. Hillian: THAT the public hearing minutes dated September 30, 2020 regarding Bylaw No. 604 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5" be received.

208

Carried

ECONOMIC DEVELOPMENT SELECT COMMITTEE - OCTOBER 1, 2020

D. Frisch/D. Hillian: THAT the Economic Development Select Committee minutes dated October 1, 2020 be received.

208

Carried

ELECTORAL AREAS SERVICES COMMITTEE – OCTOBER 5, 2020

E. Grieve/K. Grant: THAT the Electoral Areas Services Committee minutes dated October 5, 2020 be received.

208

Carried

D. Frisch/K. Grant: THAT the Comox Valley Regional District Board support Telus in proceeding with a public consultation process for a proposed Telus communication site in Black Creek.

208 and 213

Carried

E. Grieve/A. Hamir: THAT the board approve Development Variance Permit DV 2C 20 (Nichol) to increase the maximum allowable floor area among accessory buildings to 345 square metres on the property described as Lot B, Section 16, Township 9, Comox District, Plan 40985, PID 000-409-499 (4218 Forbidden Plateau Road);

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

208 and 213

Carried

A. Hamir/D. Frisch: THAT the board consider giving readings to Bylaw No. 625 being the "Comox Valley Electoral Areas Animal Control Bylaw No. 100, 2010, Amendment No. 1" as attached to the staff report dated September 23, 2020;

AND FURTHER THAT the board consider giving readings to Bylaw No. 627 being "Municipal Ticket Information Bylaw No. 104, 2010" Amendment No. 19" to reflect the changes outlined in the staff report dated September 23, 2020;

AND FINALLY THAT the proposed Dog Enforcement Policy and flow chart attached to the staff report dated September 23, 2020 be approved.

209

Carried

A. Hamir/E. Grieve: THAT the board consider giving readings to Bylaw No. 626 being the "Electoral Areas Noise Control Regulation Bylaw No. 102, 2010, Amendment No. 1" as attached to the staff report dated September 29, 2020.

AND FURTHER THAT the board consider giving readings to Bylaw No. 627 being "Municipal Ticket Information Bylaw No. 104, 2010" Amendment No. 18" to reflect the changes outlined in the staff report dated September 29, 2020.

209

Carried

A. Hamir/D. Arbour: THAT the Denman Island Evacuation Guidelines attached as Appendix A to the staff report dated September 29, 2020 be made available to the public.

209

Carried

E. Grieve/A. Hamir: THAT the Hornby Island Evacuation Guidelines attached as Appendix B to the staff report dated September 29, 2020 be made available to the public.

209

Carried

D. Frisch/A. Hamir: THAT staff apply for a Community Economic Recovery Infrastructure Program grant for Seal Bay Park to expand the Bates Road parking area and upgrade the Coupland Loop to an accessible trail.

209

Carried

A. Hamir/D. Frisch: THAT staff be directed to continue to provide the beach fire program at Goose Spit Park at a reduced service level while maintaining reasonable oversight of the program.

209

Carried

D. Frisch/A. Hamir: THAT staff be directed to continue to provide the beach fire program at Little River Crescent Beach and Joe Walker Park in 2021 and beyond at its current service level.

209

Carried

D. Hillian/D. Frisch: THAT the 2020 – 2024 financial plan and capital expenditure program for the Hornby Island Parks and Greenways Service, function 620, be amended to increase the total project budget for Gull Road Trail improvements from \$25,000 to \$60,000, to include an extension in the project provided by a \$35,000 Active Transportation grant.

207

Carried

E. Grieve/W. Morin: THAT a letter of thanks be sent to the Economic Recovery Task Force for their work on economic recovery measures developed in response to COVID-19;

AND FURTHER THAT staff be directed to prepare a staff report on options regarding the recommended actions approved by the Economic Recovery Task Force Steering Committee as contained in the Industry Advisor Business Case Action Plan – Submissions Summary Report;

AND FINALLY THAT staff collaborate with the Comox Valley Economic Development Society and the Comox Valley Food Policy Council regarding a grant application to the Community Economic Recovery Infrastructure Program for a food hub.

209

Carried

COMMITTEE OF THE WHOLE - OCTOBER 13, 2020

D. Frisch/K. Grant: THAT the Committee of the Whole minutes dated October 13, 2020 be received.

208

Carried

2020 STRATEGIC PLANNING SESSION UPDATE

E. Grieve/K. Grant: THAT the report dated October 19, 2020 regarding the results of the September 2020 strategic planning session be received.

208

Carried

J. Warren, Deputy Chief Administrative Officer, presented an overview of the staff report regarding the results of the September 2020 strategic planning session.

D. Hillian/K. Grant: THAT Rethink Comox Valley and the Comox Valley Regional District 2020 Strategic Planning report, dated September 22, 2020 be approved and shared through social media and with partners;

AND FURTHER THAT the strategic planning report's key service outcomes and key initiatives/directions be applied to the 2021-2025 financial planning process.

208

Carried

ECONOMIC DEVELOPMENT SERVICE WORKSHOP

Alternate Director Arnott joined the meeting via teleconference at 5:20 pm to participate in discussion on this item.

K. Grant/A. Hamir: THAT the report dated October 19, 2020 regarding the economic strategic priority items that the Comox Valley Regional District (CVRD) would like the Comox Valley Economic Development Society (CVEDS) to consider for their 2021 Work Plan be received.

209

Carried

S. Smith, General Manager of Planning and Development Services, provided an overview of the staff report regarding the economic strategic priority items that the Comox Valley Regional District (CVRD) would like the Comox Valley Economic Development Society (CVEDS) to consider for their 2021 Work Plan.

M. Swift/K. Grant: THAT consideration of the report dated October 19, 2020 regarding the economic strategic priority items that the Comox Valley Regional District (CVRD) would like the Comox Valley Economic Development Society (CVEDS) to consider for their 2021 Work Plan be referred to the November 17, 2020 meeting.

209

Defeated NAY: D. Arbour, W.
Cole-Hamilton, D.
Frisch, A. Hamir, D.
Hillian, W. Morin

D. Arbour/W. Morin: THAT the Comox Valley Regional District (CVRD) Board confirm the economic strategic priorities as agreed during the October 13 and 14, 2020 Strategic workshop as outlined in the staff report dated October 19, 2020.

AND FURTHER THAT the CVRD Chair send a letter to Comox Valley Economic Development Society (CVEDS) requesting that the strategic priorities be considered in the CVEDS 2021 Work Plan to be presented to the CVRD Board before December 31, 2020.

209

D. Frisch/A. Hamir: THAT the motion be amended to include the development of a food hub or aggregation hub as a strategic priority to be considered in the CVEDS 2021 Work Plan to be presented to the CVRD Board before December 31, 2020.

209

Carried

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

THAT the Comox Valley Regional District (CVRD) Board confirm the economic strategic priorities as agreed during the October 13 and 14, 2020 Strategic workshop as outlined in the staff report dated October 19, 2020, with the addition of the development of a food hub or aggregation hub;

AND FURTHER THAT the CVRD Chair send a letter to Comox Valley Economic Development Society (CVEDS) requesting that the strategic priorities be considered in the CVEDS 2021 Work Plan to be presented to the CVRD Board before December 31, 2020.

Carried NAY: K. Grant, M.
Swift

REGIONAL ACTIVE TRANSPORTATION NETWORK PLAN GRANT BUDGET AMENDMENT (REGIONAL GROWTH STRATEGY)

K. Grant/D. Frisch: THAT the report dated October 15, 2020 regarding an amendment of the 2021 financial plan for the Regional Growth Strategy Service (function 512) to include a \$47,500 BC Active Transportation

grant in support of the preparation of a regional Active Transportation Network Plan be received.
208 and 212 Carried

A. Mullaly, Senior Manager of Sustainability and Regional Growth Strategy, provided an overview of the staff report regarding an amendment of the 2021 financial plan for the Regional Growth Strategy Service (function 512) to include a \$47,500 BC Active Transportation grant in support of the preparation of a regional Active Transportation Network Plan.

D. Frisch/W. Cole-Hamilton: THAT the 2020 – 2024 financial plan and capital expenditure program for the Regional Growth Strategy service (function 512) be amended to incorporate a BC Active Transportation Infrastructure grant in the amount of \$47,500 in 2021 for “other professional fees” in support of the preparation of a regional Active Transportation Network Plan.
208 and 212 Carried

COMMUNITY WELLNESS GRANT BUDGET AMENDMENT (REGIONAL GROWTH STRATEGY)

D. Frisch/K. Grant: THAT the report dated October 15, 2020 regarding an amendment of the 2020 financial plan for the Regional Growth Strategy Service (function 512) to include a \$50,000 Island Health Community Wellness grant in support of the regional Airshed Protection project be received.
208 and 212 Carried

A. Mullaly, Senior Manager of Sustainability and Regional Growth Strategy, provided an overview of the staff report regarding an amendment of the 2020 financial plan for the Regional Growth Strategy Service (function 512) to include a \$50,000 Island Health Community Wellness grant in support of the regional Airshed Protection project.

K. Grant/W. Cole-Hamilton: THAT the 2020-2024 financial plan and capital expenditure program for the Regional Growth Strategy service (function 512) be amended by \$50,000 to incorporate receipt of an Island Health Community Wellness grant;

AND FURTHER THAT \$30,000 of the grant amount be directed to “other professional fees” to support the work of the Airshed Roundtable including community education initiatives;

AND FINALLY THAT \$20,000 of the grant amount be directed to “education programs public” for the provision of rebates through the 2021 Wood Smoke Reduction Program to incentivize the exchange of wood burning appliances for cleaner heat sources, in accordance with the terms and conditions of the grant.
208 and 212 Carried

COMOX VALLEY REGIONAL OFFICE BUILDING CONSTRUCTION

K. Grant/D. Frisch: THAT the report dated October 21, 2020 regarding the final report on the construction of the Comox Valley Regional Office Building be received.
208 Carried

M. Zbarskey, Manager of Transit and Facilities, provided an overview of the staff report regarding the final report on the construction of the Comox Valley Regional Office Building.

The meeting recessed at 5:48 pm and resumed at 5:55 pm.

GRANT REVENUE ANTICIPATION BORROWING BYLAW NO. 598, 2020 - EXTENSION

D. Hillian/D. Arbour: THAT the report dated October 15, 2020 regarding the extension of the repayment date identified in Bylaw No. 598, 2020 – Grant Revenue Anticipation Borrowing for the timing delays on the water treatment project, to December 31, 2021 be received.

208

Carried

D. Frisch/K. Grant: THAT the Comox Valley Regional District Board approve and amend the repayment date of the Grant Revenue Anticipation Borrowing Bylaw No. 598, 2020 for the water treatment project from November 30, 2020 to December 31, 2021 to provide cash flow management to the end of the project.

208

Carried

DIRECTORS REPORT - 2020 GRANTS-IN-AID

E. Grieve/K. Grant: THAT the report dated October 19, 2020 regarding 2020 grants-in-aid be received.

208

Carried

D. Hillian/D. Frisch: THAT a grant-in-aid, payable from the respective areas indicated, be approved:
- Union Bay Community Club and Recreation Association to assist with hall renovations to accommodate additional daycare spaces:

o Area A - Baynes Sound (Function 120) \$5,000.00;

o Area B (Function 121) \$5,000.00;

o Area C (Function 122) \$5,000.00.

208

Carried

BYLAWS AND RESOLUTIONS:

D. Frisch/E. Grieve: THAT Bylaw No. 625 being "Comox Valley Electoral Areas Animal Control Bylaw No. 100, 2010, Amendment No. 1" be given first and second readings concurrently.

209

Carried

A. Hamir/E. Grieve: THAT Bylaw No. 625 being "Comox Valley Electoral Areas Animal Control Bylaw No. 100, 2010, Amendment No. 1" be read a third time.

209

Carried

D. Frisch/E. Grieve: THAT Bylaw No. 626 being "Electoral Areas Noise Control Regulations Bylaw No. 102, 2010, Amendment No. 1" be given first and second readings concurrently.

209

Carried

E. Grieve/A. Hamir: THAT Bylaw No. 626 being "Electoral Areas Noise Control Regulations Bylaw No. 102, 2010, Amendment No. 1" be read a third time.

209

Carried

A. Hamir/D. Frisch: THAT Bylaw No. 627, being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 19" be given first and second readings concurrently.

209

Carried

D. Frisch/A. Hamir: THAT Bylaw No. 627 being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 19" be read a third time.

209

Carried

E. Grieve/D. Frisch: THAT Bylaw No. 604 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 5" be read a third time.

208 and 213

Carried

NEW BUSINESS:**ELECTORAL AREAS SERVICES COMMITTEE - OCTOBER 5, 2020**

D. Hillian/D. Frisch: THAT staff be directed to apply for an Investing in Canada Infrastructure Program grant under the Rural and Northern Communities stream for replacement of the Shingle Spit boat launch on Hornby Island with the Hornby Island Community Parks & Greenways Service to cover any cost overruns beyond the \$550,000 requested grant.

207

Carried

PROPERTY ACQUISITION POLICY

D. Arbour/E. Grieve: THAT staff be directed to present a draft property acquisition policy in early December with options to fund regional parks service in 2021.

208

Carried

ADDENDUM - UPON APPROVAL OF THE BOARD:

D. Frisch/A. Hamir: THAT the addendum be considered.

208

Carried

COMMUNITY ECONOMIC RECOVERY INFRASTRUCTURE PROGRAM - FOOD HUB GRANT APPLICATION

K. Grant/D. Frisch: THAT the report dated October 26, 2020 regarding an update on the submission of a grant application to the Community Economic Recovery Infrastructure Program (CERIP) for a Food Hub be received.

209

Carried

K. Grant/E. Grieve: THAT staff apply for a Community Economic Recovery Infrastructure Program (CERIP) grant for a Food Hub project located in the Merville Community Association Hall.

209

Carried

TERMINATION:

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

208

Carried

Time: 6:45 pm.

Confirmed this _____ day of _____ 20____:

Jesse Ketler
Chair

Certified Correct and Recorded By:

Lisa Dennis
Manager of Legislative Services

Town of Comox – Administration

From: rick smith <ricksmithpt@yahoo.com>
Sent: November 1, 2020 10:00 PM
To: Town of Comox – Administration; Cheryl Adebar
Subject: Attn. Mayor and Council. Re Unsafe Intersection

RECEIVED

Nov. 2, 2020

TOWN OF COMOX

Attn Mayor and Council
CC Cheryl Adebar, Principal, Ecole Robb Road

LOG: 20-423	REFER:	AGENDA: RCM 25Nov20
FILE: 5460-05	ACTION: MR	

Dear Mayor and Council,

Would you please consider an safety evaluation of the intersection at Anderton and Robb Road? I take my kids to school at Ecole Robb Road and we cross this intersection twice daily. Last week was a typical week and this is a brief list of incidents that I witnessed:

Three cars drove through the crosswalk while we were walking across it.

One car had to brake hard to slow enough not to hit us and then proceeded before we were clear of the crosswalk.

Multiple occurrences of multiple cars passing on the inside of cars waiting to turn onto Robb, thus driving through the bike lane.

A Dad punch a car that failed to stop and nearly hit his child in the crosswalk.

As I mentioned, this was a typical week.

I have contacted the city about this issue previously, but nothing has been done.

Please consider an evaluation of this intersection with a goal of making it safe for pedestrians crossing in all directions, and a way for cyclists traveling

from East to West on Robb Road to cross safely; at a minimum, I think that crosswalks for all four directions are required and some type of pedestrian controlled lighting for crossing Anderton.

Thank you for your kind attention to this matter.

Sincerely,

Rick Smith

250-331-0582

Town of Comox – Administration

Subject: FW: Attn. Mayor and Council. Re Unsafe Intersection
Attachments: image003.png; image005.png

From: rick smith <ricksmithpt@yahoo.com>

Sent: November 9, 2020 10:01 PM

To: Shelly Russwurm: Town of Comox <russwurm@comox.ca>

Cc: Shelley Ashfield <ashfield@comox.ca>; Lia Pesklevits <LPesklevits@comox.ca>; Town of Comox – Administration <town@comox.ca>; Russ Arnott <Rarnott@comox.ca>; Cheryl Adebar <cheryl.adebar@sd71.bc.ca>

Subject: Re: Attn. Mayor and Council. Re Unsafe Intersection

Thank you Shelly,

It was a real treat today to have our very own personal crossing guards (the construction zone flaggers) on the way to school and a 'blinky' light at the crosswalk on our way home! I am very confident that the safety of that crosswalk has been vastly improved and I am sure that many parents will be reassured knowing their children are safer at that very busy intersection. I hope that as you continue to review this intersection, you also find a way to make crossing safer for cyclists traveling West on Robb Rd.

Thank you again for your attention to this matter.

Kindest regards,

Rick Smith

On Monday, November 9, 2020, 4:42:09 PM PST, russwurm@comox.ca <russwurm@comox.ca> wrote:

Town of Comox – Administration

Subject: FW: Penalty for Property Tax

From: B O B Q U A N <BOB20082008@hotmail.com>

Sent: October 30, 2020 12:43 PM

To: council <council@comox.ca>

Subject: Penalty for Property Tax

RECEIVED

Oct. 30, 2020

TOWN OF COMOX

Dear Mayor,

LOG: 20-420	REFER:	AGENDA: RCM 25Nov20
FILE: 1980-01	ACTION: MR	

My name is Baowu Quan, I am the owner of unit 29, 2030 Wallace Ave., Comox, the roll number is 00011.072. I mailed a check for full payment of 2020 property tax on June 15 (post mark) from California, USA. Due to Covid 19 pandemic the US post service delayed delivery of the mail, Town of Comox received my payment on July 7 (post mark), which was late for five business days. Town of Comox requires me to pay late penalty of \$362.31 for late payment of five business days.

Would you please waive the penalty of \$362.31 due to late delivery of US post service caused by Covid 19 pandemic ?

Thank you very much for your understanding, your approval of waiving the penalty will be appreciated.

Regards,

Baowu Quan

Email: bob20082008@hotmail.com

Mailing address:

Unit 1705

5940 N. Oak Ave.

Temple City, CA 91780

USA

Phone: 6263765579

TOWN OF COMOX – STRATEGIC PRIORITIES REPORT - CAO

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
1.	Build on K'omoks First Nation Relationship	Create increased communication between both Administrative and Council levels to ensure a strong and harmonious relationship.	Meeting between CAO's took place on June 23 rd 2020 Council to Council meeting agreed upon but not date determined as of yet. Last follow up: August 2020
2.	Mack Laing Trust	Modification of the Mack Laing Trust in order to reach a resolution of on the Shakesides building future.	Court hearing to be scheduled to determine terms of trust. Awaiting direction from the Solicitor General.
3.	Garbage Collection and Organics Program	Provide weekly organic and bi-weekly garbage and recycling pick up to residents with curbside service.	The construction of an organics facility by the CVRD has been delayed due to lack of interest in the RFP. The town will remain with current service levels until surety is reached on organics processing capabilities.
4.	Review of Council Remuneration	A Council Remuneration Advisory Group be established in order to determine fair and reasonable compensation levels for the Town of Comox Mayor and Councillors.	A new report seeking clarification on next steps expected in December
5.	Asset Management Funding Linkage	To develop an understanding of the replacement cost of all Town assets and develop a funding strategy.	Finance presentation on budgeting on November 18 th
6.	Marina Park Vendor Policy and Program	A policy to regulate in a fair and consistent manner access for street vendors at Marina Park as well as address ongoing garbage issues.	
7.	Marina Park Enhancement and Parking Improvements	Development of a plan to increase youth enjoyment at the park, alleviate parking issues, and expand Marina boat rentals.	
8.	Shovel Ready Grant Project Strategy	Development of shovel ready projects for grant opportunities.	A grant writer has been hired with grants totaling over \$4,000,000 applied for. Announcements expected in the new year.
9.	Town Website Rebuild	Overall development of new Town website and a rebranding process.	Project targeted for start in late 2020/early 2021.
10.	RCMP Cost Review	Examine and provide rationale for increased RCMP costs.	Waiting on information from Courtenay

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

TOWN OF COMOX – STRATEGIC PRIORITIES REPORT - CAO

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
11.	DL 194 Parks Property Transfer	Agreement with Province and KFN to lease the park property for 99 from KFN.	Agreement and Parks Management framework have been sent to KFN. Awaiting response and meeting.
POLICIES			
12.	Council Conference Attendance Policy	A staff report to be provided on the effectiveness of providing individual annual spending limits for Council members' conference attendances.	
13.	CAO Performance Review Policy	Develop an annual review process for the CAO.	Complete.
14.	Senior Staff Performance Review Policy	Develop an annual review process for all senior and exempt staff.	
15.	Exempt Staff Benefits Policy	Develop a salary and benefits policy for all exempt staff.	

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - PLANNING SERVICES

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
1.	Subdivision Bylaw: Update	Rewrite of current bylaw. Includes clarification of what Town infrastructure works are required at time of building permit differentiated by land use, new infrastructure construction inspection and verification requirements, revised subdivision application processing procedures, and introduction of driveway access permitting procedures.	Rough draft of new specifications, permits and application processing requirements completed. Next step is creation of final draft documents and completion of legal review. Given the procedural and technical complexity of this document, creation of final draft document needs be undertaken by Director of Works and Director of Development Services.
2.	Open House - Climate Crisis Climate Change Adaptation Strategy	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.	<i>Council has placed this as a low priority to be started once other projects have been completed.</i>
3.	Decrease Processing Times	Overall effort to decrease the amount of time it takes to receive and respond to applications.	Additional planner hired and backlog of applications likely to decrease end of year 2020.
4.	Draft Anderton Corridor Land Use Plan	To provide a land use plan for modeling of infrastructure servicing for future public consultation.	Project on hold until Northeast Comox issues resolved.
5.	Report for Affordable Housing and Short Term Rentals	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 c. Impact of short term rentals on the supply of affordable housing, including an allowance for rental of primary units. 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 m2.	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. 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*.

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - PLANNING SERVICES

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
6.	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.
6.	Downtown Vitalization Zone Expansion	Amendment of Downtown Vitalization Program with includes Revitalization Tax Exemption, Priority Planning and Building Permit application processing and reduced application processing fees to include multi-family and commercial development along Comox Ave to Town's west boundary including closed Comox Elementary Site on Rodello.	
8.	Heritage Registry Report	That a staff report be provided on whether a Heritage Registry be created within the Town of Comox.	Direction required from Council as previously noted in the Management Report as "not a strategic priority of Council".
9.	Town Website Rebuild: Planning and Building Permitting	The website will highlight all development procedures for simple and complex buildings, zoning application, zoning rules, building permit applications, and other items pertaining to development and zoning.	
10.	Participation in CVRD Regional Poverty Reduction Strategy	Joint project of CVRD, Cumberland, Comox, Courtenay, and K'omoks First Nation. Lead by the CVRD to undertake a regional poverty assessment and reduction strategy to promote awareness of local poverty, identify systemic barriers that facilitate the cycle of poverty, and provide an action plan to reduce Comox Valley poverty by at least 25% by 2024 (over 2016 baseline levels).	Consultant hired and currently preparing engagement plan and community profile.

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - PLANNING SERVICES

November 25, 2020

MAJOR DEVELOPMENT APPLICATIONS

11.	2310 Guthrie	42 townhouse units and approx. 530 sq. m of commercial space.	Sept 16 RCM – Bylaws given 3 rd reading. Next step is completion of outstanding items followed by Council consideration of bylaw adoption.
12.	2309 McDonald	22 Townhouses, 8 duplex units, approx. 50 single family lots of varying lots sizes.	Public Hearing Held Nov 4, 2020. Next step is preparation of staff report for Council consideration of Bylaws' 3rd Reading.
13.	468/490 Anderton	15 duplex / townhouse units.	Next step: Issuance of preliminary subdivision approval by Approving Officer and Planning Report on 1 st and 2 nd reading of Rezoning Application.
14.	1582 Balmoral	52 apartment units (BC Housing Subsidized for 55+).	DVP and DP issued September 2, 2020.
15.	695 Aspen-Affordable Housing Contract	6 apartment units purchased by Town using Affordable Housing reserve funds with BC Housing Mortgage, operated as affordable housing by Makola Housing.	Next step: Public Notification of Council intent to lease 6 housing units and commercial space at below market rates to non-profits for affordable housing and daycare purposes
16.	North East Comox Storm Water Management Plan	Implementation of North East Comox Storm Water Management Plan.	Open House on Implementation options identifying preferred option to be held on Nov 20. Notice of Open House has been placed in newspaper and mailed to NE Comox property owners and tenants.

MINOR DEVELOPMENT APPLICATIONS

17.	Parklet Adaptation and Winterization applications	Expansion of Temporary Patio & Parklet Program created 20-May-2020 and permanent parklet program to allow for additional facilities necessary to support winter operation.	BIA has provided information on what winterization facilities are being considered. Staff are working with interested businesses as to their specific plans.
18.	7-10 Minor RZ/DP/DVP Applications	Includes: - provincial referral of recreational cannabis store application - rezoning, DVP applications for infill single family - hazardous area and environmental DP applications for single family - industrial and residential rezoning applications as a result of bylaw enforcement	

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

TOWN OF COMOX – STRATEGIC PRIORITIES REPORT – CORPORATE

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
1.	Policy Manual Creation	Creation of a policy manual that will include all Town policies organized by department.	Current focus on Council policies (55 policies to be reviewed). CAO Performance Review, Fire Deployment to Outside Areas, Criminal Record Check Policy added in 2020. Additional policies to be developed: Proclamations and Flag Raising, Council Conference Attendance, Senior Staff Performance Review Policy, Exempt Staff Benefits Policy.
2.	Council Procedure Bylaw Update	Update of Council Procedure bylaw.	Complete.
3.	Records Management System - Administration	Review/synchronize existing physical system with electronic system. Retention and destruction of physical records.	Review initiated. May require hiring of casual staff. May require Records Management Policy and IT support.
4.	Boundary Extension Request – Torrence Road	Boundary extension proposal in the Noel, Torrence and Lazo Roads area.	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. Property owner of Northern three parcels asked to be removed from application. Property owner initially requesting boundary extension has confirmed interest in proceeding, which will be considered in 2021.
5.	Town Website Rebuild	Development of overall look for website plus Corporate Administration Departmental Section – Council information, meeting schedules, bylaw enforcement, elections, reports and publications, news, etc.	Request For Proposal planned for early new year.
6.	Council Delegation Bylaw	Bylaw outlining and authorizing the powers, duties and functions that Council wishes to delegate.	Draft bylaw for Council consideration in early 2021.

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

TOWN OF COMOX – STRATEGIC PRIORITIES REPORT – CORPORATE
November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
7.	Review of Corporate/Legal Agreements	Establish a system to better manage the requirements (payments, insurance renewals, agreement renewals, etc.) of various corporate and legal agreements.	Database management system established. Review of over 700 legal agreements initiated.
8.	Solid Waste Collection Changes	Review of solid waste collection program – bi-weekly garbage collection, collections of organics from strata properties, collection on Statutory holidays. Development of communication and implementation plan.	Council resolution July 15 to move towards bi-weekly garbage collection.
9.	Bylaw Notice Adjudication System	Development and implementation of a Bylaw Notice Adjudication System as an alternative to the provincial court for resolving minor local government bylaw contraventions.	Bylaw adopted Nov 4 RCM. Awaiting adjudicator appointment by Province.
10.	Marina Lease Renewal	Renewal of lease with Provincial government for Comox Municipal Marina.	Notice of Final Review received from Province. Report to Council to be provided in Nov/Dec.
11.	K'omoks First Nation Fire Protection Agreement	Renewal of agreement with K'omoks First Nation for the provision of fire protection services on KFN land.	Report to Council to be provided on Nov 25 RCM agenda.
12.	SPCA Agreement	Renewal of agreement with the SPCA for the provision of dog kennel / animal control services.	Exploring options for the provision of dog kennel / animal control services.
13.	Solid Waste Collection – Statutory Holidays	Prepare for closure of the landfill on Stat holidays beginning January 1. May require Add-a-Day schedule and communications strategy for residents.	In discussions with Emterra and other municipalities affected. Letter asking for reversal of decision provided to Solid Waste Management board Nov 13.
14.	Economic Recovery in Comox	Communication strategy (report) highlighting the work Council and the Town have undertaken to promote economic recovery in Comox	
15.	Increased Affordable Childcare Spaces	Communications plan highlighting the need for increased affordable day care spaces	

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT – FINANCE

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
1.	Asset Management Replacement Funding Strategy	The Town of Comox has built its asset management road map, which has provided the path for the Town to most strategically improve their asset management capacity. The staff & Council are funding their road map & are continuing to improve their capacity. The Town has also completed an asset management plan & is currently identifying the annual revenue requirements to meet their risk & level of service performance targets. The challenge the Town now faces relates to determining how to increase current funding levels to meet the identified revenue requirements while taking into consideration affordability, impact on reserves, debt levels etc.	The Town of Comox is proposing to build a Long-Term Financial Plan for their General, Water & Sewer Funds to ensure they have the financial means to replace their assets when needed. This will ensure the Town can bridge its funding gap in a sustainable manner. Below are the proposed activities for this project: 1. Compile existing financial data & information required to build the long-term financial plan (for November 2020). 2. Build Long-Term Financial Model & Plan (for January 2021). 3. Develop Long-Term Financial Plan Report (for February 2021).
2.	Payroll Software adoption	Payroll is running through the new Ceridian Dayforce web application.	1. Training for managers is being scheduled to be completed in September 2020. 2. Major user features: a) "banked balances" to be delivered to end-users November 2020. 3. Other adaptations identified will be scheduled for the new year.
3.	Conversion of municipal accounting codes and work orders	Updating the Town's chart of accounts improves department budgeting/reporting and streamlines the work for the year-end financial statements. Redesign of the Account framework started in 2018 and is ready to be finalized and converted.	Chart of accounts final review – September 2020. Work Order final setup and review – October 2020. Conversion completes – November 2020.
4.	Fiber Optics (network backbone)	Fiber optics installed connecting all municipal office buildings to create a single domain for the organization. Benefits include improved reliability, flexibility for the future, and lower total cost of ownership.	90% completed. The last-mile connection needed from Telus and final connections from Teraspan is anticipated by November 2020.
5.	Phone System Replacement	The current phone system is outdated, and replacement phones are no longer built.	<i>Launch expected December 2020.</i>

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT – FINANCE

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
6.	Online account balances and payment option	To provide online access to Town billing balances, including property taxes, utility billings, marina moorage, business licenses, and other Town receivables. Payment may be made online with a credit card, where the card merchant fee is charged to the payor.	Commence in fall 2020. Once the configuration completes, a link will be placed on the Town's website in December 2020.
7.	Accounting Software: Accounts Payable, Purchase Orders, and Inventory to move to a cloud-based software solution.	The Town's paper intensive accounts payable software, lack of a working purchase order solution, and outdated inventory software is time-intensive and lacks the internal controls needed both now and in the future. The new work orders are required for providing sub asset categories to the new asset management system.	This project has not started. To be brought to capital budget deliberations for 2021.
8.	Town Website Rebuild	A new website allows clear paths to yearly financial documents and pages to answers questions on property taxes, Utility billing options, and other financial services.	This project has not started. To be brought to capital budget deliberations for 2021.

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - PARKS/BUILDING AND MAINTENANCE

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
1.	Wayfinding Project	Identification of key areas within the Town.	Complete. 30+ signs have been installed.
2.	Lazo Greenway Development: Detailed Design	Multi use pedestrian path from Forester to Guthrie along Lazo	Deferred 2021 design construct 2022. Applied for grant. Investing in Canada Infrastructure Program – Community, Culture, and Recreation Program October 1, 2020.
3.	Off-Leash Dog Park Creation	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. Letter sent out to SD 71 for use of portion of Comox Elementary School November 5, 2020 for interim off leash dog park.
4.	695 Aspen Daycare Construction Management and Affordable Housing Units	12 infant spaces and 16 preschool spaces for a total of 28 for childcare. Affordable housing quality control and assurance.	
5.	Marina Condition Assessment	The physical structure of some aspects of the Marina have started to degrade. Repair and replacement will be guided by this assessment.	Boat launch float replacement deferred to 2021.
6.	New Garbage Truck & Tractor	New mechanized 3-tonne garbage compactor truck to modernize and improve the garbage collection program for the Town's public parks, gathering spaces, and pedestrian hubs. Tractor to replace existing 26 year old tractor that is past its life cycle.	Complete.

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - PARKS/BUILDING AND MAINTENANCE

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
7.	Town Website Rebuild	Parks maps/locations/ park use permits/tree permits etc./ wayfinding/trails/water park/projects/community stewardship partners projects.	
8.	COVID Adaption for Parks and Public Restrooms	Review improvements to ensure public health and safety.	
9.	Service Contract for Building Maintenance Tender	Current contract ends September 2020	
10.	Parks Job-Description Review	Redefine parks Job Descriptions to include specialized positions (arborist/irrigation technician/etc.)	
11.	Garbage Collection Efficiency Review	Redesign of public refuse collection program - adapting to new refuse collection vehicle	2021 - new refuse vehicle to arrive early 2021.

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - PUBLIC WORKS AND ENGINEERING

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
1.	Anderton Servicing Plan [water/sanitary and storm]	To provide an overall conceptual plan for the provision of water, sanitary and storm services to the lands that were annexed to the Town in 2016 (2309 McDonald Road, 941 Aspen Road and 2077 Hector Road) as well as the entire catchment boundary so that plans can be implement as development takes place. Same principles of that of NE Comox applied to the servicing plan.	75% complete. On hold until NE Comox issues resolved.
2.	Subdivision Bylaw Update	Rewrite of current bylaw. Includes clarification of what Town infrastructure works are required at time of building permit differentiated by land use, new infrastructure construction inspection and verification requirements, revised subdivision application processing procedures, and introduction of driveway access permitting procedures.	Rough draft of new specifications, permits and application processing requirements completed. Next step is creation of final draft documents and completion of legal review. Given the procedural and technical complexity of this document, creation of final draft document needs be undertaken by Director of Works and Director of Development Services.
3.	Foreshore Sanitary Replacement	Upgrade section of sanitary that was identified in the 2013 Town of Comox Sanitary Model Update study in anticipation of the re-purposing of the St. Joseph's facility or eventual reconstruction within the site. Also in response to continued operational issues and age of main.	Delay is getting DFO approval will work with KFN and project watershed to discuss projects that could potentially assist with the restoration requirements.
4.	Transportation Plan: Update	Minor update to the 2011 Comox Transportation Study to confirm capital projects and needs are still current.	75% completed.
5.	North East Comox Stormwater Management Plan	Stormwater system and associated bylaws required to allow development in the Northeast Comox area	
6.	Anderton and Robb Intersection Improvements	Draft transportation study recommended installation of rectangular rapid flashing beacons (RRFP) to further improve pedestrian safety due Anderton being arterial road and high traffic volumes as well as a high pedestrian use due to its connectivity to Robb Road School and Comox Community Centre.	Installed November 9, 2020. Completed

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - PUBLIC WORKS AND ENGINEERING

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
7.	Dryden Watermain and Multi Use Path	To loop watermain to improve water quality identified in Water Study as well to construct a multiuse trail to provide regional linkage to NE Comox from Courtenay.	Design complete need to secure statutory right of way.
8.	Noel Avenue Upgrade (Pritchard to Torrence)	Works include road resurfacing, sidewalks, curb and gutter and bike lanes. Also replacement of the existing 900 mm diameter CMP and 1500 mm x 900 mm arch CMP crossing Noel Ave which conveys flows for Brooklyn Creek.	Completed.
9.	Sidewalks South side of Comox Avenue (Rodello to Ellis)	Design exercise to review the costs implications of the project.	Design 95% complete. <i>Will be shovel ready and will keep eye on grant opportunities. Need to coordinate with LWMP conveyance timeline.</i>
10.	Port Augusta/ Comox Avenue turning radius	To improve turning radius for buses per the new transit exchange location.	<i>Design complete.</i>
11.	Torrence and Balmoral Road upgrade	Works include road reconstruction (of 478 linear meters), concrete curb and sidewalk, storm and sanitary sewer installation, and line painting on Balmoral Avenue and Torrence Road from Donovan Drive to Albatross Avenue.	Design Complete. Applied for grant September 2020. Investing in Canada Infrastructure Program – Rural and Northern Communities Program deadline October 22, 2020. Total project \$1,156,660 - Eligible \$1,040,994
12.	Manor Outfall Improvements	Design and construction of outfall to mitigate ongoing erosion over bank at 141 Manor Place.	Design complete, <i>DFO approved.</i> <i>Working with property owners on construction impact and need to perform test holes to confirm soil conditions.</i>
13.	Sidewalk Bolt and Aspen	To improve pedestrian connectivity and safety which serves Aspen School, high residential area as well as high commercial site.	Design complete. Shovel ready and will keep eye on grant opportunities.
14.	Town Website Rebuild	Permits/studies/maps/projects/sectors transportation, water, storm, sewer, / reports.	

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

15.	Downtown Parking Strategy	Overall review of parking in the downtown to consider more temporary parking spots and diagonal parking along Church Street.	Work with BIA fall 2020.
16.	Traffic Calming Measures and Speed Limits	Review of current traffic calming measures and speed limits within Comox.	

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - FIRE

November 25, 2020

ITEM	SUBJECT	PROJECT DESCRIPTION	STATUS
1.	Volunteer Retention/ Recruitment <i>Updated Nov.2020</i>	Retention and recruitment of volunteer firefighters has been a significant issue in North America for at least the past twenty years. Our department has experienced about a twenty percent turnover every year for the past decade. While this would cripple most organization we have been able to managed our way through it.	So far in 2020 <i>seventeen</i> members have left the department and they have been replaced by <i>seventeen</i> more. We have been very successful in recruiting and training new members however retention is difficult. This is largely because of the lack of good paying jobs and affordable housing in our area. Because of our capable staff and training centre we believe we are well positioned to continue to manage this turnover effectively for several more years, while providing above average services. <i>A new recruitment class (9) was start in September 2020.</i>
2.	Wildfire Deployment Policy	For many years our fire department has provided assistance to the province (when requested) during wildfire season by deploying some of our resources outside of our typical jurisdictional areas. In the past the CAO and Fire Chief would authorize these deployments and advise Council afterwards.	Council approved a new policy in August of 2020. <i>We did not received any provincial requests for assistance in 2020.</i>
3.	Sound of Life-Smoke Alarm Program <i>Updated Nov.2020</i>	For almost thirty years now our fire department has been providing and installing free smoke alarms to citizens in single family homes in our community. We strongly believe that by doing so we can reduce injuries/deaths and damage caused by fires. To date we have given away over 2000 smoke alarms. Most of this program is funded by donations from our firefighters and other groups. This model is difficult to sustain.	Our smoke alarm program continues to be very successful. Late last year we had applied, through the Fire Chief Association of BC, for some free smoke alarms through a promotion from First Alert. <i>I am very excited and pleased to report that in September we received 2000 FREE smoke carbon monoxide alarms (approx. \$50K+ value) from First Alert. This should provide us with inventory to keep this program going for the next two years.</i> <i>To date (Nov 2020) we have delivered free alarms to all our mobile home parks, provide KFN with over 100 alarms and given away dozens to other residents.</i>

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - RECREATION

November 25, 2020

ITEM	SUBJECT	COUNCIL DIRECTION	STATUS
1.	Site Master Plan	Urban Systems contracted to provide a Community Centre site master plan composed of three parts: determine future building footprint; maximize customer access to and through site; develop Village Park for broad community use.	First draft plan complete. Next steps are: determine and incorporate ground capacity of geo-thermal field into plan; review plans with staff; community engagement; review and release final report.
2.	Fitness Studio: Capital Equipment	Replacement of aging fitness equipment and adding new equipment at fitness trends and customer demands change	Recommend cancelling 2020 capital purchases for additional budget savings (\$20,000); resume 2021.
3.	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 the regional committee's progress on this project. Once regional recreation departments complete their work staff will submit a report to Council.
4.	Town Website Rebuild	The new site will provide: • Dependable, predicable and engaging platform through which customers access recreation guides, program information and online recreation registrations • Event and calendar information • Documents and forms (program waivers, summer camp information, facility booking information, etc.) • Town and Recreation branding Reliable and consumable communication with the public and customer.	
5.	COVID Recreation Delivery Adaptation	Adapting Recreation Department services to BC Recreation and Parks, WorkSafeBC, ViaSport, provincial health authorities and other organizations' COVID-19 operating guidelines. It also involves planning responses to various COVID second wave scenarios.	The Recreation Department planned its restart in three phases. We are now in phase 3 (open Monday to Friday at 6am, open to 9pm Monday to Thursday and open weekends 8am-1:45pm) with additional programs and Fitness Studio timeslots modified for COVID-19.
6.	Hands on Farm Re-Start	Hands on Farm re-start with COVID-19 protocols for June 2021.	Not started. Restart will depend on Covid-19 conditions, current guidelines and restrictions imposed by the Hands on Farm site.

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

TOWN OF COMOX - STRATEGIC PRIORITIES REPORT - RECREATION
November 25, 2020

ITEM	SUBJECT	COUNCIL DIRECTION	STATUS
7.	Active-Net Implementation	Implementation of ActiveNet recreation software, training staff, converting customer accounts and reviewing business systems	Project is on track for public go-live November 16, 2020.
8.	Children Summer Camp	Summer camps moved outside where possible for 2020, camp maximums reduced and other changes to ensure safety of participants.	Summer camps 2020 end September 4. Staff will review summer programming and make recommendations for 2021.
9.	Recreation Guide	Quarterly project to program, design, edit and manage Comox section of publication.	Ongoing.
10.	Programmer Weekly Hour Increase	Increase weekly programmer budgeted hours from 30/week to 35/week.	Planned for 2021 budget – special projects.
11.	Volunteer Promotion Campaign		

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

2020 STRATEGIC PRIORITIES CHART

November 25, 2020

Strategic Statement

OPERATIONAL STRATEGIES (CAO/Staff)

CHIEF ADMINISTRATIVE OFFICER

1. Build on K'omoks First Nation Relationship
2. Mack Laing Trust
3. Garbage Collection and Organics Program
4. Review of Council Remuneration
5. Asset Management Funding Linkage
6. Marina Park Vendor Policy and Program
7. Marina Park Enhancement and Parking Improvements
8. Shovel Ready Grant Project Strategy
9. Town Website Rebuild
10. RCMP Cost Review
11. DL 194 Parks Property Transfer

Policies

12. Council Conference Attendance Policy
14. Senior Staff Performance Review Policy
15. Exempt Staff Benefits Policy

Complete

13. CAO Performance Review Policy
16. Criminal Record Check Policy

PLANNING SERVICES

1. Subdivision Bylaw: Update
2. Open House - Climate Crisis
Climate Change Adaptation Strategy
3. Decrease Processing Times
4. Draft Anderton Corridor Land Use Plan
5. Report for Affordable Housing and Short Term Rentals
6. Urban Food Production
7. Downtown Vitalization Zone Expansion
8. Heritage Registry Report
9. Town Website Rebuild: Planning and Building Permitting
10. Participation in CVRD Regional Poverty Reduction Strategy

Major Development Applications

11. 2310 Guthrie
12. 2309 McDonald
13. 468/490 Anderton
14. 1582 Balmoral
15. 695 Aspen- Affordable Housing Contract
16. North East Comox Stormwater Management Plan

Minor Development Applications

17. Parklet Adaptation and Winterization applications
18. 7-10 Minor RZ/DP/DVP Applications

Complete

19. Step Code 2/3 Implementation
20. Childcare Space Creation Funding Applications

FINANCE

1. Asset Management Replacement Funding Strategy
2. Payroll Software adoption
3. Conversion of municipal accounting codes and work orders
4. Fiber Optics
5. Phone System Replacement
6. Online account balances and payment options
7. Accounting Software
8. Town Website Rebuild

CORPORATE

1. Policy Manual Creation
2. Council Procedure Bylaw Update
3. Records Management System- Administration
4. Boundary Extension Request- Torrence Road
5. Town Website Rebuild
6. Council Delegation Bylaw
7. Review of Corporate/Legal Agreements
8. Solid Waste Collection Changes
9. Bylaw Adjudication System
10. Marina Lease Renewal
11. KFN Fire Protection Agreement
12. SPCA Agreement
13. Solid Waste Collection- Statutory Holidays

2020 STRATEGIC PRIORITIES CHART November 25, 2020	
Strategic Statement	
OPERATIONAL STRATEGIES (CAO/Staff)	
FINANCE <u>Complete</u> 9. Production of Audited Financial Statements 10. Production of Municipal Budget documents	CORPORATE <u>Complete</u> 14. Hire Communications Specialist 15. COVID Safety Plan 16. Council Procedure Bylaw Update
PARKS/BUILDING MAINTENANCE 1. Wayfinding Project 2. Lazo Greenway Development 3. Off-Leash Dog Park Creation 4. 695 Aspen Daycare Construction Management and Affordable Housing Units 5. Marina Condition Assessment 6. New Garbage Truck & Tractor 7. Town Website Rebuild 8. COVID Adaption for Parks and Public Restrooms 9. Service Contract for Building Maintenance Tender 10. Parks Job-Description Review 11. Garbage Collection Efficiency Review	PUBLIC WORKS & ENGINEERING 1. Anderton Servicing Plan 2. Subdivision Bylaw Update 3. Foreshore Sanitary Replacement 4. Transportation Plan: Update 5. North East Comox Stormwater Management Plan 6. Anderton and Robb Road Intersection Improvements 7. Dryden Watermain and Multi Use Path 8. Noel Avenue Upgrade 9. Sidewalks South Side of Comox Avenue 10. Port Augusta / Comox Avenue Turning Radius 11. Torrence and Balmoral Road Upgrade 12. Manor Outfall Improvements 13. Sidewalk Bolt and Aspen 14. Town Website Rebuild 15. Downtown Parking Strategy <u>Complete</u> 16. Guthrie/Brooklyn Cross Walk Upgrade
FIRE 1. Volunteer Retention/Recruitment 2. Wildfire Deployment Policy 3. Sound of Life-Smoke Alarm Program	RECREATION 1. Site Master Plan 2. Fitness Studio: Capital Equipment 3. Low Income Regional Recreation All Access Pass Program 4. Town Website Rebuild 5. COVID Recreation Delivery Adaptation 6. Hands on Farm Re-Start 7. Active-Net Implementation 8. Children Summer Camp 9. Recreation Guide 10. Programmer Weekly Hour Increase

Town of Comox
ACTION ITEMS - SUMMARY
November 25, 2020

A1

A2

A3

A4

Date	Action Items	Status
15-Jul-20	Communications plan for moving to bi-weekly garbage and recycling collection	TBD: Delayed due to uncertainty around organics processing
5-Aug-20	Develop parking strategy for downtown area in response to 15-minutes parking spaces	Currently scheduled for late fall
16-Sep-20	Move 2310 Guthrie (Zoning amendment and Phased Development Agreement) to next meeting for adoption	<i>Awaiting applicant completion of outstanding items</i>
16-Sep-20	Add accessibility parking concern to Parking review	
7-Oct-20	2309 McDonald Road (OCP & Zoning Amendment & Phased Development Agreement)	Public Hearing Held Nov 4, 2020. Next Step - Council Consideration of Third Reading.
14-Oct-20	Public Works: Report on option for traffic calming and speed reduction	<i>Added to Strategic Priorities Report - Oct 21, 2020 RCM</i>
21-Oct-20	Move forward with implementation of Bylaw Adjudication system	<i>Bylaw adopted Nov 4. Request sent to Attorney General for appointment of adjudicator. Communication plan developed</i>

Town of Comox
ACTION ITEMS - SUMMARY
November 25, 2020

Date	Completed Items	Status
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 to advocate for outdoor liquor approvals.	Complete
20-May-20	Inform CVEDS and CVRD of appointment of Mayor Arnott to CV Economic Task Force	Complete: 05-Jun-2020
3-Jun-20	Publish press release regarding Mayor Arnott's approved medical leave and appointment of Acting Mayor Grant.	Complete: 04-Jun-2020
3-Jun-20	Forward support for UBCM poverty reduction grant to CVRD	Complete: 05-Jun-2020
3-Jun-20	Forward positive comments on Land and Sea liquor application to LCRB	Complete: 09-Jun-2020
3-Jun-20	Letter sent to Land and Sea requesting they undertake further attempts to resolve their parking situation and build a harmonious relationship with their neighbours.	Complete: 10-Jun-2020
3-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
November 25, 2020

Date	Completed Items	Status
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
5-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
5-Aug-20	Finalize adoption of bylaw amendment to allow overhead wiring in residential infill	Bylaw adopted 5-Aug-2020
5-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
5-Aug-20	Discussion & decision on parking request from D. Murray (221 Church St.)	Complete: 13-Aug-2020
5-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

Town of Comox
ACTION ITEMS - SUMMARY
November 25, 2020

A1

A2

A3

A4

Date	Completed Items	Status
5-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.
5-Aug-20	Inform Haeley of the extension the parklet program until October 31	Complete
5-Aug-20	Extend temporary patio and parklet program until October 31, 2020	Complete
17-Jun-20	Update Council Procedure bylaw	Aug 5 RCM agenda 1st, 2nd and 3rd Readings; Complete.
15-Jul-20	Move the zoning map housekeeping to next stage of public input	Adoption on 2-Sept-2020; Complete.
5-Aug-20	Issue DVP for 1582 Balmoral upon receipt of outstanding issues	Covenant signed 27-Aug-2020; Complete.
5-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	Complete.
5-Aug-20	Satisfy letter request from the Assertive Community Treatment	Complete; Multi-stakeholder approach (RCMP, surrounding municipalities) for response
5-Aug-20	Prepare criminal record check policy for implementation	Complete; Implementation phase
16-Sep-20	Implement Community Centre Code of Conduct	Complete.
3-Jun-20	Forward Integrated Regional Transportation Committee Memorandum Of Understanding to future meeting	Received for information at Council's Oct 21, 2020 RCM
16-Sep-20	Provide further correspondence to Stratass regarding organics and garbage collection	Complete
16-Sep-20	Review Safety on Komox Grind Parklet	Completed - installed full no post barrier
16-Sep-20	Produce Grant Resolutions for Lazo Greenway and Torrence Balmoral projects	Complete
16-Sep-20	Follow up with AG's Office	Complete

Town of Comox
ACTION ITEMS - SUMMARY
November 25, 2020

A1

A2

A3

A4

Date	Completed Items	Status
14-Oct-20	Corporate: Communications plan to highlight work Council has done for economic recovery (Include acknowledgement to groups who have provided us with actions Council has endorsed from ERTF)	Complete
14-Oct-20	Recreation: Launch a volunteer promotion campaign with incentives	Complete
14-Oct-20	Set up meeting with Mayor, CAO, and Michael Day Regarding Church property development	Complete
14-Oct-20	Communicate with regional communities on single use plastic ban timelines	Complete
14-Oct-20	Create support letter for Airport grant application	Complete
14-Oct-20	Apply for Marine Services Building grant	Complete
14-Oct-20	Get legal clarification on use of statutory capital reserves for 3rd party capital acquisition	Complete. Report for November 25th RCM
14-Oct-20	Promote cultural events on our social media when requested by external not-for-profit entities	Complete: no requests received yet
14-Oct-20	Anderton/Bolt Crosswalk - timeline	Completed: installed October 22, 2020
21-Oct-20	Connect with Stefan Szwerek of CV United Soccer Club to see about possible soccer field creation (location, cost, etc; potential as shelf ready project for grants)	<i>Meeting scheduled for November 18, 2020.</i>
21-Oct-20	Reply to letter from Yves Bernard to help explain our role in technical review and political review of these projects	Completed email sent October 28, 2020



TOWN OF COMOX
REGULAR COUNCIL MEETING

STAFF REPORT
Meeting Date: 25 November 2020

TO: Mayor and Council	FILE: RZ 18-6, DP 18-4, DVP 19-7
FROM: Marvin Kamenz, Director of Development Services Regina Bozerocka, Planner I	DATE: November 25, 2020
SUBJECT: 2310 GUTHRIE ROAD THIRD READING AND ADOPTION REPORT REZONING APPLICATION: RZ 18-6 DEVELOPMENT PERMIT APPLICATION: DP 18-4 DEVELOPMENT VARIANCE PERMIT APPLICATION: DVP 19-7	

Prepared by: Regina Bozerocka	Supervisor: Marvin Kamenz	Financial Approved: Clive Freundlich, Fin. Director	Report Approved: Jordan Wall, CAO
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RECOMMENDATIONS FROM THE CHIEF ADMINISTRATIVE OFFICER

1. That Third Reading of Comox Zoning Amendment Bylaw 1897 be rescinded;
2. That Comox Zoning Amendment Bylaw 1897 be amended to add "interior side setback shall not be less than 0.75 metres where abutting a lane" (**Attachment 2**);
3. That Comox Zoning Amendment Bylaw 1897 (**Attachment 2**) be given Third Reading as amended;
4. That Comox Zoning Amendment Bylaw 1897 be Adopted (**Attachment 2**);
5. That Comox Phased Development Agreement Authorization Bylaw 1898: 2310 Guthrie Road be Adopted (**Attachment 3**);
6. That Development Permit DP 18-4 be issued, subject to the Development Permit Conditions listed in Schedule 1 of the November 25, 2020 Staff Report on RZ 18-6, DP 18-4 and DVP 19-7; and
7. That Development Variance Permit DVP 19-7 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 25, 2020 Staff Report on RZ 18-6, DP 18-4 and DVP 19-7.

S:\00 Council Agenda Development\01 Reports For CAO and Senior Staff Review\2020\1125 Regular Council Meeting\2310 Guthrie Road_3 Reading and Adoption_RZ DP DVP report_25.11.2020\3_RZ 18-6_2310 Guthrie Road_3 Read & Adoption_November 25 2020.docx

PROPOSAL

The proposed zoning amendment is to rezone the subject property from CD13 to a new Comprehensive Development CD27 zone to permit a mixed-use development comprised of 42 townhouse units and approximately 530 square metres of commercial space.

The proposed Phased Development Agreement is for the provision of the following amenity to the Town: \$60,842.00 cash payment as a contribution to the Town's Affordable Housing Reserve Fund.

The proposed development includes the provision of the following specific features that are not required to be provided under current Town regulations:

1. Provision of a 4.5 metre wide road dedication for a pedestrian walkway connection from Tracker Place to Guthrie Road;
2. Provision of road dedication for an approximately 300 m² public square at the McDonald and Guthrie Roads intersection;
3. Construction of at least five townhouse units in accordance with Comox Zoning Bylaw 1850, Section 5.20 Special Needs Housing Standards – Adaptable Housing;
4. Construction meeting BC Building Code Energy Step 3 requirements;
5. Townhouse units within 35.0 metres of Guthrie Road to have sound attenuation that meets Canada Mortgage and Housing Corporation Standards, in accordance with *Town of Comox, Acoustical Standards for Residential Developments*, a report prepared by Wakefield Acoustics, dated October 30, 2014 and having alternative means to window opening for ventilation;
6. Provision of electrical conduits in the garages of all townhouse units to facilitate future extensions of wiring for electrical vehicle charging facilities; and
7. Provision of a minimum 9 Class I (bike racks) bicycle parking spaces for the commercial units.

Development Permit application DP 18-4 is for the form and character of the proposed development, in compliance with Development Permit Area DPA# 4 Mixed Use: Commercial-Residential guidelines.

Development Variance Permit application DVP 19-7 is for setback variances in anticipation of the Applicant's intention to develop the subject property in a phased manner. The Application Summary is contained in **Attachment 1**.

STRATEGIC PLAN LINKAGE

This report addresses the following tasks identified in the 2020 Strategic Priorities Chart for Planning Services:

- Decrease Processing Times; and
- Major Development Applications – 2310 Guthrie

BACKGROUND

A Public Hearing on proposed Bylaws 1897 and 1898 was held on September 2, 2020 and they were given Third Reading on September 16, 2020. Outstanding items to be resolved prior to the Bylaws adoption included the submission of updated drawings.

ISSUES

All Outstanding Items have been resolved. During the review of the updated drawings it was noted that after the proposed road dedication for the 4.5 metre wide public walkway¹ between Tracker Place and Guthrie Road, one of the corners of Building 4 would not meet the interior side setback of proposed Comox Zoning Amendment Bylaw 1897. Building 4 has a minimum setback to the public walkway of 1.0 metre.

An alteration to proposed Comox Zoning Amendment Bylaw 1897 is proposed to add a subsection requiring a minimum 0.75 metre interior side setback where abutting a lane. Attachment 2 contains a “track changes” version of the proposed Bylaw 1897.

Applicable Legislation

Section 470(1)(b) of the *Local Government Act* states that after a public hearing, Council may alter and then adopt the bylaw, provided that alteration does not alter the use; increase the density, or without the owner’s consent, decrease the density from that originally specified in the bylaw. Section 480 of the *LGA* states that Council may adopt a zoning bylaw at the same meeting at which the zoning bylaw passed third reading.

The amendment to add a requirement for an interior side setback for a lot line abutting a lane does not violate any provisions of section 470(1)(b). The proposed variance has not been affected.

MK/ RB

Schedule 1: DP and DVP conditions

Attachments:

1. Application Summary
2. Comox Zoning Amendment Bylaw 1897
3. Comox Phased Development Agreement Authorization Bylaw 1898: 2310 Guthrie Road

Cc: Jim Agius, #1 – 7045 Field Street, Powell River, B.C. V8A 0A1

¹ Lane, as defined under Comox Zoning Bylaw 1850, is a street 6.0 metres or less in width, intended (1) to furnish secondary access to one or more parcels, or (2) primarily for pedestrian or bicycle use.

SCHEDULE 1**DEVELOPMENT PERMIT CONDITIONS DP 18-4**

1. At time of Building Permit Issuance provision of a landscape security, based on 125% of the on-site and off-site landscaping and irrigation cost estimates;
2. All development shall be in accordance with approved updated development drawings;
3. All landscaping shall to be serviced with automatic watering system;
4. Landscaping and fence combination shall be provided for the purpose of screening the subject property from abutting Residential or Multi-Family Residential zoned parcels, except where existing hedge and chainlink fence is already provided at south-east and south-west lot lines of Lot 1 District Lot 170 Comox District Plan EPP24381;
5. Minimum of 6 boulevard trees along Guthrie Road and minimum of 3 boulevard trees along McDonald Road frontages shall be provided within 1.2 x 1.2 metre tree wells, with a minimum 10 m³ for small and 15 m³ for large trees appropriate soil mix inside Silva cell system or approved equal, and equipped with irrigation to the satisfaction of the Parks Superintendent;
6. Except for cedar, all wooden landscape components shall be treated with paint, stain, or other preservative;
7. Fencing must be robust and minimum commercial grade. Wood fencing must have minimum 15 x 15 cm in posts and 5 x 10 cm in horizontal supports at the top and bottom of fence panels;
8. Garbage compounds shall be screened in accordance with Comox Zoning Bylaw 1850 Section 8.7;
9. Issuance of any sign permits shall be in conformance with Town of Comox Sign Bylaw No. 1197;
10. Per Zoning Bylaw, Parking and Loading, Section 6.12(10) Signage: one-way vehicle movement for internal driveway shall be clearly indicated at the entrance to the subject property, or be clearly marked with traffic flow directional arrows on the driveway surface;
11. All new services shall be placed underground;
12. All exterior building and exterior site lighting fixtures (including those in parking areas but excluding townhouse unit entrance, balcony and patio lighting) shall:

- a. produce illumination levels in accordance with common engineering practices and standards;
- b. be of a metal halide type or a type which provides a similar light spectrum;
- c. minimize illumination of adjacent properties;
- d. consist of full cut off/flat lens pole lighting or fully shielded wall lighting;
- e. be arranged so rays of light are directed upon the parking, walking, loading, or corridor areas and not upon adjacent land or streets; and
- f. excluding light fixtures that are incorporated into canopies, lighting of off-street parking and loading areas shall:
 - i. be so arranged that no part of any fixture is more than 4.5 m above finished ground level, and
 - ii. not overhang maneuvering aisles or loading spaces.

DEVELOPMENT VARIANCE PERMIT CONDITIONS DVP 19-7

1. This Development Variance Permit is to facilitate construction of a mixed-use development comprised of 42 multi-family dwelling units and approximately 530 m² commercial space, in substantial conformance to the Phasing Plan, A0.05 prepared by ATA Architectural Design Ltd., as contained in an image below.
2. *Town of Comox Zoning Bylaw 1850* is varied as follows:
 - i. Section 827.9(3) Required Interior Side Setbacks is varied to not less than 0.5 m from the phase boundary lines for Phases 1 through 9.



Proposal:	The proposal zoning amendment is to rezone the subject property from CD13 to a new CD 27 zone, to permit a mixed-use development comprised of 42 townhouse units and approximately 530 square metres of commercial space. Development Permit application DP 18-4 is primarily for the form and character of the proposed development, in compliance with Development Permit Area DPA# 4 Mixed Use: Commercial-Residential guidelines. To facilitate development of the subject property in a phased manner, Development Variance Permit application DVP 19-7 is proposing “inter-phase” setback variations.
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Applicant:	Jim Agius, 2310 Guthrie Development Corp. Inc. No. BC0920625
Legal Description:	029-724-121 LOT 7 DISTRICT LOT 170 COMOX DISTRICT PLAN EPP24381
Civic Address:	2310 Guthrie Road

Official Community Plan

Land Use Designation:	Mixed Use: Commercial-Residential
Development Permit Areas:	DPA # 4 Mixed Use: Commercial-Residential

Zoning:	EXISTING	PROPOSED
Permitted uses:	Comprehensive Development CD13 Range of commercial uses, including retail stores, liquor stores and recreational cannabis retail stores	Comprehensive Development CD27 Townhouse dwellings and range of commercial uses, including neighbourhood- oriented retail stores and services, but excluding liquor stores and recreational cannabis retail stores
Density:	n/a	50 UPHa
Parcel frontage:	55 m; a lot line common with Tracker Place shall not be used to determine parcel frontage;	40 m;
Parcel area:	550 m ²	5,000 m ²
Parcel coverage:	n/a	n/a

Height and stories:	Maximum 10.00 m and 1 storey	Maximum 11.50 m and 3 storeys
Required setbacks:		
Front:	n/a	2.5 m (McDonald Rd side)
Rear:	4.5 m	3.0 m
Side (interior):	- interior side setback shall not be less than 1.2 metre where abutting the CD 14 Comprehensive Development 14: Single Family-Tracker Place zone; - in all other instances, the interior side setback shall not be less than 3.5 metres.	- interior side setback shall not be less than 6.0 metres where abutting the CD 14 Comprehensive Development 14: Single Family-Tracker Place zone; interior side setback shall not be less than 0.75 metres where abutting a lane; and - in all other instances, the interior side setback shall not be less than 3.0 metres.
Side (exterior):	n/a	n/a (Guthrie Rd side)
Accessory Buildings and outside storage:	- not exceed 4 metres in height; and - not exceed 70 square metres in gross floor area	- not exceed 4.0 metre in height; and - not exceed 40 square metres in gross floor area
Off-street parking	in accordance with sec. 6 Parking and Loading	84 surface and garage parking stalls for townhouse units; 14 stalls for commercial patrons and visitors
Surrounding Land Uses:	Multi-Family residential development to the south-east; Park to the south-west; Single-family development to the east and west; and Vacant land to the north.	
DVP for phased construction		All setbacks between phases shall be not less than 0.5 metres

ATTACHMENT 2**TOWN OF COMOX
BYLAW 1897****A BYLAW TO AMEND COMOX ZONING BYLAW 1850**

WHEREAS Council 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:

(a) Title

This bylaw may be cited for all purposes as the “Comox Zoning Amendment Bylaw 1897”

2. Amendments

Comox Zoning Bylaw 1850 is hereby amended as follows:

A. Administration, Section 2.7(2) Penalties is amended by:

i. Deleting the following rows referencing CD13 zone:

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine Amount
Unlawful use – CD13 zone	813.1	\$250.00
Failure to comply with conditions – CD13 zone	813.2	\$250.00
Unlawful accessory building - CD13 zone	813.10	\$250.00

ii. Adding the following rows sequentially:

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine Amount
Unlawful use – CD27 zone	827.1	\$250.00
Failure to comply with conditions – CD27 zone	827.2	\$250.00
Unlawful accessory buildings – CD27 zone	827.10	\$250.00

- B. Interpretation, Section 3, is amended by adding alphabetically:
- i. Restaurant - Coffee Shop
A restaurant where occupancy load is limited to no more than 30 persons and food offered for sale is limited to beverages and baked goods; and
 - ii. Tailor Shop
A building or part thereof used for the manufacturing, fitting or repair of personal wardrobe articles and accessories.
- C. Establishment of Zones, Section 4.1 Classification of Zones, under the Commercial Zones heading is amended by:
- i. Deleting in its entirety the following text:
“CD13 Comprehensive Development 13: 2310 Guthrie Road”; and
 - ii. Adding the following text after “CD25 Comprehensive Development 25: 618 Anderton Road”:

CD27 Comprehensive Development 27: 2310 Guthrie Road.
- D. General Regulations, Section 5.3 Fences is amended by replacing subsection (2) with the following text:
- In the R4.1, CD23, CD25, CD26 and CD27 zone, no fence within a front or exterior side yard shall exceed 1.0 metre in height.
- E. General Regulations, Section 5.12 Projections is amended by adding as subsection (10) the following text:
- In the CD27 zone, awnings, balconies, bay windows, canopies, chimneys, cornices, decks, eaves, gutters, landings, leaders, ornamental features, pilasters, porches, sills, stairs, or sunshades, may project up to 2.0 metres into a required front or interior side setback, and up to 0.6 metres into a required rear setback.
- F. Parking, Section 6.11 Location and Siting is amended by:
- i. deleting subsection (8)(f) in its entirety; and
 - ii. adding as subsection (8)(j) the following text, and renumbering the subsections accordingly:

In the CD27 zone:
 - (i) parking and loading areas shall not be permitted within a front or exterior side yard; and
 - (ii) parking and loading areas shall not be permitted within 1.0 metre from a lot line.

- G. Schedule "A" is amended by:
- i. Deleting Section 813, CD13 Comprehensive Development 13: 2310 Guthrie Road in its entirety; and
 - ii. adding as Section 827, the CD27 Comprehensive Development 27: 2310 Guthrie Road, as shown on SCHEDULE "1", which is attached to and forms part of this Bylaw.
- H. Appendixes are amended by replacing Appendix "J", with the explanatory drawing shown in SCHEDULE "2", which is attached to and forms part of this Bylaw;
- I. Schedule "B" (the Zoning Map) is amended by rezoning **Lot 7 District Lot 170 Comox District Plan EPP24381**, shown shaded on SCHEDULE "3" which is attached to and forms part of this Bylaw, from CD13 Comprehensive Development 13: 2310 Guthrie Road to CD27 Comprehensive Development 27: 2310 Guthrie Road; and
- J. Comox Zoning Bylaw 1850 is 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 the bylaw.

3. Adoption

- | | |
|---------------------------------------|--|
| (1) READ A FIRST time this | 15 th day of July, 2020 |
| (2) READ A SECOND time this | 15 th day of July, 2020 |
| (3) ADVERTISED A FIRST time this | 19 th day of August, 2020 |
| (4) ADVERTISED A SECOND time this | 26 th day of August, 2020 |
| (5) PUBLIC HEARING HELD this | 2 nd day of September, 2020 |
| (6) READ A THIRD time as AMENDED this | th day of , 2020 |
| (7) ADOPTED this | th day of , 2020 |

Mayor

Corporate Officer

BYLAW 1897

SCHEDULE "1"

827. CD 27 COMPREHENSIVE DEVELOPMENT 27: 2310 Guthrie Road

For the purpose of Section 827, Areas A and B are shown in appendix "J".

827.1 Permitted Uses:

In the CD27 zone, the following uses are permitted and all other uses are prohibited:

- (1) Within Area A:
 - (a) Accessory structures and uses, excluding buildings and outside storage other than those used for solid waste collection, recycling collection or townhouse dwelling accessory uses
 - (b) Artist studios
 - (c) Art galleries
 - (d) Dental clinics
 - (e) Denturist labs
 - (f) Financial institutions
 - (g) Home occupations
 - (h) Locksmiths
 - (i) Medical clinics
 - (j) Offices
 - (k) Personal service establishments
 - (l) Pet grooming
 - (m) Restaurants - Coffee Shops
 - (n) Retail stores, which have a gross floor area not in excess of 120 square metres
 - (o) Small appliance repair shops, or establishments that repair or assemble electronic equipment, which:
 - (i) have a gross floor area not in excess of 120 square metres,
 - (ii) retail directly from the premises, and
 - (iii) have the retail area extending the full width of the premises and located adjacent to the primary pedestrian entrance.
 - (p) Tailor shops, which:
 - (i) have a gross floor area not in excess of 120 square metres,
 - (ii) retail directly from the premises, and
 - (iii) have the retail area extending not less than 50% of the width of the premises and located adjacent to the primary pedestrian entrance.
 - (r) Townhouse dwellings
- (2) Within Area B:
 - (a) Accessory structures and uses, excluding buildings and outside storage other than those used for solid waste collection, recycling collection or townhouse dwelling accessory uses
 - (b) Townhouse dwellings

827.2 Conditions of Use:

- (1) All permitted uses shall be located within a portion of a building completely enclosed by exterior walls, except for restaurants – coffee shops, landscape material, accessory structures and townhouse accessory uses;
- (2) Within Area A, townhouse dwellings shall only be permitted provided a minimum gross floor area of 200 m² of permitted uses other than townhouse dwellings and accessory uses thereto are also located on the parcel;
- (3) Within Area B, townhouse dwellings shall only be permitted provided a minimum gross floor area of 500 m² of permitted uses other than townhouse dwellings and accessory uses thereto are also located on the parcel;
- (4) Permitted uses other than townhouse dwellings can only be located on the ground floor along the full length of buildings fronting Guthrie Road, for a depth of a minimum 6.0 metres, as measured from the building wall fronting Guthrie Road; and
- (5) No solid waste collection or recycling collection shall be located within 6.0 metres of any lot line abutting a Residential zoned parcel.

827.3 Density:

Density shall not exceed 50 units per hectare.

827.4 Parcel Area:

Parcel area shall not be less than 5,000 square metres.

827.5 Parcel Frontage:

Parcel frontage shall not be less than 40.0 metres.

827.6 Parcel Depth:

n/a

827.7 Parcel Coverage:

n/a

827.8 Height and Storeys:

- (1) Height shall not exceed 11.5 metres.
- (2) Number of storeys shall not exceed three.

827.9 Required Setbacks:

- (1) Front
Front setback shall not be less than 2.5 metres;
- (2) Rear
Rear setback shall not be less than 3.0 metres;
- (3) Side – interior
 - (a) Interior side setback shall not be less than 6.0 metres where abutting Lots 1-6, District Lot 170 Comox District Plan EPP24381;
 - (b) Interior side setback shall not be less than 0.75 metres where abutting a lane; and
 - (c) In all other instances, interior side setback shall not be less than 3.0 metres;
- (4) Side - exterior
n/a;

827.10 Accessory Buildings:

Accessory buildings shall:

- (1) Not exceed 4.0 metres in height; and
- (2) Not exceed 40.0 m² in gross floor area.

827.11 Screening:

The following shall be screened in accordance with Section 8:

- (1) Above ground utility boxes and utility transformers; and
- (2) CD27 zoned parcels from abutting Residential or Multi-Family-Residential zoned parcels.

827.12 Off-Street Parking and Loading:

- (1) Off-street parking and loading shall be provided in accordance with Section 6;
- (2) Notwithstanding Section 827.12(1):
 - (i) the minimum required parking spaces for townhouse dwellings shall be 1.75 per townhouse unit;
 - (ii) the minimum required parking spaces for uses other than townhouse dwellings shall be 1 per 40m²;
 - (iii) parking spaces for persons with disabilities may be located at a distance greater than 10 metres of an accessible entrance of a commercial use; and

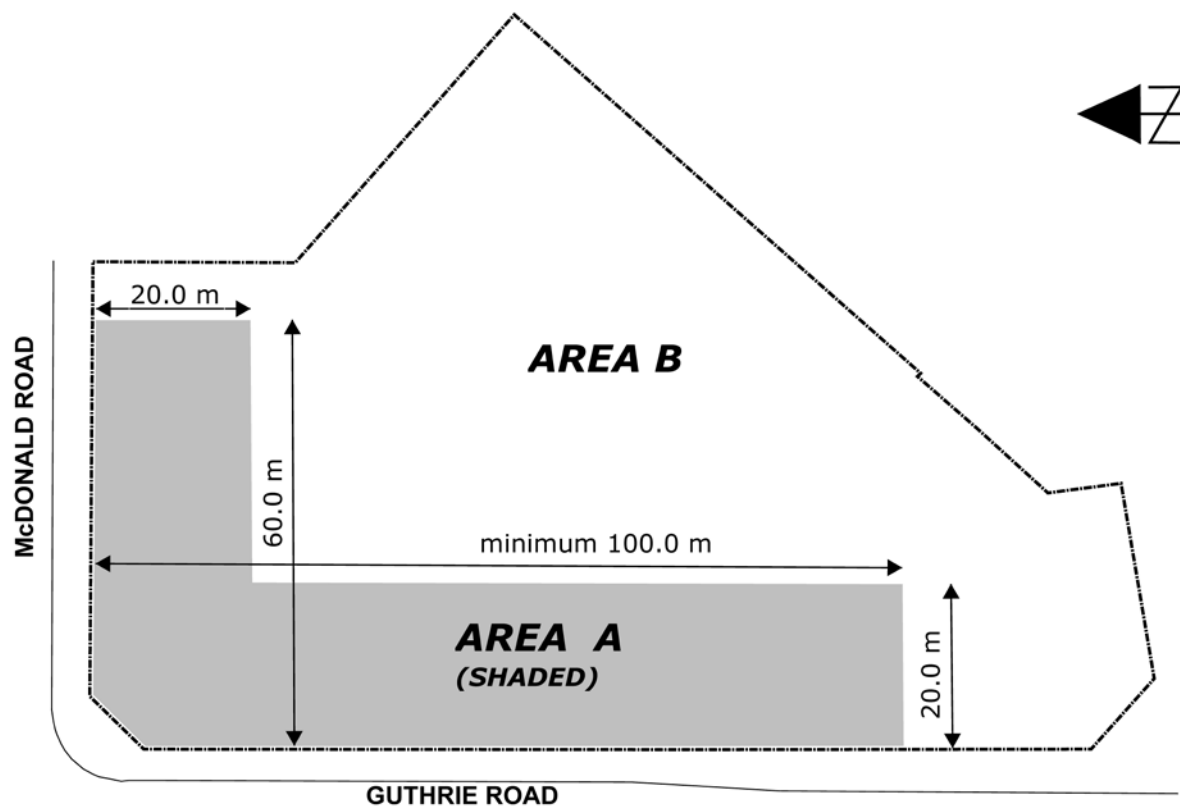
827.13 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground;
- (2) No more than one access driveway shall be permitted on a parcel;
- (3) No vehicle access shall be permitted to Guthrie Road;
- (4) Unoccupied open spaces shall be fully and suitably landscaped with landscape material;
- (5) All buildings shall conform to Section 5.19, Watercourse Regulations.

BYLAW 1897

SCHEDULE "2"

APPENDIX "J"



ATTACHMENT 3**TOWN OF COMOX****BYLAW 1898****A BYLAW TO ENTER INTO A PHASED DEVELOPMENT AGREEMENT**

WHEREAS:

The Town may by bylaw enter into a phased development agreement pursuant to s. 516.1 of the *Local Government Act*;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, having given notice and held a public hearing, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the “Comox Phased Development Agreement Authorization Bylaw 1898: 2310 Guthrie Road”.

2. Authorization

Council hereby authorizes the Town of Comox to enter into a phased development agreement under s. 516.1 of the *Local Government Act*, in the form attached as Schedule “A” to this bylaw.

The Mayor and the Corporate Officer may execute and deliver an agreement with 2310 Guthrie Development Corp. Inc. No. BC0920625, in the form attached as Schedule “A” to this bylaw.

3. Repeal of previous Phased Development Agreement Bylaw

Comox Phased Development Agreement No. 4: 2310 Guthrie Road, Authorization Bylaw, 2012 is hereby repealed.

4. Adoption

- | | | |
|-----|-------------------------------|--|
| (1) | READ A FIRST time this | 15 th day of July, 2020 |
| (2) | READ A SECOND time this | 15 th day of July, 2020 |
| (3) | ADVERTISED A FIRST time this | 19 th day of August, 2020 |
| (4) | ADVERTISED A SECOND time this | 26 th day of August, 2020 |
| (5) | PUBLIC HEARING HELD this | 2 nd day of September, 2020 |
| (6) | READ A THIRD time this | 16 day of September, 2020 |
| (7) | ADOPTED this | th day of , 2020 |

Mayor

Corporate Officer

BYLAW 1898**SCHEDULE "A"**

PHASED DEVELOPMENT AGREEMENT: 2310 Guthrie Road

PHASED DEVELOPMENT AGREEMENT

(Section 516 of Local Government Act (British Columbia))

THIS AGREEMENT dated for reference _____, is

BETWEEN:

2310 Guthrie Development Corp., Inc. No. BC0920625
#1 – 7045 Field Street, Powell River, B.C. V8A 0A1

(the “**Developer**”)

AND:

TOWN OF COMOX,
1809 Beaufort Avenue, Comox B.C. V9M 1R9

(the “**Town**”)

BACKGROUND:

- A. The Developer is the registered owner in fee simple of the lands legally described as
PID: 029-724-121
LOT 7 DISTRICT LOT 170 COMOX DISTRICT PLAN EPP24381

(the “**Land**”).
- B. The Developer has applied to the Town for an amendment to Comox Zoning Bylaw 1850 (the “**Zoning Bylaw**”), as it applies to the Land, by way of Comox Zoning Amendment Bylaw 1897 (the “**Amendment Bylaw**” and, together with the Zoning Bylaw, the “**Amended Zoning Bylaw**”).
- C. Pursuant to Part 14, Division 12 of the *Local Government Act*, the Town may enter into a phased development agreement with an owner of lands to specify provisions of a zoning bylaw that will continue to apply to the owner’s lands if those provisions are amended or

repealed during the term of the agreement, which agreement may also include terms and conditions respecting, among other things, the provision of amenities, the phasing and timing of development and the registration of covenants under section 219 of the *Land Title Act*.

- D. The Developer and the Town now wish to terminate Comox Phased Development Agreement No. 4: 2310 Guthrie Road.
- E. The Developer and the Town now wish to enter into a phased development agreement on the terms and conditions of this Agreement.
- F. The Town has, following the holding of a public hearing, adopted a bylaw authorizing the Town to enter into this Agreement with the Developer.

TERMS OF PHASED DEVELOPMENT AGREEMENT:

In consideration of the mutual promises expressed in this Agreement, and for One (\$1.00) Dollar and other good and valuable consideration paid by the Town to the Developer and by the Developer to the Town, the receipt and sufficiency of which the Town and Developer each acknowledge, the Town and the Developer agree, pursuant to section 516 of the *Local Government Act*, as follows:

1. Definitions -

In this Agreement, in addition to the terms defined above and elsewhere in this Agreement:

- (a) **“Development”** means the mixed-use commercial-residential development on the Land, comprised of 42 townhouse dwellings and approximately 530 square metres of commercial space, as permitted by the Specified Zoning Provisions.
- (b) **“Specified Zoning Provisions”** means all those provisions of the Amended Zoning Bylaw applicable to the Land (including the provisions of the Amendment Bylaw), as of the date of this Agreement.

- 2. **Term** – The term of this Agreement shall commence on the date of execution of this Agreement by the parties and expire on the date that is ten (10) years after the date of Town council adoption of the Amendment Bylaw (the **“Term”**).
- 3. **Amenities** – Concurrently with the Developer’s execution of this Agreement and delivery

of this Agreement to the Town for execution by the Town, the Developer shall satisfy the following requirements (the “**Amenity Requirement**”):

The Developer shall pay \$60,842 to the Town as a contribution to the Town’s Affordable Housing Reserve Fund.

4. **Zoning Amendments** – Subject to section 516(6) of the *Local Government Act*, if during the Term the Specified Zoning Provisions are amended or repealed, those changes do not apply to the Development, unless the Developer agrees in writing that one or more changes should apply.
5. **Notice of Phased Development Agreement** – The Developer acknowledges and agrees that pursuant to sections 521 of the *Local Government Act*, the Town is required to file a notice with the registrar of titles indicating that the Land is subject to this Agreement and that in accordance with sections 503 and 521 of that Act, upon such filing, this Agreement is binding on all persons who acquire an interest in the Land.
6. **Developer Acknowledgement respecting Amenity Requirement** – The Developer acknowledges and agrees that:

The Amenity Requirement is also required by the Town as a condition of adoption of the Amendment Bylaw.
7. **Termination** – The Town may, upon notice to the Developer, terminate this Agreement if the Developer defaults in any of its obligations under this Agreement and does not correct such default following a default notice from the Town and within such time period as the Town may specify in such default notice.
8. **No Effect on Powers** – Except as a consequence of this Agreement pursuant to sections 516 and 520 of the *Local Government Act*, nothing in this Agreement shall:
 - (a) affect or limit the discretion, rights or powers of the Town or the Town’s Approving Officer under any enactment or at common law, including in relation to the use, development or subdivision of the Land;
 - (b) affect or limit any enactment relating to the use, development or subdivision of the Land; or
 - (c) relieve the Developer from complying with any enactment, including in relation to the use, development or subdivision of the Land, except as expressly provided under this Agreement.

9. **Waiver** – No waiver by the Town of any requirement or breach of this Agreement shall be effective unless it is an express waiver in writing that specifically references the requirement or breach and no such waiver shall operate as a waiver of any other requirement or breach or any continuing breach of this Agreement.
10. **Remedies** - No reference to or exercise of any specific right or remedy by the Town shall prejudice or preclude the Town from exercising any other right or remedy, whether allowed at law or in equity or expressly provided for in this Agreement, and no such right or remedy is exclusive or dependent upon any other such remedy and the Town may from time to time exercise any one or more of such remedies independently or in combination.
11. **Modification** – This Agreement may not be modified except in accordance with section 519 of the *Local Government Act* and pursuant to an agreement in writing, signed by the Developer and the Town. The Developer and the Town further agree that, unless expressly listed section 519(3) of the *Local Government Act*, any such amendment to this Agreement will be a minor amendment which can be authorized by resolution of the Town’s council rather than by way of a bylaw.
12. **Termination** - The Town and the Developer may terminate this Agreement at any time by written agreement.
13. **Further Assurances** – The Developer shall do and cause to be done all things, including by executing further documents, as may be necessary to give effect to the intent of this Agreement.
14. **Developer’ Expense** – The Developer shall perform its obligations under this Agreement at its own expense and without compensation from the Town.
15. **Interpretation** – In this Agreement:
 - (a) Reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise.
 - (b) Article and section headings have been inserted for ease of reference only and are not to be used in interpreting this agreement.
 - (c) The term “enactment” has the meaning given under the *Interpretation Act* (British Columbia) on the reference date of this Agreement.
 - (d) Reference to any enactment includes any regulations, orders, or directives made under the authority of that enactment.

- (e) Reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted, or replaced from time to time, unless otherwise expressly provided.
 - (f) Reference to a numbered paragraph, or to a particular lettered schedule, is, unless otherwise expressly provided, a reference to the correspondingly numbered paragraph or lettered schedule of this Agreement.
 - (g) All Schedules to this Agreement form an integral part of this Agreement.
 - (h) Time is of the essence.
 - (i) Where the word “including” is followed by a list, the contents of the list are not intended to limit or otherwise affect the generality of the expression preceding the word “including”.
16. **Governing Law** – This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia, which shall be deemed to be the proper law hereof.
17. **Enurement** – This Agreement hereof shall enure to the benefit of the parties and their respective successors and permitted assigns.
18. **Assignment** –The Developer may, on written notice to the Town, assign this Agreement to that class of persons being any subsequent registered owner of all of the Land but only if the assignee first enters into an agreement with the Town, in a form determined by the Town, wherein the assignee agrees to be bound by, and to assume all of the Developer’s obligations under this Agreement.
19. **Entire Agreement** – This Agreement, the Schedules to this Agreement, and every agreement or instrument required to be executed or delivered by the Developer pursuant to this Agreement together are the entire agreement between the parties regarding its subject.
20. **Execution in Counterparts & Electronic Delivery** - This Agreement may be executed in any number of counterparts and delivered by e-mail, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument, provided that any party delivering this Agreement by e-mail shall also deliver to the other party an originally executed copy of this Agreement.

AS EVIDENCE OF THEIR AGREEMENT, the Town and the Developer have executed signed this Agreement below.

2310 Guthrie Development Corp., Inc. No. BC0920625
by its authorized signatory:

TOWN OF COMOX
by its authorized signatories:



TOWN OF COMOX
REGULAR COUNCIL MEETING

STAFF REPORT
Meeting Date: 25 November 2020

TO: Mayor and Council	FILE: OCP RZ 19-1, DVP 19-1
FROM: Marvin Kamenz, Director of Development Services Regina Bozerocka, Planner I	DATE: November 25, 2020
SUBJECT: 2309 McDONALD ROAD POST PUBLIC HEARING, THIRD READING REPORT OCP RZ 19-1 REZONING and OCP AMENDMENT APPLICATION DVP 19-1 DEVELOPMENT VARIANCE PERMIT APPLICATION	

Prepared by: Regina Bozerocka	Supervisor: Marvin Kamenz	Financial Approved: Clive Freundlich, Fin. Director	Report Approved: Jordan Wall, CAO
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RECOMMENDATIONS FROM THE CHIEF ADMINISTRATIVE OFFICER

1. That Comox Official Community Plan Amendment Bylaw 1954 be given Third Reading (**Attachment 3**);
2. That Comox Zoning Amendment Bylaw 1955 be given Third Reading (**Attachment 4**); and
3. That Comox Phased Development Agreement Authorization Bylaw 1956: 2309 McDonald Road be given Third Reading (**Attachment 5**).

PROPOSAL

Official Community Plan (OCP) Amendment, Rezoning and Development Variance Permit applications to permit development of 22 townhouses, 8 duplexes (two-family dwellings), 13 bare land strata zero lot line single-family units and 40 fee simple single-family lots.

The proposed Phased Development Agreement is for the provision of the following amenities:

- \$68,469.00 contribution to the Town's Affordable Housing Reserve Fund;
- \$12,864.60 contribution to the Town Sewer DCC Reserve Fund; and
- Provision of improvements within McDonald and Hector greenways.

The proposed development also includes the provision of the following amenities, which are not required to be provided under current Town regulations:

- (a) Construction of at least 8 dwelling units in conformance with Comox Zoning Bylaw 1850, Section 5.20 Special Needs Housing Standards – Adaptable Housing: 2 bare land strata single-family units, 3 fee simple single-family units, and 3 townhouse units.
- (b) To facilitate future extensions of wiring for electrical vehicle charging facilities, provision of electrical conduits in the garages of all residential units and for the townhouse and bare land strata developments: to the communal parking stalls.
- (c) Provision and long-term maintenance of oil/ grit separators for parking and driveway areas within the proposed townhouse and bare land strata developments.
- (d) Townhouse units within 35.0 metres of Aspen Road (Major Collector) to have sound attenuation that meets Canada Mortgage and Housing Corporation Standards, in accordance with Town of Comox, Acoustical Standards for Residential Developments, a report prepared by Wakefield Acoustics, dated October 30, 2014 and having alternative means to window opening for ventilation.
- (e) Provision of a restrictive covenant, including rent charge, for the protection of approximately 25 existing mature trees on the subject property to ensure their long-term protection.

Development Variance Permit application DVP 19-1 is for variances to Town of Comox Subdivision and Development Servicing Bylaw road cross-section standards, to provide traffic calming, improve pedestrian infrastructures and neighbourhood aesthetics.

An Application Summary is contained in **Attachment 1**.

STRATEGIC PLAN LINKAGE

This report addresses the following tasks identified in the 2020 Strategic Priorities Chart for Planning Services:

- Decreasing Processing Times; and
- Major Development Applications – 2309 McDonald

BACKGROUND

A Public Hearing in respect of Bylaws 1954, 1955 and 1956, was held on November 4th, 2020. A copy of the *Local Government Act*, Section 465 Public Hearing summary report is contained in the November 25, 2020 Regular Council Meeting Agenda.

ISSUES

At the Public Hearing, concern was expressed about growing traffic in the area and addressing climate change by reducing GHG emissions. It was noted that the intersection at McDonald and Guthrie/ Lerwick Roads is spacious enough to accommodate a roundabout and it was asked if there is any avenue for Council to examine this option.

A Traffic Impact Study has been submitted by the Applicant, supporting the proposed development at 2309 McDonald Road. Several intersections, including the McDonald and Guthrie/ Lerwick intersection, were analyzed in this report. Under the existing conditions (pre-development, in 2017) this intersection operates at high Level of Service ("A" LOS)¹ and the same was concluded for the future conditions, with the proposed developments in the area and overall vehicle volumes growth in Town: "A" LOS by year 2022 and "B" LOS² by 2042.

The signal controlled intersection at McDonald and Guthrie Roads was installed in 2008 and there are no known operational or maintenance concerns.

While being safer for motorists and pedestrians, generally lowering traffic delays and providing environmental benefits, the roundabouts also have disadvantages: high construction costs and additional space requirements, as compared to stop/ traffic signal intersections and in retrofit situations the construction process tends to be complex.

A roundabout at McDonald and Guthrie Roads intersection would require 2 lanes, and would not be well balanced, as traffic volumes differ significantly in both directions. Currently, there are 2 traffic lanes on McDonald servicing single-family and rural developments to the south, terminating at the proposed entrance street to the subject property, and 4 traffic lanes on Guthrie, the arterial road connecting Comox and Courtenay major destinations. Half of this intersection is within the City of Courtenay jurisdiction. Costs for a 2 lane roundabout construction could be in the range of \$3,000,000.

PROCESSING PROCEDURES

Attachment 2 lists the remaining processing steps that will allow Council's concurrent consideration of the OCP Amendment, Rezoning and Development Variance Permit applications.

MK/ RB

¹ LOS "A" represents free flow. Individual users are virtually unaffected by others in the traffic stream. Usually no conflicting traffic.

² LOS "B" is stable vehicle flow, but the presence of other users in the traffic stream begins to be noticeable. Occasionally some delay due to conflicting traffic.

Schedules:

1. Outstanding items
2. DVP conditions

Attachments:

1. Application Summary
2. Processing Steps
3. Comox Official Community Plan Amendment Bylaw 1954
4. Comox Zoning Amendment Bylaw 1955
5. Comox Phased Development Agreement Authorization Bylaw 1956: 2309 McDonald Road

Cc: applicant, Derek Jensen, McElhanney Consulting Services
1211 Ryan Road, Courtenay, BC V9N 3R6

SCHEDULE 1

OUTSTANDING ITEMS

Items to be resolved prior to adoption of proposed bylaws 1954, 1955 and 1956.

- A. Prior to the adoption of proposed bylaws, payment of the \$68,469.00 amenity contribution to the Town's Affordable Housing Fund and \$12,864.60 amenity contribution to the Town Sewer DCC Reserve Fund, in trust to Young Anderson on the undertaking that Young Anderson will not pay such funds to the Town until bylaws have been adopted, and if bylaws are not adopted, funds will be returned to the Applicant.
- B. Registration of Section 219 restrictive covenants for the provision of the following:
1. Provision of improvements within McDonald and Hector greenways, in accordance with specifications and sketches in **Attachment 8**, prior to subdivision;
 2. Construction of at least 8 dwelling units in conformance with Comox Zoning Bylaw 1850, Section 5.20 Special Needs Housing Standards – Adaptable Housing: 2 bare land single-family units, 3 fee simple single-family units, and 3 townhouse units.
 3. Provision of electrical conduits in the garages of all residential units and for the townhouse and bare land strata developments: to the communal surface and visitor parking stalls, to facilitate future extensions of wiring for electrical vehicle charging facilities.
 4. Provision and long-term maintenance of oil/ grit separators for parking and driveway areas within the proposed townhouse and bare land strata developments.
 5. Townhouse units within 35.0 metres of Aspen Road (future Major Collector) to have sound attenuation that meets Canada Mortgage and Housing Corporation Standards, in accordance with Town of Comox, Acoustical Standards for Residential Developments, a report prepared by Wakefield Acoustics, dated October 30, 2014 and having alternative means to window opening for ventilation.
 6. The protection of at least 25 existing mature trees on subject property to ensure their long-term retention.

SCHEDULE 2

DEVELOPMENT VARIANCE PERMIT CONDITIONS

1. This development variance permit is to allow subdivision of the subject property, in substantial compliance with the Proposed Subdivision Plan, contained in **Attachment 2** and revised to incorporate the following:
 - a. increase the number on-street parking spaces provided as parallel pull-outs on Labrador Drive and Road A cul-de-sac, from 4 to approximately 30% of the number of single-family lots fronting these roads, but not less than 7 parking spaces; and
 - b. location of water, storm and sanitary mains beneath the road pavement, in order to provide adequate growing space for street trees within boulevards.
2. Schedule C.1 of Town of Comox Subdivision and Development Servicing Bylaw, 1261, is hereby varied as follows:
 - a. Appendix "C", Specifications for Highways, Table C-1 (Minimum Requirements, Roadway Widths, Curbs and Sidewalks):

For Labrador Drive extension and new cul-de-sac, in accordance with **Figure C**:

- Local Urban Road Pavement Width
From: 9.0 metres,
To: 6.0 metres, with 2.4 m pull-out parallel parking on the road
- Type of curb
From: Rollover curb,
To: Barrier curb, gutter

For Tracker Place cul-de-sac:

- Minimum cul-de-sac radius
From: 17.0 metres
To: 14.0 metres

For Aspen Road extension, in accordance with **Figure D**:

- Major Collector Urban Road Pavement Width
From: 13.0 metres,
To: 6.6 metres, with 2.4 m pull-out parallel parking/ boulevard, 1.5m bike lanes and 0.3m hatch area on both sides
- Type of curb
From: Rollover Curb,
To: Barrier curb, gutter

b. Appendix "C" Section 10.1 and 10.2, Sidewalks:

Local Urban Road

From: Back of curb, in accordance with Standard Drawing SC-10

To: Back of curb at parking pull outs so that sidewalk alignment is straight, and provision of sidewalk widening in addition to minimum 1.8m width at the access driveways, to avoid boulevard fragmentation.

c. Appendix "H" Section 1.2:

Street Trees and Underground utilities alignments, by addition of the following text:

Notwithstanding drawings SH-1, SF-7 and SC-5, street trees shall be located immediately adjacent to the sidewalk or a curb where sidewalk not provided; structural soil for street trees shall be provided of a composition and depth acceptable to the Parks Superintendent; and the location of water, storm and sanitary mains beneath the road pavement.

3. Comox Zoning Bylaw 1850 is hereby varied as follows:

Schedule A, Section 107.9, R2.3 Required Rear Setback, from 4.5 metres to 3.0 metres, for the proposed two-family Lot 1, as shown in Figure E.

Figure C. Local Road Cross-Section

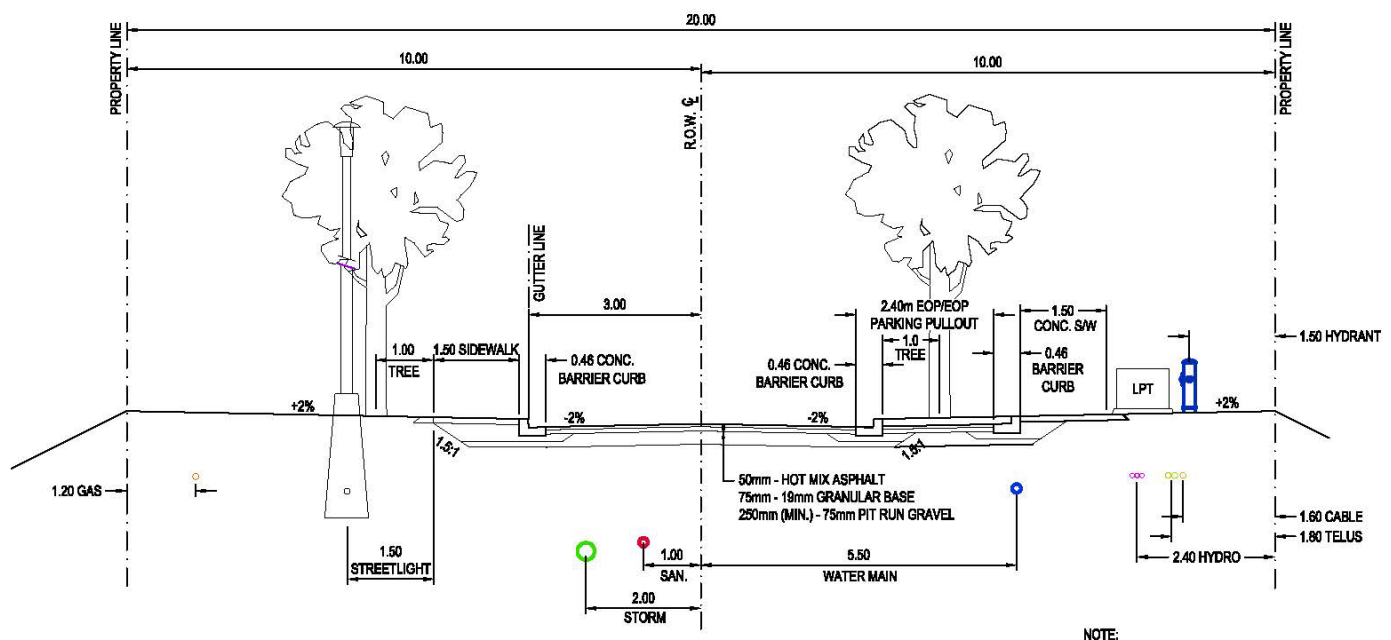


Figure D. Major Collector Road Cross-Section

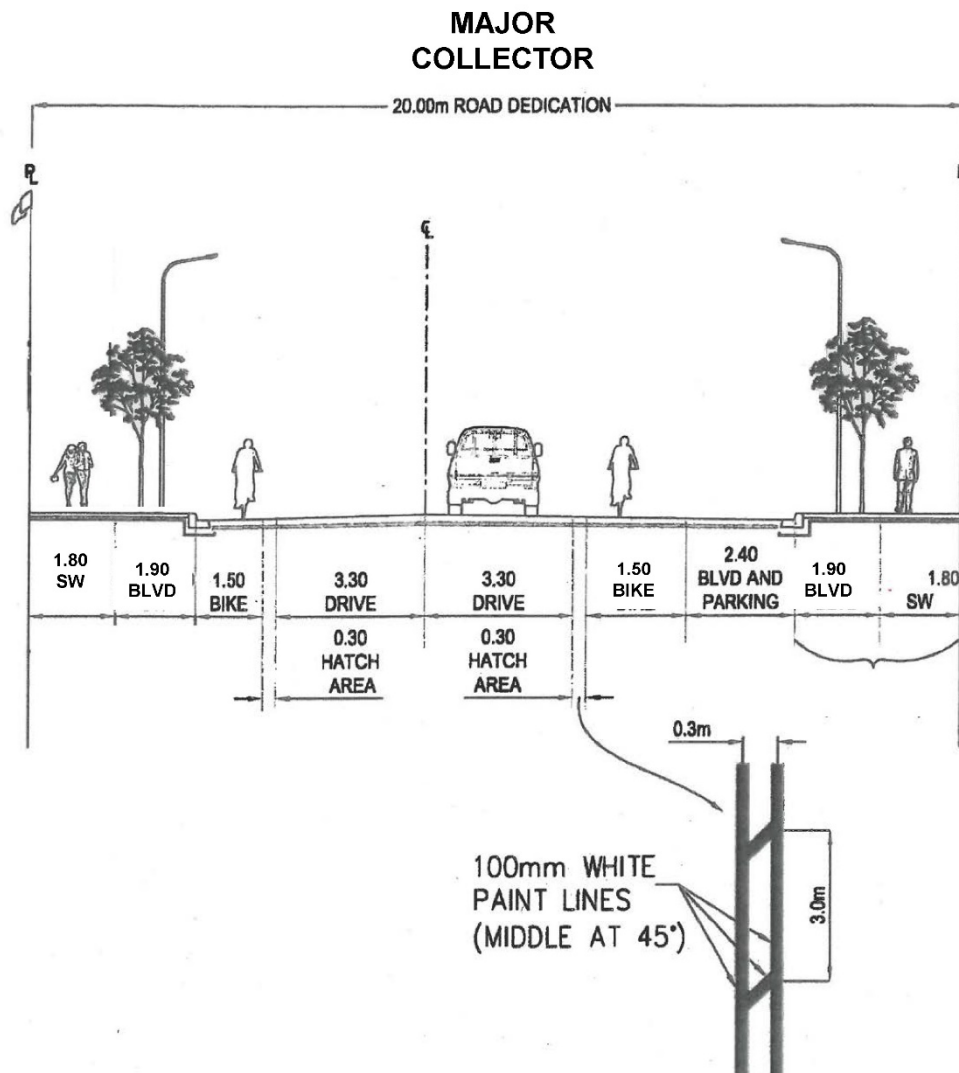
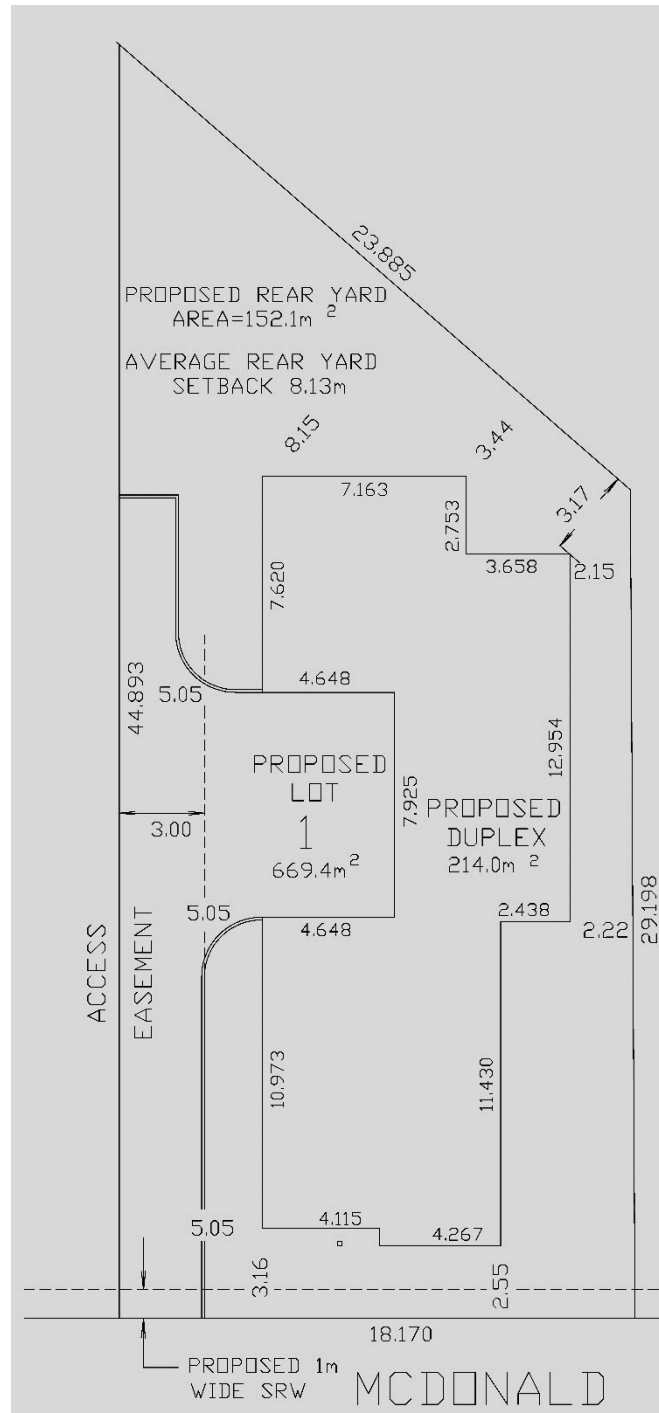


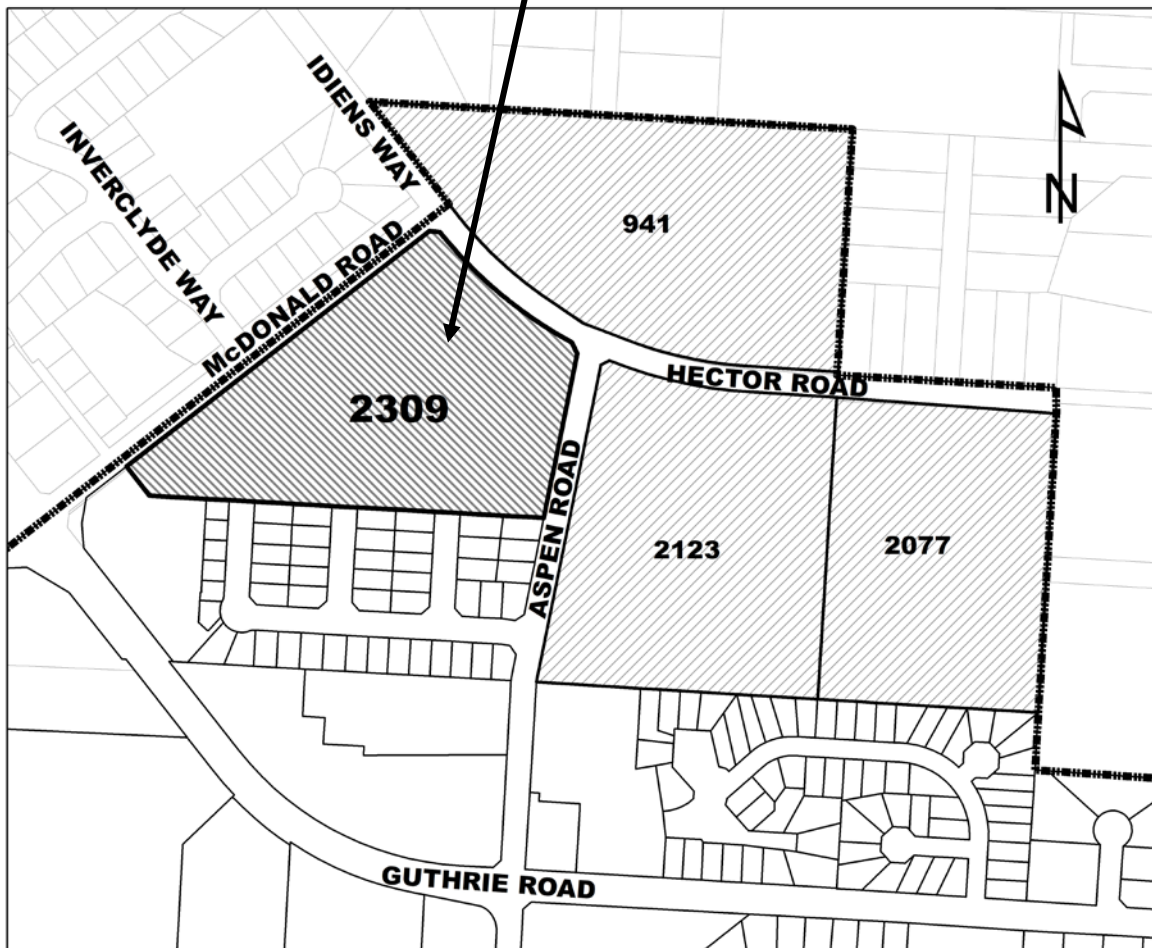
Figure E. Proposed Two-Family Lot 1 – Rear Setback Variance



ATTACHMENT 1

APPLICATION SUMMARY

Subject Property:
2309 McDonald Road
LOT 2 DISTRICT LOT 170 COMOX DISTRICT PLAN VIP60685



Proposal:	Official Community Plan (OCP) Amendment, Rezoning and Development Variance Permit applications to allow development of 22 townhouses, 4 duplex lots (i.e. 8 two-family dwellings), 13 single-family bare land strata lots, with zero lot line option, and 40 fee simple single-family lots.
Owner: Applicant:	Valley View Estates Ltd. Inc. No. BC0323369 McElhanney Consulting Services Ltd.
Legal Description:	LOT 2 DISTRICT LOT 170 COMOX DISTRICT PLAN VIP60685
Civic Address:	2309 McDonald Road

OCP	EXISTING Comox Valley RD	PROPOSED Comox
Land Use Designation:	Settlement Expansion Area	Residential: Townhouses and Ground Oriented Infill
Development Permit Areas:	Eagle nest development permit area ³	# 2 Ground Oriented Infill # 10 Bald Eagle and Great Blue Heron Nesting Sites/ Perching Trees # 17 Coach Houses # 18 Secondary Suites

EXISTING ZONE: Comox Valley Regional District

CR-1 Country Residential – 1	
Permitted uses:	Single detached dwelling; agricultural use on lots larger than 4,000 m ² ; accessory uses include: Bed and Breakfast; secondary dwellings; secondary suites; carriage houses; home occupations; animal kennel; domestic industrial use (depending on a lot size).
Residential density:	2 single detached dwellings on lots larger than 1.0 hectare
Parcel frontage:	10% of the lot perimeter
Parcel coverage:	35 %
Parcel area:	20,000 m ²
Principal building height:	10.0 m
Accessory buildings:	7.0 m in height, 200.0 m ² floor area

³ The bald eagle nest tree development permit area is indicated as the on the sensitive habitat atlas, as amended from time to time, as a bald eagle nest tree, or as identified by a registered professional biologist with a specialization in ornithology. It is applicable to the subject property under current CVRD OCP development permit areas designations.

PROPOSED GENERAL ZONING REGULATIONS:

Front yard fencing:	No fences permitted within front and exterior yards for new single-family and two-family zoned lots.
---------------------	--

PROPOSED NEW ZONES:**R3.8 Single-Family – 450 m² Parcel - 2.5m Front Setback**

Permitted uses:	Single-family, Bed & Breakfast accommodations or secondary suites or coach houses, accessory structures and uses, home occupations
Conditions of use:	Coach house height: maximum 1 storey.
Residential density:	n/a
Parcel frontage:	15.0 m
Parcel depth:	26.0 m
Parcel area:	450 m ²
Parcel coverage:	35 % for multi-storey buildings; 40% for 1 storey buildings
Principal building height:	9.0 m and no more than 2 storeys
Setbacks:	Front – 2.5 m/ 5.0 m (to ensure vehicle parking space) Rear – 7.5 m Interior Side – 2.0 m Exterior Side – 2.5 m
Accessory buildings:	4.5 m height, 60.0 m ² gross floor area

R1.4 Single-Family – Two Storey Coach Houses

Permitted uses:	Single-family, Bed & Breakfast accommodations or secondary suites or coach houses, accessory structures and uses, home occupations
Conditions of use:	Coach houses may be located within a 2-storey building, or over an accessory building. Adaptable Housing standards are not required for 2-storey coach house.
Residential density:	n/a
Parcel frontage:	18.0 m
Parcel depth:	28.0 m
Parcel area:	700 m ²
Parcel coverage:	35 % for multi-storey buildings; 40% if no buildings on a parcel exceed 1 storey
Principal building height:	9.0 m and no more than 2 storeys
Setbacks:	Front – 2.5 m/ 5.0 m (to ensure vehicle parking space) Rear – 7.5 m Interior Side – 2.0 m Exterior Side – 2.5 m
Accessory buildings:	5.5 m height, if there is no coach house located above 70.0 m ² gross floor area

R5.1 Single-Family – 250 m² Parcel Zero Lot Line

Permitted uses:	Single-family, accessory structures and uses, home occupations
Residential density:	n/a
Parcel frontage:	12.0 m
Parcel depth:	14.0 m
Parcel area:	250 m ²
Parcel coverage:	40 % for multi-storey buildings; 50% if no buildings on a parcel exceed 1 storey
Principal building height:	7.5 m and no more than 2 storeys Any part of a structure used as a garage or carport, not more than 4.5 m and no more than 1 storey
Setbacks:	Front – 2.0 m/ 5.0 m (to ensure vehicle parking space) Rear – 4.5 m Interior Side – 1.5 m one side, the other side: 1.5 m, or 0.0 m if adjacent to another parcel zoned R5.1 – “zero” lot line Exterior Side – 2.0 m
Accessory buildings:	2.5 m height, 5.0 m ² gross floor area

R2.3 Two-Family – Front to Back

Permitted uses:	Two-family, accessory structures and uses, home occupations
Residential density:	n/a
Parcel frontage:	17.5 m
Parcel depth:	28.0 m
Parcel area:	500 m ²
Parcel coverage:	40%
Principal building height:	9.0 m and no more than 2 storeys Any part of a structure used as a garage or carport, not more than 5.5 m and no more than 1 storey
Setbacks:	Front – 2.5 m Rear – 4.5 m Interior Side – 2.0 m to 5.0 m Exterior Side – 2.5 m
Accessory buildings:	2.5 m height, 5.0 m ² gross floor area per dwelling unit

CD30: Aspen Townhouses

Permitted uses:	Two-family and Townhouse dwellings, accessory structures and uses, home occupations
Residential density:	45 UPH
Parcel frontage:	40.0 m
Parcel area:	5,000 m ²
Parcel coverage:	60 %
Principal building height:	9.0 m and no more than 2 storeys
Setbacks:	Front – 3.0 m/ 5.0 m (to ensure vehicle parking space) Rear – 4.5 m Interior Side – 2.0 m/ 4.5 m Exterior Side – 3.0 m
Accessory buildings:	3.0 m height, 80.0 m ² gross floor area, including max. 2.5 m ² per unit for individual storage

PROPOSED PARKING PROVISION

Street parking	Approximately 30% of the number of units fronting the street
Off-street parking:	standard zoning regulations, except for R5.1 (zero lot line zone): 1.25 per unit

Surrounding Land Uses:	Recently incorporated vacant land to the north bordering with CVRD Single-family residential developments to the south (Town), and west (Courtenay) Proposed mixed-use commercial and townhouse development to the south (Town), Vacant land to the east, currently zoned R3.3 Single-family – Large Lot Greenway to the west and north
-------------------------------	---

PROPOSED DVP 19-1**Town of Comox Subdivision and Development Servicing Bylaw, 1261**

Road standards	Existing Standard	Proposed Variances
Major Collector		
Bike lanes	--	1.5 m wide, separated with 0.3 m white paint lines
Curb	roll over	vertical curb and gutter
Pavement width	13.0 m	6.6 m with 2.4 m parking pull-outs on one side
Sidewalk	varies	minimum 1.8 m wide on both sides
Boulevard	--	at curb, and alternating with parking pull-outs, minimum 1.9 m wide

Local		
Bike lanes	--	shared with vehicles
Curb	roll over	vertical curb and gutter
Pavement width	9.0 m	6.0 m with 2.4 m parking pull-outs on one side
Sidewalk	varies	located at the curb minimum 1.8 m wide on both sides, except cul-de-sac – on one side
Boulevard	--	located behind sidewalk and alternating with parking pull-outs
Cul-de-sac road allowance radius	17.0 m	14.0 m
Location of service mains		Beneath the road pavement

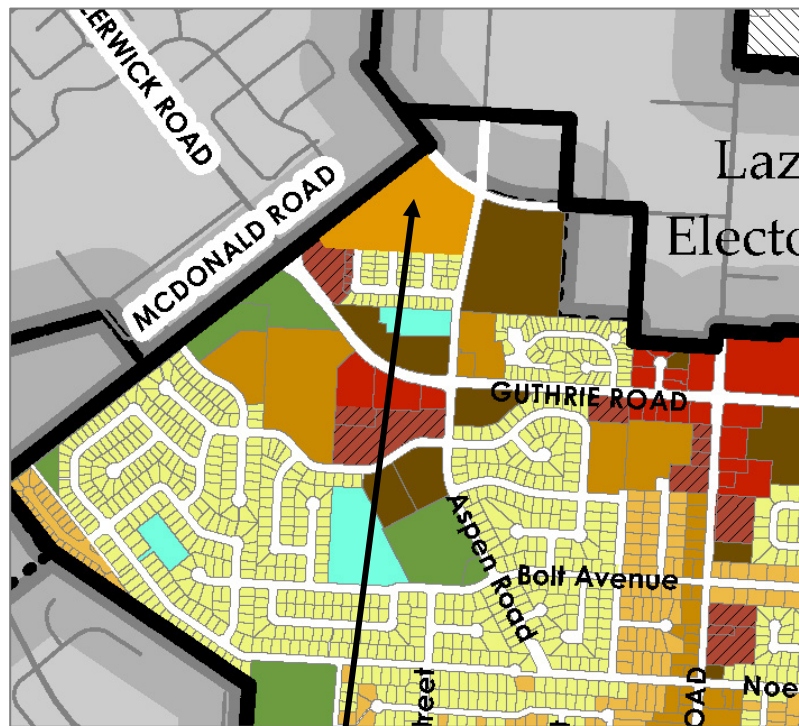
Variance to Comox Zoning Bylaw 1850

Lot 1, proposed duplex zoned R2.3;	Existing Setback	Proposed Variance
Rear setback	4.5 m	3.0 m

FIGURE 1
Proposed OCP Land Use Designation

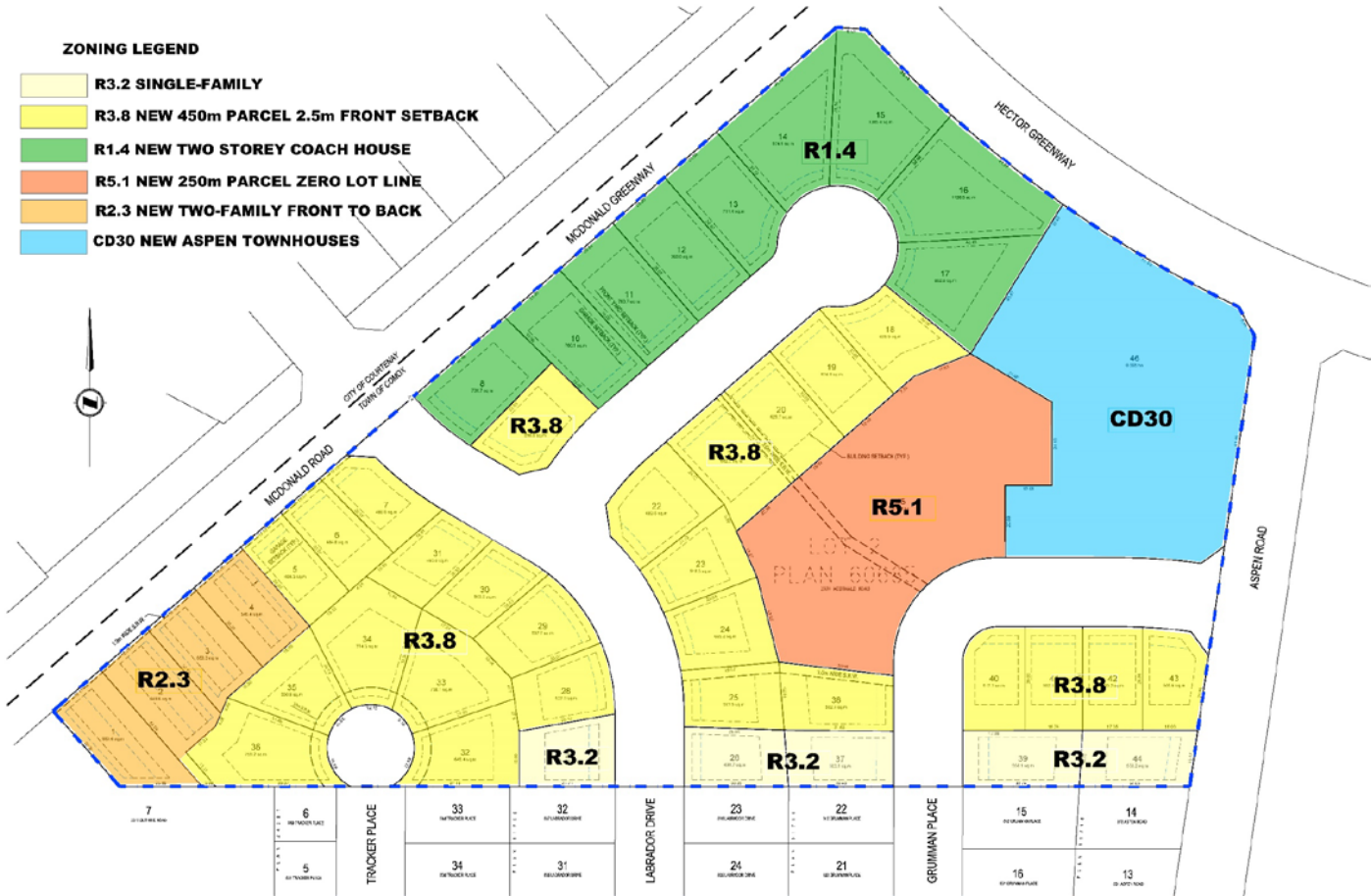
Land Use Designations

	Agricultural
	Residential: Detached
	Residential: Ground Oriented Infill
	Residential: Townhouses & Ground Oriented Infill
	Residential: Low Rise Apartments, Townhouses & Ground Oriented Infill
	Mixed Use: Commercial-Residential
	Downtown Comox
	Commercial: Neighbourhood
	Commercial: Tourist
	Light Industrial
	Public Open Space
	Institutional



Subject Property:
 2309 McDonald Rd

FIGURE 2
Proposed Zoning



ATTACHMENT 2**PROCESSING PROCEDURES**

The following process would allow the OCP and Zoning Amendment bylaws; Phased Development Agreement Authorization (PDA) bylaw and Development Variance Permit DVP 19-1 to be considered concurrently:

1. Third Reading of proposed Bylaws 1954, 1955 and 1956;
2. Resolution of any outstanding items;
3. Adoption of proposed Bylaws 1954, 1955 and 1956;
4. Issuance of DVP 19-1, subject to DVP conditions; and
5. Recommendation to Council: direct staff to seek cash amenity contributions for the future provision of a playground structures and related land improvements within the Hector Greenway from developers of immediately adjacent properties: 2123 Hector Road (Lot 4 District Lot 170 Comox District Plan VIP60685), 2077 Hector Road (Lot A, District Lot 170, Comox District, plan 18002), and 941 Hector Road (Lot 1 District Lot 170 Comox District Plan VIP60685), in proportion to the number of residential units proposed on each of the properties.

ATTACHMENT 3**TOWN OF COMOX****BYLAW 1954****A BYLAW TO AMEND COMOX OFFICIAL COMMUNITY PLAN BYLAW 1685**

WHEREAS Council has the authority under the provisions of the Local Government Act to amend the Official Community Plan Bylaw;

AND WHEREAS Council has considered the amendments in conjunction with its financial plan, any waste management plan that is applicable in the municipality or regional district and Town of Comox May 2020 Housing Needs Report Data Results including Summary Form;

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 Official Community Plan Amendment Bylaw 1954”.

2. Amendments

Comox Official Community Plan Bylaw 1685 is hereby amended as follows:

(1) Schedule “A” Part 3: Development Permit Areas, by:

(a) Adding to DPA #2 Ground Oriented Infill, Exemptions, as Section 3.2.4 B and renumber other sections accordingly, the following text:

Construction of, addition to, or alteration of an accessory building to a single detached dwelling or a duplex.

(b) Replacing DPA #2 Ground Oriented Infill, Exemptions, Section 3.2.4 F with the following text:

Construction of, addition to or alteration of one single detached dwelling, coach house or secondary suite on a parcel. This exemption does not apply to:

- I. Parcels, which do not meet the Zoning Bylaw minimum parcel frontage, as measured along a public road constructed in accordance with the dedication and construction standards established by the Subdivision and Development

Servicing Bylaw in accordance with section 506 of the *Local Government Act*; and

- II. Parcels, on which one or two interior side setbacks are proposed to be zero (zero lot line parcels).

(2) Schedule “A” Part 5: Maps is hereby amended by:

(a) designating **Lot 2 District Lot 170 Comox District Plan VIP60685** (2309 McDonald Road), shown shaded in Schedule “1”, which is attached to and forms part of this bylaw, as within the following:

(i) Map 1 – Land Use Designations, as Residential: Townhouses & Ground Oriented Infill; and

(ii) Development Permit Areas (DPAs), as show in their respective maps:
 # 2 Ground Orientated Infill
 # 10 Bald Eagle and Great Blue Heron Nesting Sites/ Perching Trees
 # 17 Coach Houses
 # 18 Secondary Suites

(b) adding to Map 3, Parks, Trails and Open Space, an extension of McDonald and Hector Road Greenways shown shaded in Schedule “2”, which is attached to and forms part of this bylaw, as “Off-street Trails (existing and proposed)”;

(c) adding to Map 5, Road Network, an extension of McDonald Road, up to Inverclyde Way, and Aspen Road, up to the current Town boundary shown shaded in Schedule “3”, which is attached to and forms part of this bylaw, as “Major Collector”;

(d) adding to Map 7, Bicycle Network, an extension of McDonald and Aspen Roads up to the current Town boundary shown shaded in Schedule “4”, which is attached to and forms part of this bylaw, as “Proposed Bike Lane”; and

(e) updating all OCP maps to show as within Town boundaries the following properties: Lot 2 District Lot 170 Comox District Plan VIP60685 (2309 McDonald Road), Lot 1 District Lot 170 Comox District Plan VIP60685 (941 Hector Road) and Lot A, District Lot 170, Comox District, Plan 18002 (2077 Hector Road).

(3) Comox Official Community Plan Bylaw 1685 is 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 the bylaw.

3. Repeal Comox Valley Regional District OCP Bylaw

- (1) Rural Comox Valley Official Community Plan Bylaw No. 337, 2014 (as at September 19, 2016), is hereby amended by replacing section 1(3) in its entirety with the following text:

This bylaw applies to all lands as noted in section 1(1) except in relation to those properties legally described as:

- (a) PID 023-020-121 (roll no. 412 00602.854; Lot 2 District Lot 170 Comox District Plan VIP60685);
 - (b) PID 000-866-792 (roll no. 771 05748.000; Plan 552G, Sect 10, LNDDST 15);
 - (c) PID 000-866-814 (roll no. 771 05761.000; Plan 552G, Sect 10, LNDDST 15); and
 - (d) PID 000-866-814 (roll no. 771 05768.145; Plan 552G, Sect 10, LNDDST 15).
- (2) Rural Comox Valley Official Community Plan Bylaw No. 337, 2014 (as at September 19, 2016) is 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 the bylaw.

4. Adoption

- | | |
|-----------------------------------|---------------------------------------|
| (1) READ A FIRST time this | 7 th day of October, 2020 |
| (2) READ A SECOND time this | 7 th day of October, 2020 |
| (3) ADVERTISED A FIRST time this | 21 st day of October, 2020 |
| (4) ADVERTISED A SECOND time this | 28 th day of October, 2020 |
| (5) PUBLIC HEARING HELD this | 4 th day of November, 2020 |
| (6) READ A THIRD time this | day of , 2020 |
| (7) ADOPTED this | day of , 2020 |

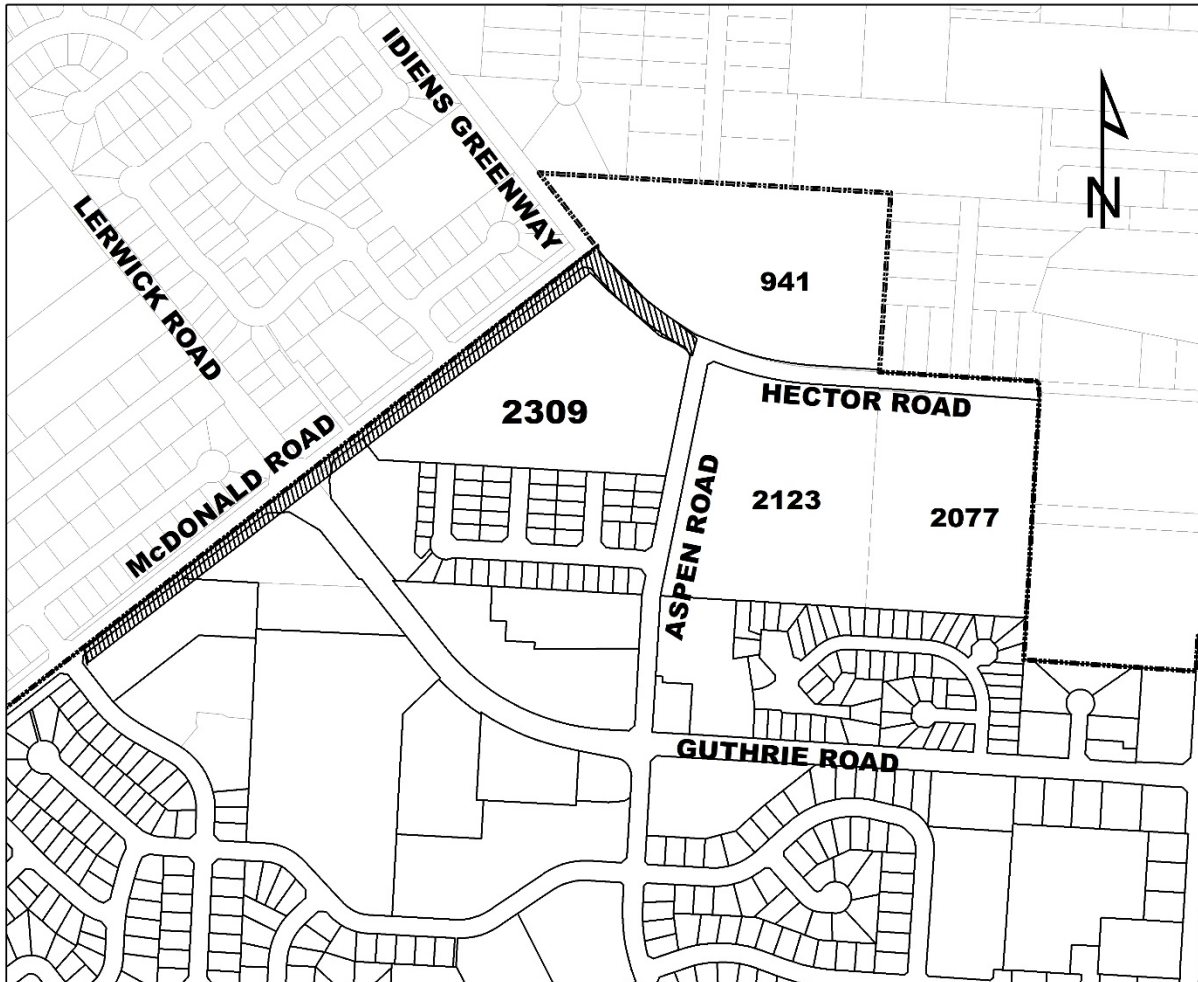
Mayor

Chief Administrative Officer

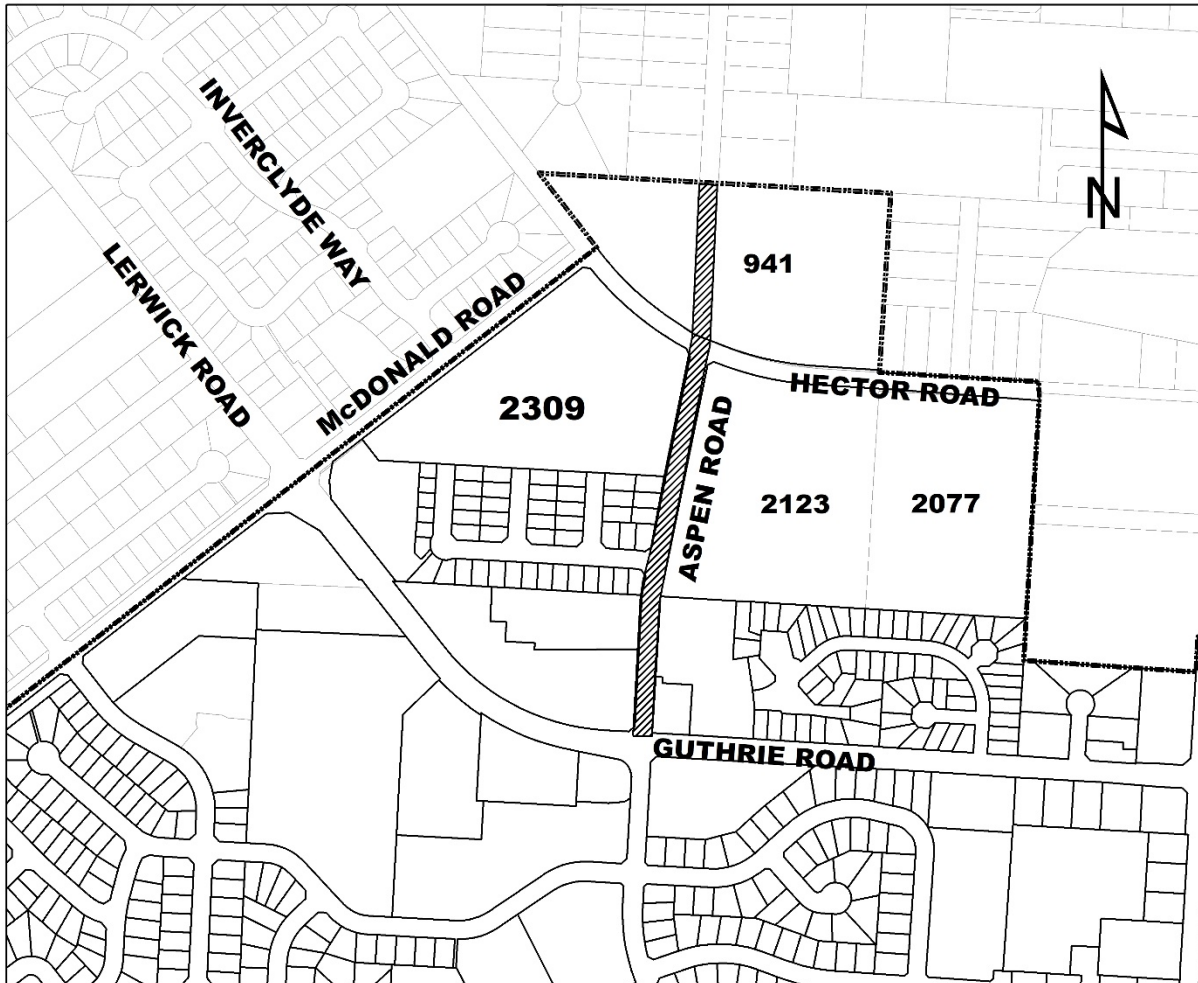
BYLAW 1954
SCHEDULE "1"

Subject Property:
2309 McDonald Road
LOT 2 DISTRICT LOT 170 COMOX DISTRICT PLAN VIP60685



BYLAW 1954**SCHEDULE "2"**
OFF-STREET TRAILS

BYLAW 1954**SCHEDULE "3"****MAJOR COLLECTOR ROADS**

BYLAW 1954**SCHEDULE “4”****BIKE LANES**

ATTACHMENT 4

TOWN OF COMOX
BYLAW 1955

A BYLAW TO AMEND COMOX ZONING BYLAW 1850

WHEREAS Council 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 the "Comox Zoning Amendment Bylaw 1955"

2. Amendments

Comox Zoning Bylaw 1850 is hereby amended as follows:

- A. Section 2.7(2) Penalties is amended by adding the following:

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine Amount
Unlawful use – 1.4 zone	104.1	\$250.00
Failure to comply with conditions – 1.4 zone	104.2	\$250.00
Unlawful accessory buildings – 1.4 zone	104.10	\$250.00
Unlawful use – 2.3 zone	107.1	\$250.00
Failure to comply with conditions – 2.3 zone	107.2	\$250.00
Unlawful accessory buildings – 2.3 zone	107.10	\$250.00
Unlawful use – 3.8 zone	113.1	\$250.00
Failure to comply with conditions – 3.8 zone	113.2	\$250.00
Unlawful accessory buildings – 3.8 zone	113.10	\$250.00
Unlawful use – 5.1 zone	115.1	\$250.00
Failure to comply with conditions – 5.1 zone	115.2	\$250.00
Unlawful accessory buildings – 5.1 zone	115.10	\$250.00
Unlawful use – CD30 zone	830.1	\$250.00
Failure to comply with conditions – CD30 zone	830.2	\$250.00
Unlawful accessory buildings – CD30 zone	830.10	\$250.00

B. Section 3.2, Definitions, is amended by:

i. replacing the definition of Accessory Building with the following text:

A building utilized for an accessory use and subordinate in area and extent to the principal use or coach house served.

ii. replacing the definition of Accessory Use with the following text:

A use on a parcel that is customarily incidental, subordinate and exclusively devoted to a principal use or a coach house located on the same parcel, does not include:

(1) a dwelling unit; or

(2) toilet, shower, or bathtub facilities as an accessory use to a dwelling unit, mobile home, or modular unit.

C. Section 4.1 Classification of Zones is amended by:

i. under the Residential Zones heading adding the following text:

R 1.4 Single-Family – Two Storey Coach House

R 2.3 Two-Family – Front to Back

R 3.8 Single-Family – 450 m² Parcel 2.5m Front Setback

R 5.1 Single-Family – 250 m² Parcel Zero Lot Line

and

ii. under the Multi-Family Residential Zones heading adding the following text:

CD30 Comprehensive Development 30: Aspen Townhouses

D. Section 5.3 Fences is amended by:

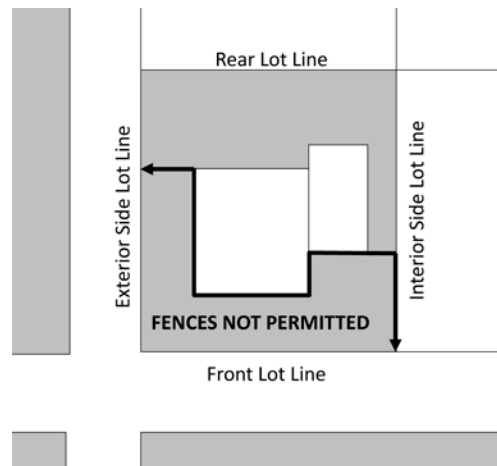
i. Replacing subsection (2) with the following text and figure:

In the R4.1, CD23, CD25, CD26, CD27 and CD30 zones, no fence within a front yard shall exceed 1.0 metre in height.

ii. Adding as subsection (4) the following text and figure:

In R1.4, R2.3, R3.8 and R5.1 zones, no fences are permitted within a front or exterior side yard, as shown in Figure 5-2.

Figure 5-2.



- E. Section 5.12 Projections into Required Setbacks is amended by adding as subsection (10), the following text:

In R1.4, R2.3, R3.8, R5.1 and CD30 zones, awnings, balconies, bay windows, canopies, chimneys, cornices, eaves, gutters, landings, leaders, ornamental features, pilasters, porches, sills, stairs, or sunshades, may project up to 0.6 metres into a required front, side, or rear setback.

- F. Section 6.15 Required Off-Street Parking Spaces Outside Downtown is amended by:
- i. deleting the following text in its entirety:

Dwelling, single-family, excluding single-family dwellings in the CD1.1 zone, single-family dwellings containing a secondary suites; and single-family dwellings with a coach house on the same parcel	2 per dwelling unit
--	---------------------

and

- ii. adding the following text:

Dwelling, single-family, excluding single-family dwellings in the R5.1 and CD1.1 zones, single-family dwellings containing a secondary suites; and single-family dwellings with a coach house on the same parcel	2 per dwelling unit
Dwelling, single-family: R5.1 zone	1 per dwelling unit plus 0.25 er unit for visitors

G. Schedule "A" is amended by:

- i. adding as Section 104 the R1.4 zone, as shown in SCHEDULE "1", which is attached to and forms part of this Bylaw;
- ii. adding as Section 107 the R2.3 zone shown in SCHEDULE "2", which is attached to and forms part of this Bylaw;
- iii. adding as Section 113 the R3.8 zone, as shown on SCHEDULE "3", which is attached to and forms part of this Bylaw;
- iv. adding as Section 115 the R5.1 zone, as shown in SCHEDULE "4", which is attached to and forms part of this Bylaw;
- v. adding as Section 830, the CD30 zone, as shown in SCHEDULE "5", which is attached to and forms part of this Bylaw.

H. Appendixes are amended by adding as **Appendix "Y"**, the explanatory drawing shown in SCHEDULE "6", which is attached to and forms part of this Bylaw;

I. Schedule "B" (the Zoning Map) is amended by rezoning **Lot 2 District Lot 170 Comox District Plan VIP60685**, shown shaded on SCHEDULE "7" which is attached to and forms part of this Bylaw, in accordance with the zoning plan shown in SCHEDULE "8", which is attached to and forms part of this Bylaw; and

J. Comox Zoning Bylaw 1850 is 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 the bylaw.

3. Repeal CVRD Zoning Bylaw

- (1) Section Two, subsection (1) of Comox Valley Zoning Bylaw, 2005 (as at September 19, 2016) is hereby amended by inserting, immediately after the text "This bylaw shall be applicable to Electoral Areas 'A', 'B' and 'C' (Comox Valley) of the Regional District of Comox-Strathcona" the following text:

with the exception of the property legally described as PID 023-020-121, Lot 2 District Lot 170 Comox District Plan VIP60685.

- (2) Comox Valley Zoning Bylaw, 2005 (as at September 19, 2016) is 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 the bylaw.

4. Repeal CVRD Floodplain Management Bylaw

- (1) Part B, Section 1, Bylaw No. 2782, being the “Floodplain Management Bylaw, 2005” (as at September 19, 2016), is hereby amended by inserting, immediately after the text “this bylaw shall be applicable to all electoral areas within the Regional District of Comox Strathcona with the exception of”:

the property legally described as PID 023-020-121, Lot 2 District Lot 170 Comox District Plan VIP60685

- (2) Bylaw No. 2782, being the “Floodplain Management Bylaw, 2005” (as at September 19, 2016) is 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 the bylaw

5. Adoption

- | | |
|-----------------------------------|---------------------------------------|
| (1) READ A FIRST time this | 7 th day of October, 2020 |
| (2) READ A SECOND time this | 7 th day of October, 2020 |
| (3) ADVERTISED A FIRST time this | 21 st day of October, 2020 |
| (4) ADVERTISED A SECOND time this | 28 th day of October, 2020 |
| (5) PUBLIC HEARING HELD this | 4 th day of November, 2020 |
| (6) READ A THIRD time this | th day of , 2020 |
| (7) ADOPTED this | th day of , 2020 |

Mayor

Corporate Officer

BYLAW 1955
SCHEDULE "1"

104. R1.4 SINGLE-FAMILY – TWO STOREY COACH HOUSE

104.1 Permitted Uses:

In the R1.4 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and Breakfast accommodations
- (3) Coach houses
- (4) Home occupations
- (5) Secondary suites
- (6) Single-family dwellings

104.2 Conditions of Use:

- (1) Bed and Breakfast accommodations shall not be permitted on a parcel on which a secondary suite or a coach house exists.
- (2) Gross floor area of the second storey of a building shall not exceed 75% of the gross floor area of the first storey of the building including attached garages, except for:
 - (a) when no portion of the first storey is more than 0.6 metres above the established ground level, as measured along all elevations of the building, which face the rear lot line; or
 - (b) when no portion of the first storey is more than 0.6 metres above the established ground level, as measured along the building frontage.
- (3) Coach Houses shall:
 - (a) not be permitted on a parcel on which a secondary suite exists;
 - (b) in combination with accessory buildings, have a parcel coverage not exceeding 10%;
 - (c) be located in a rear yard;
 - (d) have a gross floor area, not exceeding:
 - i. 60 m² in gross floor area, where the parcel area is equal to or greater than 650 m² and less than 1,000 m²; and
 - ii. 70 m² in gross floor area, where the parcel area is equal to or greater than 1,000 m²;
 - (e) for the purpose of sub-section (d) only, gross floor area shall:
 - i. include garages and carports, excluding the following, if located below a second storey: garages, carports and areas used for storage or workshop purposes or portions thereof;
 - ii. carport floor area shall be calculated as roofed floor area; and
 - iii. exclude 10.0 m² roofed patio and deck floor area, where the roofed floor area is measured from the exterior of supporting walls or columns to the eave or gutter whichever is greater;
 - (f) not exceed in height:
 - i. 4.5 metres, where the coach house does not exceed one storey and its gross floor area is less than 50 m²;
 - ii. 5.5 metres, where the coach house does not exceed one storey and its gross floor area is equal to or greater than 50 m²; and
 - iii. 7.5 metres, where the coach house is 2-storeys;
 - (g) not be located closer than 4.0 metres to a principal building;
 - (h) be excluded from required rear setback, provided that no coach house is located closer than 2.0 metres to a rear lot line; and

- (i) conform to Section 5.20 Special Needs Housing Standards – Adaptable Housing, where the coach house does not exceed one storey.

104.3 Density:

n/a

104.4 Parcel Area:

Parcel area shall not be less than 700 square metres.

104.5 Parcel Frontage:

Parcel frontage shall not be less than 18.0 metres.

104.6 Parcel Depth:

Parcel depth shall not be less than 28.0 metres.

104.7 Parcel Coverage:

- (1) No building on a parcel exceeds one storey, including a coach house – Parcel coverage shall not exceed 40%.
- (2) A building on a parcel exceeds one storey – Parcel coverage shall not exceed 35%.

104.8 Height and Storeys:

- (1) Height shall not exceed 9.0 metres.
- (2) The number of storeys shall not exceed 2.
- (3) 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 104-1; or
 - (b) a minimum of 50% of the building frontage shall be a maximum of one storey, extending a minimum of 3.0 metres back from the elevation face, with the roof ridge a minimum of 1.2 metres lower than the roof ridge of any multi-storey portion as shown in Figures 104-2 and 104-3;

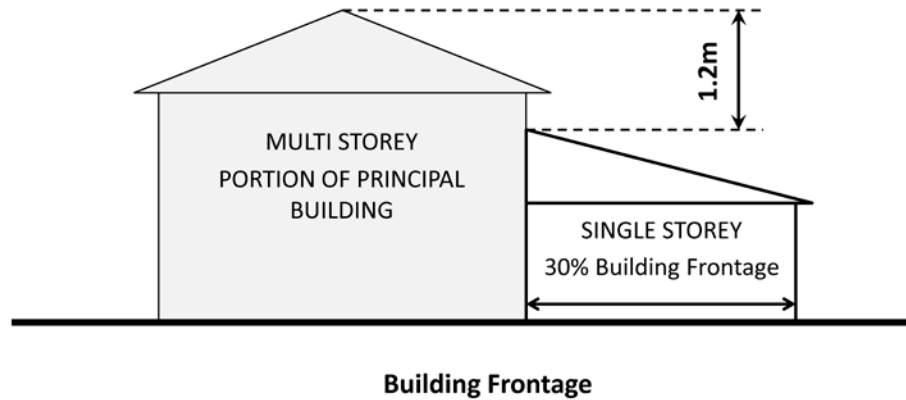


Figure 104-1.
Elevation Block Out

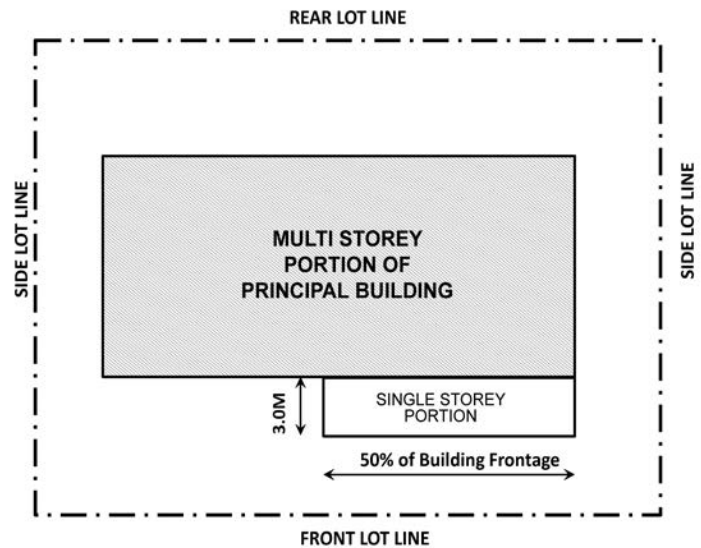


Figure 104-2. Site Plan

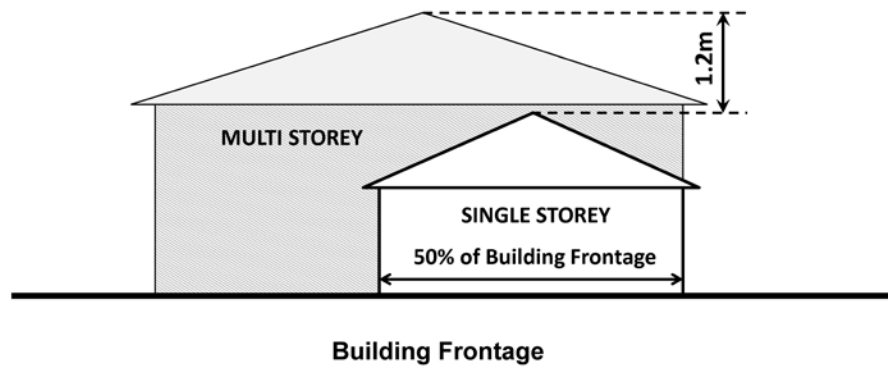


Figure 104-3.
Elevation Block Out

104.9 Required Setbacks, as shown in Figure 104-4:

- (1) Front
 - (a) For 5.5 metres, as measured parallel to and at the front setback – Front setback shall not be less than 5.0 metres.
 - (b) For any part of a structure used as a garage or carport – Front setback shall not be less than 5.0 metres.
 - (c) All other situations – Front setback shall not be less than 2.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side – interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side – exterior and corner cut-off
 - (a) Exterior side setback shall not be less than 2.5 metres.
 - (b) Notwithstanding Section 5.18 Setbacks, setback from a corner cut-off lot line shall not be less than 2.5 metres.

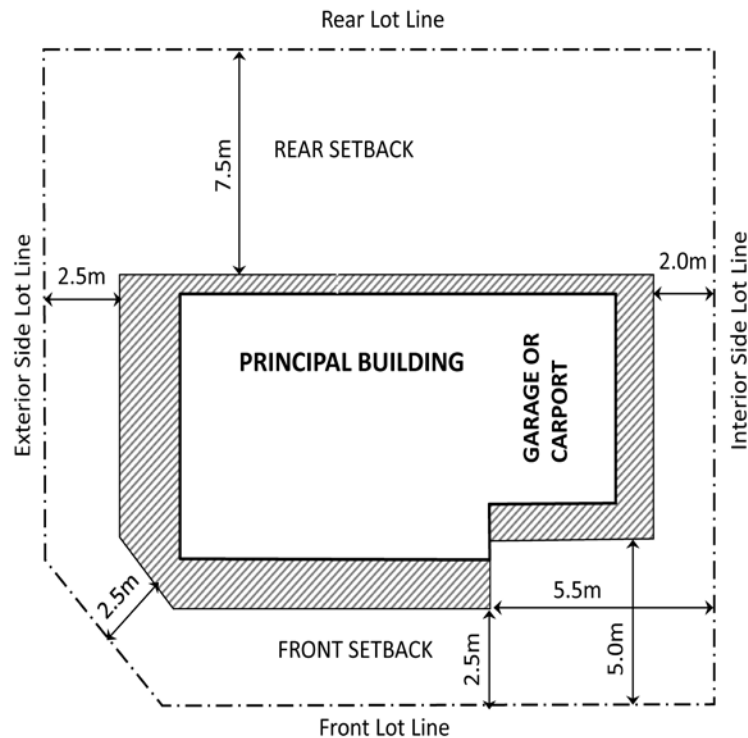


Figure 104-4.
Required Setbacks

104.10 Accessory Buildings

Accessory buildings shall:

- (1) not exceed 5.5 metres in height;
- (2) have a parcel coverage not exceeding 10%;
- (3) not occupy more than 2/3 of the width of the rear yard, as measured at its widest point;
- (4) not exceed 70 m² 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;

- (5) not be located within a front yard; and
- (6) be excluded from required rear and interior side setbacks provided that no accessory building is located closer than 2.0 metres to a rear or interior side lot line, as shown in Figure 104-5.

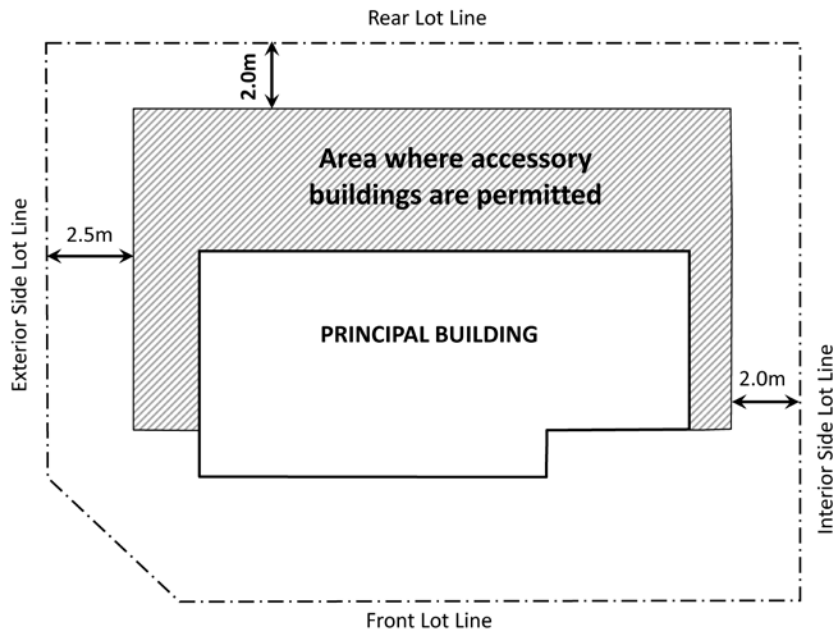


Figure 104-5.
Accessory building buildable area

104.11 Screening

The following shall be screened in accordance with Section 8:

- (1) Above ground utility boxes and utility transformers; and
- (2) Coach houses abutting Residential zoned parcels.

104.12 Off-Street Parking and Loading

- (1) Off-street parking and loading shall be provided in accordance with Section 6;
- (2) Driveways shall not exceed 5.5 metres in width; and
- (3) No more than one driveway shall be permitted on a parcel.

104.13 Other Requirements:

- (1) No more than one principal building shall be permitted on a parcel;
- (2) Overhead wiring on a parcel shall not be permitted. All new services on a parcel shall be placed underground; and
- (3) All buildings shall conform to Section 5.19, Watercourse Regulations.

BYLAW 1955
SCHEDULE “2”

107. R2.3 TWO-FAMILY – FRONT TO BACK

107.1 Permitted Uses:

In the R2.3 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Two-family dwellings

107.2 Conditions of Use:

Gross floor area of the second storey of a building shall not exceed 75% of the gross floor area of the first storey of the building including attached garages.

107.3 Density:

n/a

107.4 Parcel Area:

Parcel area shall not be less than 500 square metres.

107.5 Parcel Frontage:

Parcel frontage shall not be less than 17.5 metres.

107.6 Parcel Depth:

Parcel depth shall not be less than 28.0 metres.

107.7 Parcel Coverage:

Parcel coverage shall not exceed 40%.

107.8 Height and Storeys:

- (1) For any part of a structure used as a garage or carport – Height shall not exceed 5.5 metres and the number of storeys shall not exceed 1.
- (2) All other situations – Height shall not exceed 9.0 metres and the number of storeys shall not exceed 2.

107.9 Required Setbacks:**(1) Front:**

Front setback shall not be less than 2.5 metres.

(2) Rear:

Rear setback shall not be less than 4.5 metres.

(3) Interior Side:

- (a) for a distance of not less than 10.0 metres as measured perpendicularly from the front lot line, interior side setback shall not be less than 4.5 metres;
- (b) where a driveway is located in an interior side yard, interior side setback shall not be less than 5.0 metres; and
- (c) all other situations – side setback shall not be less than 2.0 metres.

(4) Exterior Side:

- (a) exterior side setback shall not be less than 2.5 metres; and
- (b) notwithstanding Section 5.18 Setbacks, setback from a corner cut-off property line shall not be less than 2.5 metres.

107.10 Accessory Buildings

Accessory buildings shall

- (1) not exceed 2.5 metres in height;
- (2) not exceed 5.0 m² in gross floor area per residential unit;
- (3) not be located within a front yard; and
- (4) be excluded from required rear and interior side setbacks provided that:
 - (a) no accessory building is located closer than 7.5 metres to a front lot line; and
 - (b) no accessory building is located closer than 1.2 metres to a rear or interior side lot line.

107.11 Screening

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

107.12 Off-Street Parking and Loading

- (1) Off-street parking and loading shall be provided in accordance with Section 6;
- (2) Notwithstanding section 107.12(1), off-street parking shall only be permitted within an interior side yard, in which a driveway is located;
- (3) Driveways shall not exceed 3.0 metres in width; and
- (4) No more than one driveway shall be permitted on a parcel.

107.13 Other Requirements

- (1) No more than one principal building shall be permitted on a parcel;
- (2) Overhead wiring on a parcel shall not be permitted. All new services on a parcel shall be placed underground.
- (2) All buildings shall conform to Section 5.19, Watercourse Regulations.

BYLAW 1955
SCHEDULE “3”

113. R3.8 SINGLE-FAMILY – 450 M² PARCEL 2.5 M FRONT SETBACK

113.1 Permitted Uses:

In the R3.8 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Bed and Breakfast accommodations
- (3) Coach houses
- (4) Home occupations
- (5) Secondary suites
- (6) Single-family dwellings

113.2 Conditions of Use:

- (4) Bed and Breakfast accommodations shall not be permitted on a parcel on which a secondary suite or a coach house exists.
- (5) Gross floor area of the second storey of a building shall not exceed 75% of the gross floor area of the first storey of the building including attached garages, except for:
 - (c) When no portion of the first storey is more than 0.6 metres above the established ground level, as measured along all elevations of the building, which face the rear lot line; or
 - (d) When no portion of the first storey is more than 0.6 metres above the established ground level, as measured along the building frontage.
- (6) Coach Houses shall:
 - (e) not be permitted on a parcel on which a secondary suite exists;
 - (f) not be permitted on a parcel where the parcel area is less than 500 m²;
 - (g) not be permitted on a parcel where the rear yard is less than 15.0 metres in width;
 - (h) have a parcel coverage not exceeding 10%;
 - (i) be located in a rear yard;
 - (j) in combination with the gross floor area of accessory buildings, not exceed :
 - i. 50 m² in gross floor area, where the parcel area is less than 650 m²;
 - ii. 60 m² in gross floor area, where the parcel area is equal to or greater than 650 m² and less than 1,000 m²; and
 - iii. 70 m² in gross floor area, where the parcel area is equal to or greater than 1,000 m².
 - (g) for the purpose of sub-section (f) only, gross floor area shall:
 - i. include garages and carports, excluding carports attached to a coach house to a maximum of 20 m² and garages and carports forming part of a single-family dwelling; carport gross floor area shall be calculated as the roofed floor area;
 - ii. exclude one accessory building less than 10 m²; and
 - iii. exclude one room less than 40 m² in gross floor area, completely contained within the principal building and used by residents of a coach house for storage, vehicle parking or workshop purposes;
 - iv. exclude 10.0 m² roofed patio and deck floor area, where the roofed floor area is measured from the exterior of supporting walls or columns to the eave or gutter whichever is greater;

- (i) not exceed in height:
 - i. 4.5 metres, where the coach house gross floor area is less than 50 m²; and
 - ii. 5.5 metres, where the coach house gross floor area is equal to or greater than 50 m²;
- (j) not be located closer than 4.0 metres to a principal building;
- (k) be excluded from required rear setback, provided that no coach house is located closer than 2.0 metres to a rear lot line; and
- (l) conform to Section 5.20 Special Needs Housing Standards – Adaptable Housing.

113.3 Density:
n/a

113.4 Parcel Area:
Parcel area shall not be less than 450 square metres.

113.5 Parcel Frontage:
Parcel frontage shall not be less than 15.0 metres.

113.6 Parcel Depth:
Parcel depth shall not be less than 26.0 metres.

113.7 Parcel Coverage:

- (1) No building on a parcel exceeds one storey - Parcel coverage shall not exceed 40%.
- (2) A building on a parcel exceeds one storey – Parcel coverage shall not exceed 35%.

113.8 Height and Storeys:

- (1) Height shall not exceed 9.0 metres.
- (2) The number of storeys shall not exceed 2.
- (3) 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 113-1; or
 - (b) a minimum of 50% of the building frontage shall be a maximum of one storey, extending a minimum of 3.0 metres back from the elevation face, with the roof ridge a minimum of 1.2 metres lower than the roof ridge of any multi-storey portion as shown in Figures 113-2 and 113-3;

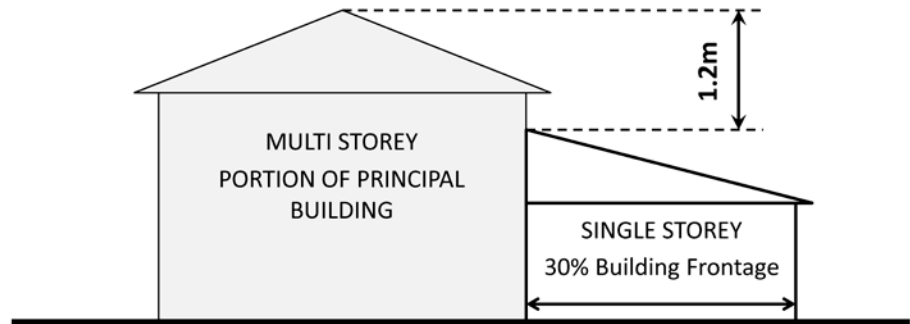


Figure 113-1.
Elevation Blok-out

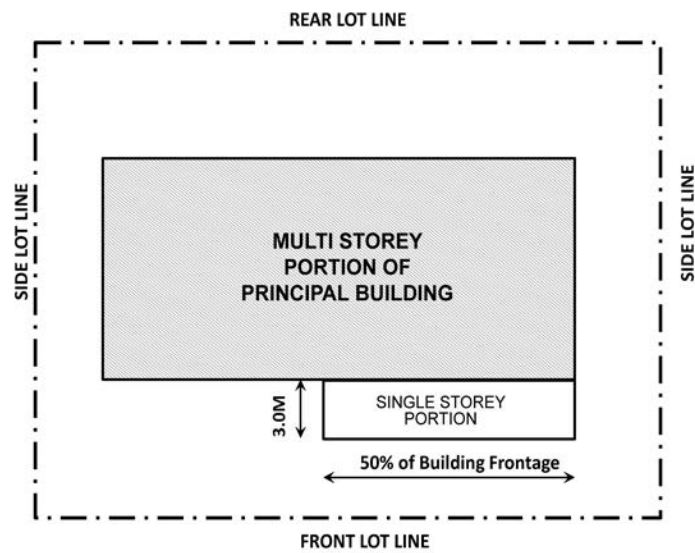
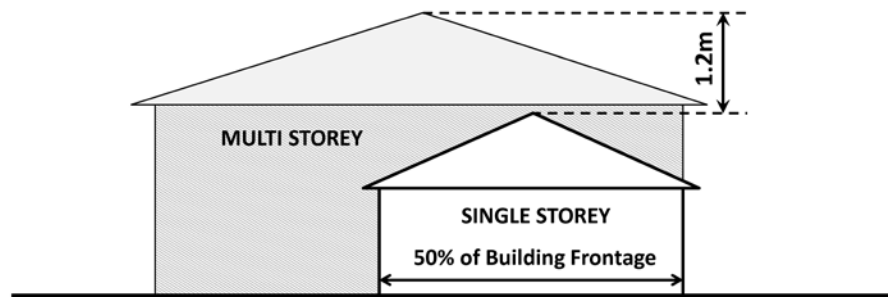


Figure 113-2.
Site Plan



Building Frontage

Figure 113-3.
Elevation Blok-out

113.9 Required Setbacks, as shown in Figure 113-4:

- (1) Front
 - (a) For 5.5 metres, as measured parallel to and at the front setback – Front setback shall not be less than 5.0 metres.
 - (b) For any part of a structure used as a garage or carport – Front setback shall not be less than 5.0 metres.
 - (c) All other situations – Front setback shall not be less than 2.5 metres.
- (2) Rear
Rear setback shall not be less than 7.5 metres.
- (3) Side – interior
Interior side setback shall not be less than 2.0 metres.
- (4) Side – exterior and corner cut-off
 - (a) Exterior side setback shall not be less than 2.5 metres.
 - (b) Notwithstanding Section 5.18 Setbacks, setback from a corner cut-off property line shall not be less than 2.5 metres.

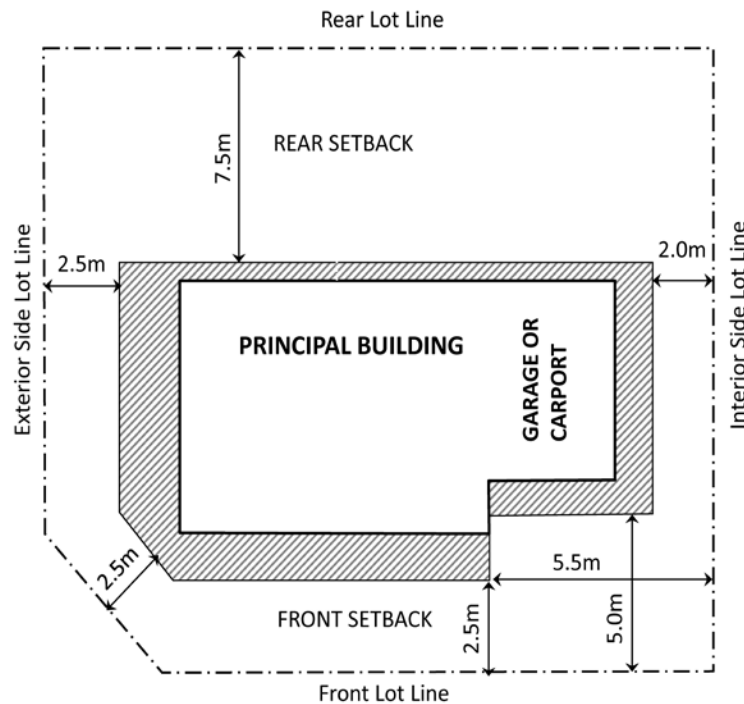


Figure 113-4.
Required Setbacks

113.10 Accessory Buildings

Accessory buildings shall:

- (2) 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 rear yard, as measured at its widest point;
- (4) not exceed 60 m² 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;
- (6) not be located within a front yard; and
- (7) be excluded from required rear and interior side setbacks provided that

- (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line; and
- (b) a 2.0 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 113-5.

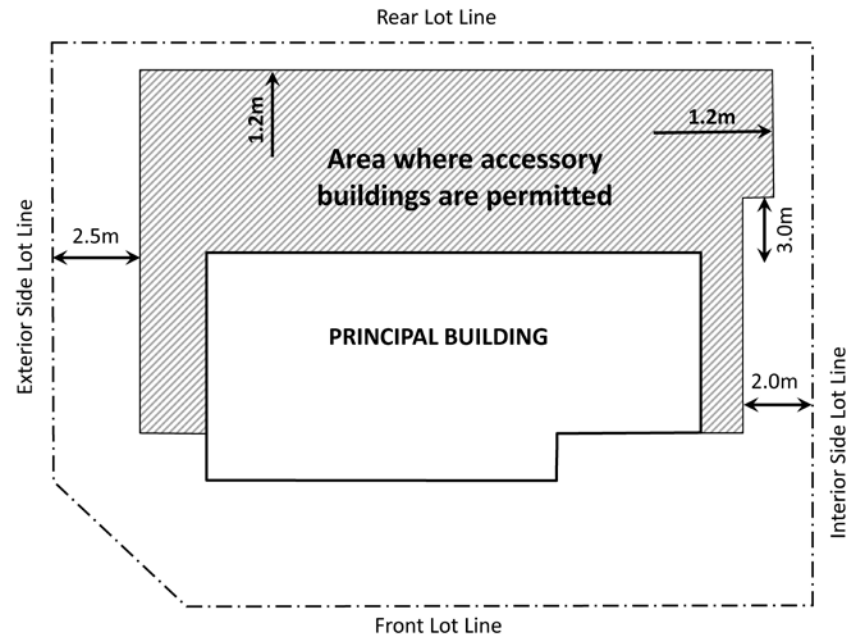


Figure 113-5.
Accessory building buildable area

113.11 Screening

The following shall be screened in accordance with Section 8:

- (3) Above ground utility boxes and utility transformers; and
- (4) Coach houses abutting Residential zoned parcels.

113.12 Off-Street Parking and Loading

- (1) Off-street parking and loading shall be provided in accordance with Section 6;
- (2) Driveways shall not exceed 5.5 metres in width; and
- (3) No more than one driveway shall be permitted on a parcel.

113.13 Other Requirements:

- (1) No more than one principal building shall be permitted on a parcel;
- (2) Overhead wiring on a parcel shall not be permitted. All new services on a parcel shall be placed underground; and
- (3) All buildings shall conform to Section 5.19, Watercourse Regulations.

BYLAW 1955
SCHEDULE “4”

115. R5.1 SINGLE-FAMILY – 250 M² PARCEL ZERO LOT LINE

115.1 Permitted Uses:

In the R5.1 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses
- (2) Home occupations
- (3) Single-family dwellings

115.2 Conditions of Use:

Gross floor area of the second storey of a building shall not exceed 75% of the gross floor area of the first storey of the building including attached garages, except for:

- (e) when no portion of the first storey is more than 0.6 metres above the established ground level, as measured along all elevations of the building, which face the rear lot line; or
- (f) when no portion of the first storey is more than 0.6 metres above the established ground level, as measured along the building frontage.

115.3 Density:

n/a

115.4 Parcel Area:

Parcel area shall not be less than 250 square metres.

115.5 Parcel Frontage:

Parcel frontage shall not be less than 12.0 metres.

115.6 Parcel Depth:

Parcel depth shall not be less than 14.0 metres.

115.7 Parcel Coverage:

- (1) No building on a parcel exceeds one storey – Parcel coverage shall not exceed 50%.
- (2) A building on a parcel exceeds one storey – Parcel coverage shall not exceed 40%.

115.8 Height and Storeys:

- (1) For any part of a structure used as a garage or carport – Height shall not exceed 4.5 metres and the number of storeys shall not exceed 1.
- (2) All other situations – Height shall not exceed 7.5 metres and the number of storeys shall not exceed 2.

115.9 Required Setbacks:

- (1) Front
 - (a) For 3.5 m as measured parallel to and at the front setback – Front setback shall not be less than 5.0 metres as shown in Figure 115-1.
 - (b) For any part of a structure used as a garage or carport – Front setback shall not be less than 5.0 metres.
 - (c) All other situations – Front setback shall not be less than 2.0 metres.

- (2) Rear
 (a) Rear setback shall not be less than 4.5 metres.
- (3) Side – interior
 (a) Interior side lot line common with another parcel zoned R5.1:
 i. parcel with an exterior side lot line – Interior side setback shall not be less than 0.0 metres; and
 ii. parcel with no exterior side lot line – Interior side setback shall not be less than 1.5 metres for one or series of connected lot lines, either of which extends from a front to rear lot line and not less than 0.0 metres for any other interior side lot line;
 (b) All other situations – Interior side setback shall not be less than 1.5 metres.
 (c) Notwithstanding Section 115.9(3) (a) and (b), where a parcel has a lot line common with a street – Interior side setback shall not be less than 1.5 metres.
- (4) Side – exterior
 (a) Exterior side setback shall not be less than 2.0 metres;
 (b) Notwithstanding Section 5.18 Setbacks, setback from a corner cut-off property line shall not be less than 2.0 metres.

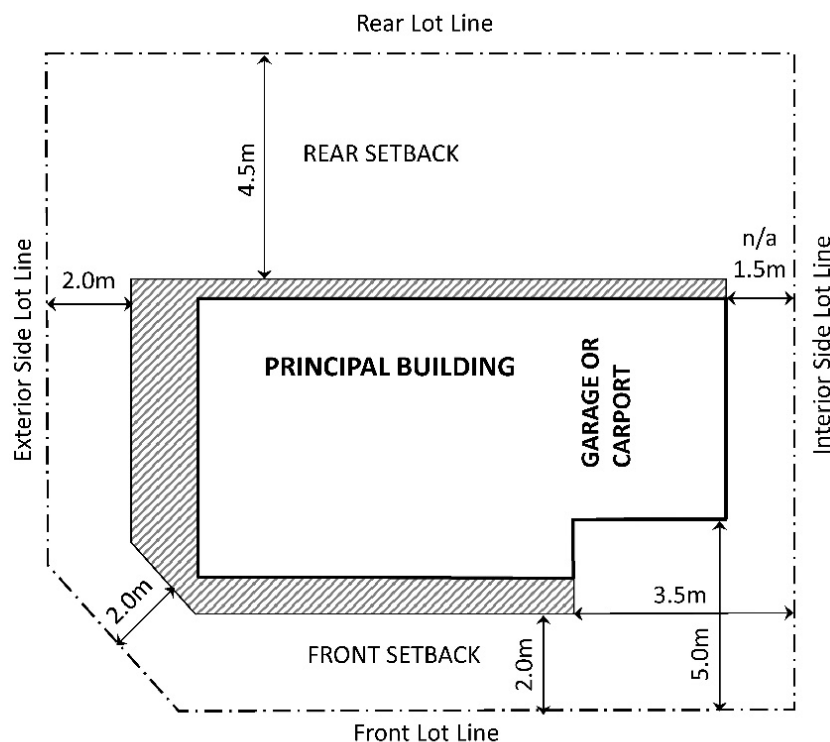


Figure 115-1.
 Required Setbacks

115.10 Accessory Buildings

Accessory buildings shall:

- (1) not exceed 2.5 metres in height;
- (2) not exceed 5 m² in gross floor area;
- (3) not be located within front yard; and
- (4) be excluded from required rear and interior side setbacks provided that:
 - (a) no accessory building is located closer than 1.2 metres to a rear or interior side lot line, and
 - (b) a 1.5 metres interior side setback is maintained from the front lot line to rear yard, as shown in Figure 115-2.

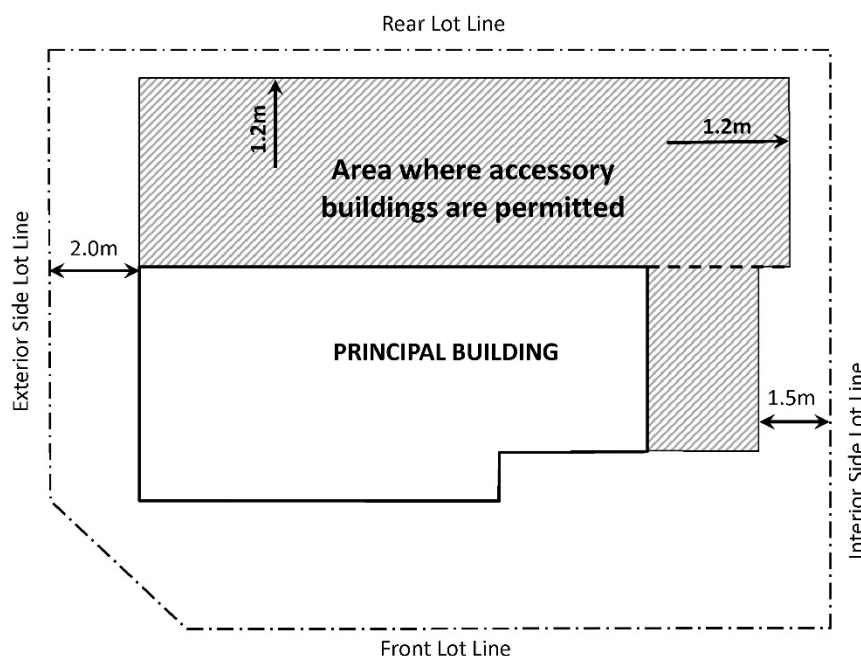


Figure 115-2.

Accessory building buildable area

115.11 Screening

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

115.12 Off-Street Parking and Loading

- (1) Off-street parking and loading shall be provided in accordance with Section 6;
- (2) Driveways shall not exceed 4.0 metres in width; and
- (3) No more than one driveway shall be permitted on a parcel.

115.13 Other Requirements:

- (1) No more than one principal building shall be permitted on a parcel;
- (2) Overhead wiring on a parcel shall not be permitted. All new services on a parcel shall be placed underground; and
- (3) All buildings shall conform to Section 5.19, Watercourse Regulations.

BYLAW 1955
SCHEDULE “5”

**830. CD30 COMPREHENSIVE DEVELOPMENT 30:
ASPEN TOWNHOUSES**

For the purpose of Section 830.9, required setbacks are shown in Appendix “Y”.

830.1 Permitted Uses:

In the CD30 zone, the following uses are permitted and all other uses are prohibited:

- (1) Accessory structures and uses, excluding:
 - (a) buildings other than those used for solid waste collection, recycling collection or dwelling unit accessory uses; and
 - (b) outside storage
- (2) Home occupations
- (3) Townhouse dwellings
- (4) Two-family dwellings

830.2 Conditions of Use:

No solid waste collection or recycling collection shall be located within 6.0 metres of any lot line abutting a Residential zoned parcel.

830.3 Density:

Density shall not exceed 45 units per hectare.

830.4 Parcel Area:

Parcel area shall not be less than 5,000 square metres.

830.5 Parcel Frontage:

Parcel frontage shall not be less than 40.0 metres.

830.6 Parcel Depth:

n/a

830.7 Parcel Coverage:

Parcel coverage, including parking areas, loading areas and driveways that are open sided and roofless shall not exceed 70 %.

830.8 Height and Storeys:

- (1) Height shall not exceed 9.0 metres.
- (2) Number of storeys shall not exceed two.

830.9 Required Setbacks:

- (1) For any part of a structure used as a garage or carport – Front setback shall not be less than 5.0 metres; and
- (2) In all other situations, required setbacks shall be as shown in Appendix “Y”.

830.10 Accessory Buildings:

Accessory buildings shall:

- (1) Not exceed 3.0 metres in height;
- (2) Not exceed 80.0 m² in gross floor area;

- (3) Notwithstanding subsection (2), if individual accessory buildings are provided for residential units, not exceed 2.5 m² in gross floor area per unit;
- (4) Not be located within front and exterior side yards; and
- (5) Be excluded from required setbacks provided that no accessory building is located closer than 1.2 metres to a rear or interior side lot line.

830.11 Screening:

The following shall be screened in accordance with Section 8:

- (1) Garbage compounds;
- (2) Off-street parking and loading areas;
- (3) Above ground utility boxes and utility transformers; and
- (2) CD30 zoned parcels from abutting Residential zoned parcels.

830.12 Off-Street Parking and Loading:

Off-street parking and loading shall be provided in accordance with Section 6;

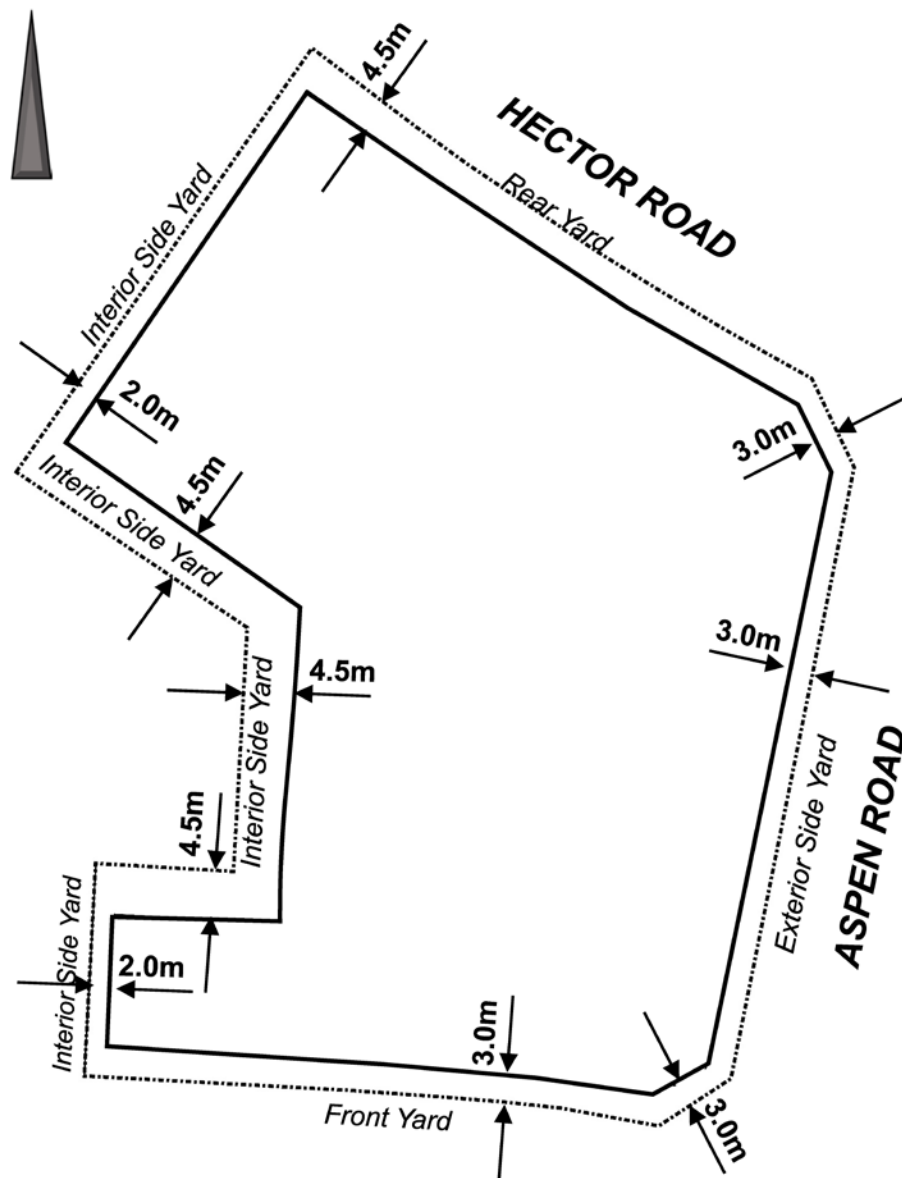
830.30 Other Requirements:

- (1) Overhead wiring shall not be permitted on a parcel. All new services on a parcel shall be placed underground;
- (2) Driveways shall not exceed 6.0 metres in width;
- (3) No more than 3 access driveways shall be permitted to Grumman Place, including a common access driveway;
- (3) No vehicle access shall be permitted to Aspen Road;
- (4) Unoccupied open spaces, including required setbacks, shall be fully and suitably landscaped with landscape material;
- (5) All buildings shall conform to Section 5.19, Watercourse Regulations.

BYLAW 1955

SCHEDULE "6"

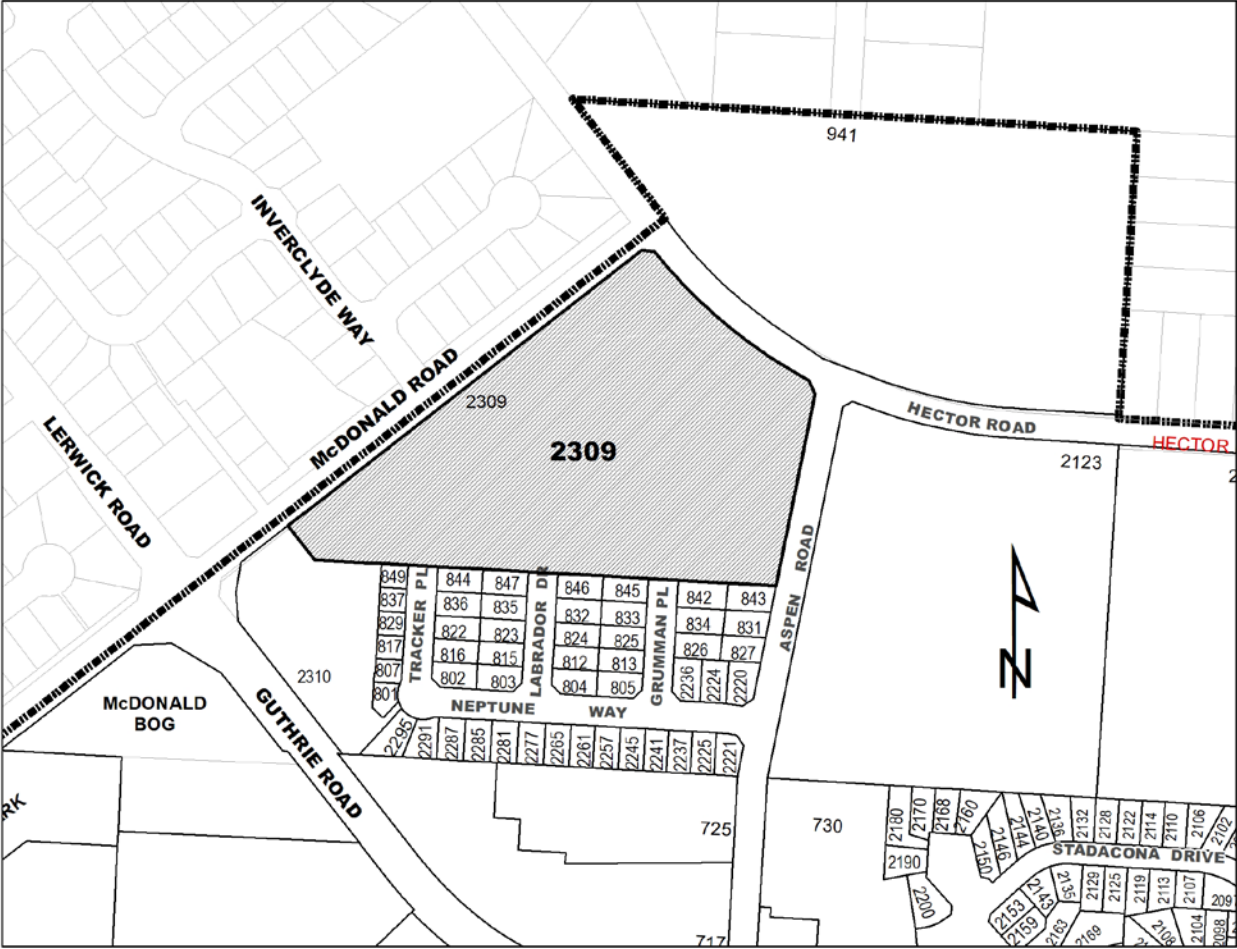
APPENDIX "Y"



BYLAW 1955

SCHEDULE “7”

SUBJECT PROPERTY



BYLAW 1955
SCHEDULE "8"
ZONING PLAN



ATTACHMENT 5

TOWN OF COMOX

BYLAW 1956

A BYLAW TO ENTER INTO A PHASED DEVELOPMENT AGREEMENT

WHEREAS:

The Town may by bylaw enter into a phased development agreement pursuant to s. 516.1 of the *Local Government Act*;

NOW THEREFORE the Council of the Town of Comox, in open meeting assembled, having given notice and held a public hearing, enacts as follows:

1. Title

This bylaw may be cited for all purposes as the "Comox Phased Development Agreement Authorization Bylaw 1956: 2309 McDonald Road".

2. Authorization

Council hereby authorizes the Town of Comox to enter into a phased development agreement under s. 516.1 of the *Local Government Act*, in the form attached as Schedule "A" to this bylaw.

The Mayor and the Corporate Officer may execute and deliver an agreement with Valley Estate Views Ltd. Inc. No. BC0323369, in the form attached as Schedule "A" to this bylaw.

3. Adoption

- | | | |
|-----|-------------------------------|---------------------------------------|
| (1) | READ A FIRST time this | 7 th day of October, 2020 |
| (2) | READ A SECOND time this | 7 th day of October, 2020 |
| (3) | ADVERTISED A FIRST time this | 21 st day of October, 2020 |
| (4) | ADVERTISED A SECOND time this | 28 th day of October, 2020 |
| (5) | PUBLIC HEARING HELD this | 4 th day of November, 2020 |
| (6) | READ A THIRD time this | th day of , 2020 |
| (7) | ADOPTED this | th day of , 2020 |

Mayor

Corporate Officer

BYLAW 1956**SCHEDULE "A"**

PHASED DEVELOPMENT AGREEMENT: 2309 McDonald Road

PHASED DEVELOPMENT AGREEMENT

(Section 516 of Local Government Act (British Columbia))

THIS AGREEMENT dated for reference _____, is

BETWEEN:

Valley View Estates Ltd. Inc. No. BC0323369
1416 Valley View Drive
Courtenay, B.C. V9N 8T3
(the “**Developer**”)

AND:

TOWN OF COMOX,
1809 Beaufort Avenue, Comox B.C. V9M 1R9
(the “**Town**”)

BACKGROUND:

- A. The Developer is the registered owner in fee simple of the lands legally described as
PID: 023-020-121
LOT 2 DISTRICT LOT 170 COMOX DISTRICT PLAN VIP60685

(the “**Land**”).
- B. The Developer has applied to the Town for an amendment to Comox Zoning Bylaw 1850 (the “**Zoning Bylaw**”), as it applies to the Land, by way of Comox Zoning Amendment Bylaw 1955 (the “**Amendment Bylaw**” and, together with the Zoning Bylaw, the “**Amended Zoning Bylaw**”).
- C. Pursuant to Part 14, Division 12 of the *Local Government Act*, the Town may enter into a phased development agreement with an owner of lands to specify provisions of a zoning bylaw that will continue to apply to the owner’s lands if those provisions are amended or repealed during the term of the agreement, which agreement may also include terms and conditions respecting, among other things, the provision of amenities, the phasing and timing of development and the registration of covenants under section 219 of the *Land Title Act*.

- D. The Developer and the Town now wish to enter into a phased development agreement on the terms and conditions of this Agreement.
- E. The Town has, following the holding of a public hearing, adopted a bylaw authorizing the Town to enter into this Agreement with the Developer.

TERMS OF PHASED DEVELOPMENT AGREEMENT:

In consideration of the mutual promises expressed in this Agreement, and for One (\$1.00) Dollar and other good and valuable consideration paid by the Town to the Developer and by the Developer to the Town, the receipt and sufficiency of which the Town and Developer each acknowledge, the Town and the Developer agree, pursuant to section 516 of the *Local Government Act*, as follows:

1. Definitions -

In this Agreement, in addition to the terms defined above and elsewhere in this Agreement:

- (a) **“Development”** means the residential development on the Land, comprised of townhouse dwellings, two-family dwellings and single-family dwellings, as permitted by the Specified Zoning Provisions.
- (b) **“Specified Zoning Provisions”** means all those provisions of the Amended Zoning Bylaw applicable to the Land (including the provisions of the Amendment Bylaw), as of the date of this Agreement.

- 2. **Term** – The term of this Agreement shall commence on the date of execution of this Agreement by the parties and expire on the date that is ten (10) years after the date of Town council adoption of the Amendment Bylaw (the **“Term”**).

3. **Amenities** – The Developer shall satisfy the following requirements:
- (a) Concurrently with the Developer’s execution of this Agreement and delivery of this Agreement to the Town for execution by the Town:
 - (i) the Developer shall pay \$68,469.00 to the Town as a contribution to the Town’s Affordable Housing Reserve Fund; and
 - (ii) the Developer shall pay \$12,864.60 to the Town as a contribution to the Town’s Sewer DCC Reserve Fund.

(collectively, the “**Initial Amenity Requirements**”).
 - (b) The Land shall not be subdivided by any means, including by deposit of a strata plan of any kind under the *Strata Property Act*, until the Developer constructs the McDonald Greenway and Hector Greenway and all related works and improvements, with both parties agreeing that such works and improvements do not include a playground despite a playground location being shown on the sketch, in accordance with the specifications for and sketches of the same attached as Schedule “1” hereto and the Town accepts such works and improvements, in its sole discretion and acting reasonably, as complete.
4. **Zoning Amendments** – Subject to section 516(6) of the *Local Government Act*, if during the Term the Specified Zoning Provisions are amended or repealed, those changes do not apply to the Development, unless the Developer agrees in writing that one or more changes should apply.
5. **Notice of Phased Development Agreement** – The Developer acknowledges and agrees that pursuant to sections 521 of the *Local Government Act*, the Town is required to file a notice with the registrar of titles indicating that the Land is subject to this Agreement and that in accordance with sections 503 and 521 of that Act, upon such filing, this Agreement is binding on all persons who acquire an interest in the Land.
6. **Developer Acknowledgement respecting Amenity Requirement** – The Developer acknowledges and agrees that:
- (a) the Initial Amenity Requirements are also required by the Town as a condition of adoption of the Amendment Bylaw; and

- (b) the Developer will not be entitled to a refund or repayment of a contribution amount paid to the Town under subsection 3(a)(i) or 3(a)(ii) if:
 - (i) the Term expires,
 - (ii) this Agreement is terminated prior to the expiration of the Term, or
 - (iii) a court sets aside all or any part of this Agreement for any reason whatsoever.
- 7. **No Effect on Powers** – Except as a consequence of this Agreement pursuant to sections 516 and 520 of the *Local Government Act*, nothing in this Agreement shall:
 - (a) affect or limit the discretion, rights or powers of the Town or the Town’s Approving Officer under any enactment or at common law, including in relation to the use, development or subdivision of the Land;
 - (b) affect or limit any enactment relating to the use, development or subdivision of the Land; or
 - (c) relieve the Developer from complying with any enactment, including in relation to the use, development or subdivision of the Land, except as expressly provided under this Agreement.
- 8. **Termination** - The Town may, upon notice to the Developer, terminate this Agreement if the Developer applies to deposit or deposits a subdivision plan of or affecting the Land or a building thereon with the Land Title Office in contravention of subsection 3(b).
- 9. **Waiver** – No waiver by the Town of any requirement or breach of this Agreement shall be effective unless it is an express waiver in writing that specifically references the requirement or breach and no such waiver shall operate as a waiver of any other requirement or breach or any continuing breach of this Agreement.
- 10. **Remedies** - No reference to or exercise of any specific right or remedy by the Town shall prejudice or preclude the Town from exercising any other right or remedy, whether allowed at law or in equity or expressly provided for in this Agreement, and no such right or remedy is exclusive or dependent upon any other such remedy and the Town may from time to time exercise any one or more of such remedies independently or in combination.

11. **Modification** – This Agreement may not be modified except in accordance with section 519 of the *Local Government Act* and pursuant to an agreement in writing, signed by the Developer and the Town. The Developer and the Town further agree that, unless expressly listed section 519(3) of the *Local Government Act*, any such amendment to this Agreement will be a minor amendment which can be authorized by resolution of the Town’s council rather than by way of a bylaw.
12. **Termination** - The Town and the Developer may terminate this Agreement at any time by written agreement.
13. **Schedules** – *Schedule “1” – McDonald Greenway and Hector Greenway - Plans and Specifications* is attached to and forms an integral part of this Agreement.
14. **Further Assurances** – The Developer shall do and cause to be done all things, including by executing further documents, as may be necessary to give effect to the intent of this Agreement.
15. **Developer’ Expense** – The Developer shall perform its obligations under this Agreement at its own expense and without compensation from the Town.
16. **Interpretation** – In this Agreement:
 - (a) Reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise.
 - (b) Article and section headings have been inserted for ease of reference only and are not to be used in interpreting this agreement.
 - (c) The term “enactment” has the meaning given under the *Interpretation Act* (British Columbia) on the reference date of this Agreement.
 - (d) Reference to any enactment includes any regulations, orders, or directives made under the authority of that enactment.
 - (e) Reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted, or replaced from time to time, unless otherwise expressly provided.

- (f) Reference to a numbered paragraph, or to a particular lettered schedule, is, unless otherwise expressly provided, a reference to the correspondingly numbered paragraph or lettered schedule of this Agreement.
 - (g) All Schedules to this Agreement form an integral part of this Agreement.
 - (h) Time is of the essence.
 - (i) Where the word “including” is followed by a list, the contents of the list are not intended to limit or otherwise affect the generality of the expression preceding the word “including”.
17. **Governing Law** – This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia, which shall be deemed to be the proper law hereof.
18. **Enurement** – This Agreement hereof shall enure to the benefit of the parties and their respective successors and permitted assigns.
19. **Assignment** –The Developer may, on written notice to the Town, assign this Agreement to that class of persons being any subsequent registered owner of all of the Land but only if the assignee first enters into an agreement with the Town, in a form determined by the Town, wherein the assignee agrees to be bound by, and to assume all of the Developer’s obligations under this Agreement.
20. **Entire Agreement** – This Agreement, the Schedules to this Agreement, and every agreement or instrument required to be executed or delivered by the Developer pursuant to this Agreement together are the entire agreement between the parties regarding its subject.
21. **Execution in Counterparts & Electronic Delivery** - This Agreement may be executed in any number of counterparts and delivered by e-mail, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument, provided that any party delivering this Agreement by e-mail shall also deliver to the other party an originally executed copy of this Agreement.

AS EVIDENCE OF THEIR AGREEMENT, the Town and the Developer have executed signed this Agreement below.

Developer

by its authorized signatory:

TOWN OF COMOX

by its authorized signatories:

Schedule “1”

McDonald Greenway and Hector Greenway – Plans and Specifications

McDonald and Hector Road Greenways Landscape Specifications October 1, 2020

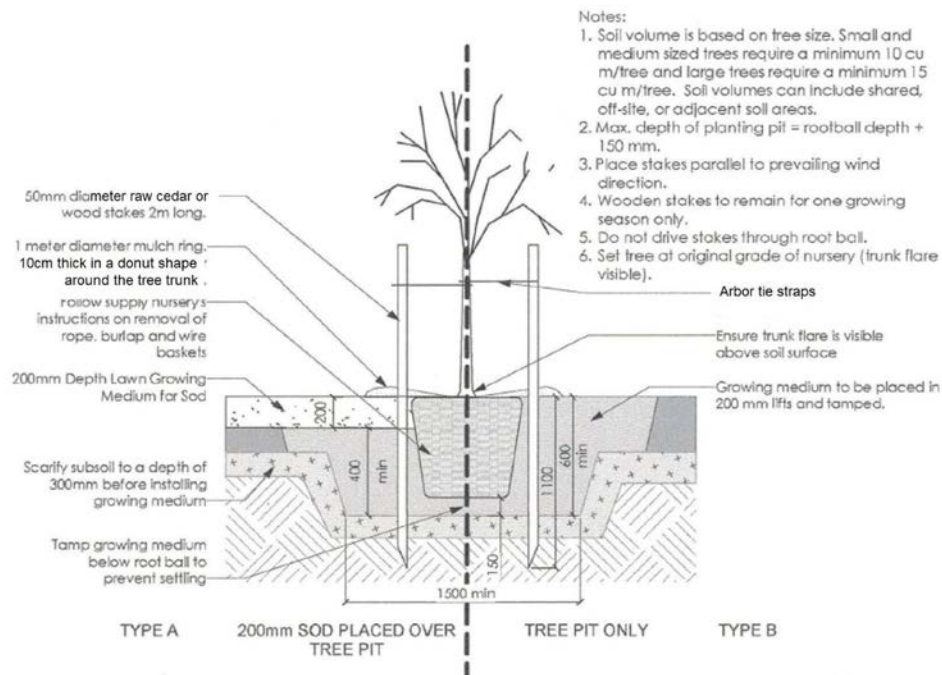
1. Site preparation:
 - Clearing, grubbing and final grading (include greenways in the storm management plan for the entire development);
 - Topsoil: New uncompacted topsoil at a minimum depth of 20cm for all grass and seeded areas. At least 30 percent organic content and capable of sustaining vigorous plant growth. Topsoil must be free from any lumps of clay, stones and roots over 30 millimetre diameter, toxic materials, invasive grasses, broom, morning glory, horsetail or other noxious weeds and weed seeds.
 - Hector Greenway turf grass areas: Hydroseed with a 4-way rye grass for even germination and establishment (approx. 2500m²)
 - McDonald Road allowance greenway: Hydroseed with a native grass seed mix (approx. 1000m². DLF Pickseed and Premier Pacific Seed are good suppliers in BC)
2. Fence
 - 1.2m high, black chain-link fence, 6 gauge, on the subject property lot lines with one access gate directly from townhouse development;
3. Construction of multi-use path
 - Minimum 3.0 metres wide paved multi-use path on Hector Greenway (extension from Idiens Greenway in Courtenay), to follow finished grade in order to optimize drainage;
4. Major planting
 - Replacement trees required: 30 trees at 4-6cm calliper in ball and burlap or container stock. See pdf Town of Comox Street Tree Planting Detail for installation, soil profile depths and volumes. Species to be determined prior to planting and approved by Parks Superintendent.
 - Hedge planting: Species to be Portuguese laurel at a minimum planting height of 1m at 60cm spacing with 10cm thick mulch layer to extent of drip line.
5. Irrigation:
 - Preference is for a 1.5" water meter installed on Town property with separate zones for turf, hedge, and tree drip so all areas can be controlled by one system with ability to expand in future. Meter service number and locations dependent on location of new water service for subdivision.
 - ToC specification for tree drip installation is as follows;
 - i. Hunter ICV valve (appropriate size for amount of flow)
Pressure regulation at 25 or 30 psi with filter.
Gate valve blow out.
DCVA backflow protection.
Swing pipe from PVC to drip line.
Toro DL2000 drip line with root guard. 12 inch spacing 0.5 GPH (RGP - 212-01) at 1.0 m

diameter around tree trunk.

3 foot diameter and minimum 10cm deep.

- ii. Turf and hedge zones can be specified by irrigation consultant/installer provided basic factors are considered including but not limited to:
 - a. Irrigation and design for layout of all mains, laterals and sleeving providing 100% coverage of landscape areas.
 - b. All turf irrigation to have head to head coverage and drip irrigation for hedge planting beds.
 - c. Work carried out by a qualified irrigation contractor.
 - d. All heads, piping, valves, controllers, and wiring shall be commercial grade of approved manufacturers (Hunter, Toro, or approved substitution)
 - e. Sleeving shall be installed under all pathway/hardscape crossings at a minimum of 3" diameter or twice diameter of main later line run through it. Whichever is greater.
 - f. Wiring through sleeves must be contained in rigid conduit (PVC or equal)
 - g. All mainlines shall be PVC classed to conform to required meter size (Class 200 PVC pipe for pipe sized 3/4" to 1.5" in diameter and poly pipe on lateral lines to heads).

Town of Comox Tree Planting Detail:





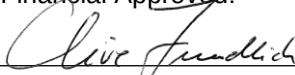


TOWN OF COMOX

REGULAR COUNCIL MEETING

STAFF REPORT
Meeting Date: Nov. 25, 2020

TO: Mayor and Council	FILE: 2240-85
FROM: Shelly Russwurm, Director of Corporate Services	DATE: Nov. 20, 2020
SUBJECT: Fire Protection Services for K'ómoks First Nation and KFN Real Estate LP	

Prepared by:  Shelly Russwurm, DCS	Supervisor: _____	Financial Approved:  Clive Freundlich, Fin. Director	Report Approved:  Jordan Wall, CAO
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RECOMMENDATION(S) FROM THE CHIEF ADMINISTRATIVE OFFICER:

1. That a new Fire Protection Services Agreement, as included in the November 25, 2020 Regular Council Meeting Agenda, be approved for the K'ómoks First Nation for a period of five years effective January 1, 2020; and further, that the Mayor and the Corporate Officer be authorized to execute the agreement.
2. That a new Fire Protection Services Agreement, as included in the November 25, 2020 Regular Council Meeting Agenda, be approved for KFN Real Estate LP for a period of five years effective January 1, 2020; and further, that the Mayor and the Corporate Officer be authorized to execute the agreement.

ALTERNATIVES TO THE RECOMMENDATIONS

Council could choose to not provide fire protection services to the K'ómoks First Nation and KFN Real Estate LP. However, as the Town has provided fire protection services to both agencies for over 40 years with no issues or concerns, this alternative is not recommended.

PURPOSE

To provide Council with recommended agreements for consideration that outline proposed fire protection services for the K'ómoks First Nation and KFN Real Estate LP by the Comox Fire Department.

STRATEGIC PLAN LINKAGE

The provision of fire protection services to areas outside of the municipality would fall under Council's Core Services of *Strong Governance and Administration* as well as *Financial Management and Accountability*.

The provision of fire protection services to the K'ómoks First Nation and KFN Real Estate LP would also help towards achieving Council's strategic priority of building on a relationship with the K'ómoks First Nation.

BACKGROUND

The Comox Fire Department has provided fire protection services to the K'ómoks First Nation (KFN) and KFN Real Estate LP (the corporation that owns and manages the Queneesh Mobile Home Park) under separate agreement since 1977. Currently, the Fire Department responds to approximately 30 calls per year under the existing agreements.

Both the Fire Department and the Corporate Services Department have worked with the Town's solicitor to update and modernize the historical agreements, which now meet current legal and liability standards. The recommended agreements have also been drafted in consultation with KFN staff, who are supportive of the terms in each.

ANALYSIS

The historical agreements with KFN and KFN Real Estate LP are essentially the same, with the main difference being the service areas in each (see Schedule "A" in each recommended agreement). The historical agreements were submitted for legal review by the Town's solicitor to update and modernize the terms.

Specifically, the following changes were made to each agreement:

1. A definitions section has been added to include definitions of the various types of infrastructure on the reserve lands.
2. Statements regarding the level of service provided by the Town have been increased to provide more detail about when the Town is and is not obliged to provide service and also includes an express acknowledgement by KFN regarding potential interruptions or reductions in service from time to time.
3. A covenants section has been added to clarify expectations and obligations regarding KFN's provision of map updates and access to infrastructure, as well as assurance that roads and buildings are adequately named and numbered. This section also specifies that the Town may request a certified report on water pressure if problems ever arise.
4. An inspections section has been added to clarify that inspections would only be done at the request of KFN and subject to the consent of the owner/occupier. This section also specifies that KFN will provide the Town with copies of any reports of inspections that it has undertaken with third parties.
5. The structure for the calculation of fees has been updated to charge an amount per square metre (m²) for non-residential buildings rather than a per building amount. A provision allowing the Town to charge interest on outstanding amounts has been added.
6. The termination notice has been increased from 30 days to six months, since 30 days would not constitute "reasonable notice" enabling KFN to source alternate fire protection service.
7. The insurance requirement for KFN Real Estate LP has been increased from \$3 million to \$5 million to match what has historically been required in the KFN agreement.

a. Applicable Policies and Legislation

Council's recently adopted Policy No. CCL-054, Deployment of Fire Department to Outside Areas, delegates the authority to the CAO and Fire Chief to allow the fire department to quickly and legally deploy some of its resources outside of its designated protection areas. While this policy is mainly aimed at responding to provincial requests through the Office of the Fire Commissioner or the BC Wildlife Service, it could also be seen to apply to responses to the KFN and KFN Real Estate LP. In this case, the authority to respond to such requests is also delegated to the CAO and Fire Chief.

Section 13 of the *Community Charter* [Services outside municipality] allows a municipality to provide a service to an area outside of the municipal boundary provided it first obtain consent of the outside area. In this case, since the KFN and KFN Real Estate LP lands are not within another municipality and are not treaty lands, the consent of the Comox Valley Regional District (CVRD) is first required. While it is unclear whether this consent was required when the Town first provided the service in 1977, the Town has since obtained the CVRD's consent for both areas through board resolution in 2004.

b. Financial

The fees proposed in each agreement have been increased in 2020 by 6.0% to reflect the increased cost of providing fire service. Starting in 2021, fees will be shifted partially away from residential homes and onto non-residential buildings in order to more accurately reflect market rates and the higher costs of fighting fires within these more complex buildings. The total costs to KFN and KFN Real Estate LP will increase over the five-year term from approximately \$19,000 in 2020 to \$27,000 in 2024, an increase of 40%.

The fees charged in the past have allowed the fire department to fully recover the cost of providing services to both KFN and the KFN Real Estate LP. It is anticipated that the proposed fee increases will also allow the fire department to fully recover any cost of servicing the areas.

FIRE PROTECTION SERVICES AGREEMENT

Dated for Reference the 1st day of January, 2020

BETWEEN:

Town of Comox
1809 Beaufort Avenue
Comox, B.C. V9M 1R9

(the “Town”)

AND:

K’ómoks First Nation
3320 Comox Road
Courtenay, B.C. V9N 3P8

(“KFN”)

(collectively, the “Parties”)

WHEREAS:

- A. The Town and KFN have reached agreement for the Town’s continued provision of fire protection services on those parts of Comox Indian Reserve No. 1, Comox District, as shown highlighted in red on the Comox I.R.#1 Site Servicing Map (K’ómoks First Nation Fire Protection Service Area), attached to this Agreement as Schedule “A” (the “Lands”);
- B. KFN, as represented by its elected Chief and Council, has authority to enter into this Service Agreement pursuant to the *Indian Act*, R.S.C. 1985, c. I-5, and the K’ómoks First Nation Land Code, adopted June 2016 and KFN has approved this Service Agreement by passing a Band Council Resolution at its meeting held on [Date]; and
- C. The Town has authority to enter into an agreement to provide fire protection services to KFN pursuant to s. 23 of the *Community Charter*, and the Town’s Council has approved this Service Agreement by passing a resolution at its meeting held on [Date].

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements herein contained, the Parties agree as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

- (a) **"Access Infrastructure"** includes pedestrian and vehicular thoroughfares within the Lands that provide or control access to, from or within the Lands, including highways, lanes, streets, roadways, bridges, rights-of-way and driveways that provide access to or from Buildings on the Lands;
- (b) **"Agreement"** means this agreement, including the recitals and schedules hereto, as amended and supplemented from time to time.
- (c) **"Building"** means a building, mobile home, or a structure, whether occupied or not;
- (d) **"Fire Chief"** means the person appointed as the fire chief of the Fire Department and any person who in the normal course of their duties is authorized by the Fire Chief to act on the Fire Chief's behalf;
- (e) **"Fire Department"** means the Comox Fire Department;
- (f) **"Lands"** means those parts of Comox Indian Reserve No. 1, Comox District, as shown highlighted in red on the Comox I.R.#1 Site Servicing Map (K'ómoks First Nation Fire Protection Service Area), attached to this Agreement as Schedule "A";
- (g) **"Private Dwelling"** means a Building that is occupied as a private residence, or, if only part of a Building is occupied as a private residence, that part of the Building;
- (h) **"Provincial Fire Safety Legislation"** includes the British Columbia Fire Code, the British Columbia Building Code, *Fire Services Act*, RSBC 1996, c 144 and *Fire Safety Act*, SBC 2016, c 19;
- (i) **"Public Building"** means a Building other than a Private Dwelling to which the public is ordinarily invited or permitted access, or that is used for commercial, industrial or institutional purposes;
- (j) **"Service Area Map"** means a comprehensive, to-scale map of the Lands that shows of all Access Infrastructure, Service Infrastructure and Buildings on the Lands as updated and replaced from time to time;
- (k) **"Service Infrastructure"** means those parts of the Water Works that are necessary or desirable for the Services, including water distribution works, fire hydrants, standpipes and pumps;
- (l) **"Services"** means fire protection services;

- (m) **“Water Works”** means all water service infrastructure on the Lands including all wells, reservoirs, water mains, pipes, valves, pumps, fittings, connections and associated works and equipment to convey and distribute water to Buildings, works and facilities within the Lands;

2.0 SERVICES

- 2.1 The Town agrees to provide Services to the Lands subject to the terms and conditions of this Agreement.
- 2.2 The quality and quantity of the Services to be provided by the Town under this Agreement will be substantially the same as the quality and quantity of fire protection services provided by the Fire Department to the Town, except as provided herein. For greater certainty:
 - (a) the Town is not obliged to provide Services at a greater level or degree than the level or degree to which the same Service is provided elsewhere within the Town;
 - (b) the Town is not obliged to provide the Services to the Town if the Service Infrastructure on the Lands does not meet the applicable safety and engineering standards for such works; or, in situations or conditions where the Town would not provide fire protection service within the Town; and
 - (c) KFN acknowledges and agrees that there may be from time to time interruptions or reductions in the level of Services, and that the Town will not be held liable for any claims and expenses arising from or connected with a temporary interruption or reduction in the level of Services provided under this Agreement.
- 2.3 KFN will notify the occupiers of the Lands that the Town provides Services to the Lands and notify them of the location and contact information for the Fire Department.

3.0 COVENANTS OF KFN

- 3.1 To enable the Town to provide the Service to the Lands, KFN must:
 - (a) If the Town requests it, provide the Town with a report certified by a professional engineer that the Service Infrastructure conforms with engineering standards and is capable of providing the amount of water pressure recommended by the Town;
 - (b) provide, regularly update and ensure the accuracy and completeness of a Service Area Map to show the location of, addresses and descriptions of all Access Infrastructure, Service Infrastructure and Public Buildings and Private Dwellings on the Lands;

- (c) ensure adequate width, grading, and clearance of Access Infrastructure for Fire Department vehicles and equipment and to make reasonable efforts to ensure that all Buildings and premises on the Lands are accessible by Fire Department vehicles, equipment and personnel;
- (d) provide the Town with copies of any inspection reports, orders, responses and other information that are relevant or that could affect the Service and the health and safety of those who occupy Buildings on the Lands or Fire Department personnel who attend the Lands to provide the Service;
- (e) notify the Town in writing:
 - (i) of any new Buildings which have been constructed, erected, or placed on the Lands no later than the first day of the following month of such construction, erection or placement; and
 - (ii) immediately of the malfunctioning of any Service Infrastructure and any access issues with respect to the Access Infrastructure; and
- (f) permit the Town to enter upon the Lands at any time to provide the Services and to ensure compliance with the terms of the Agreement and, without limiting the foregoing, provide the Town with unhindered access to the Service Infrastructure and Access Infrastructure and ensure that no person interferes with the Town's access, the conduct of the firefighting, fire investigations, or other aspects of the Service.

3.2 KFN will:

- (a) name all roads on the Lands;
- (b) prominently display such names on signposts located at every intersection on the Lands;
- (c) ensure that numbers are affixed to all Buildings or posted so they are prominent and easily visible during day and night; and
- (d) immediately advise the Town, by a telephone call followed by a written notice, of any change to the Service Area Map including any road names or Building numbering.

3.3 Upon request of the Town, KFN will accompany and guide the Fire Chief and other representatives of the Fire Department on an inspection of the Lands to confirm the location of all Access Infrastructure, Service Infrastructure and Buildings on the Lands.

- 3.4 KFN will maintain the Service Infrastructure in good working order to the satisfaction of the Town and will perform annual fire hydrant perimeter maintenance and annual flushing of the Service Infrastructure.

4.0 FIRE INSPECTIONS

- 4.1 The parties acknowledge and agree that the Town is not responsible for enforcing Provincial Fire Safety Legislation on the Lands or ensuring any Building on the Lands meet adequate standards to protect the occupiers or users of the Building.
- 4.2 The Fire Chief may carry out fire inspections in Public Buildings on the Lands, upon at least one week's written notice to KFN, or such earlier written notice if agreed by KFN in writing, and KFN will ensure that the Fire Chief has necessary access to such Public Buildings.
- 4.3 The Fire Chief may carry out fire inspections in Private Dwellings on the Lands upon the written request of KFN subject to the consent of the occupier or owner of the Private Dwelling.
- 4.4 The parties acknowledge and agree that any inspections carried out by the Fire Chief shall not constitute a determination that the Public Building or Private Dwelling meets fire protection or fire safety requirements.
- 4.5 If KFN undertakes its own fire inspections or has a third party undertake fire inspections on the Lands, it will provide the Town with copies of any reports resulting from such inspections as soon as practicable.

5.0 PAYMENT FOR SERVICES

- 5.1 KFN will pay the Town a fee for the Service based on the number and size of Buildings protected on the Lands on an annual basis as follows:

Annual fee	2020*	2021	2022	2023	2024
Per Residential Home	\$ 164.30	\$ 125.00	\$ 131.25	\$ 137.81	\$ 141.95
Per Mobile Home	76.51	85.00	89.25	93.71	96.52
Per Square Metre non-residential (m ²)	2,814.73	1.40	1.47	1.54	1.59

*2020 flat fee for all non-residential buildings

- 5.2 KFN will pay the fee payable to the Town on the first day of January in each year, provided that if any Building is added to the Lands during the year, a proportionate share of the fee for the remainder of the year shall be paid forthwith to the Town.

5.3 If KFN adds any Building to the Lands that is different from the Buildings enumerated in section 5.1, KFN must notify the Town and the Town and First Nation shall negotiate a fair rate for that Building prior to the Town's provision of protection for the Building.

5.4 Interest will be payable on any late payments owing by KFN to the Town under this Agreement at the same rate the Town may set from time to time for late payments.

6.0 TERM

6.1 This Agreement will be in effect for a five (5) year term unless terminated earlier in accordance with section 6.2 of this Agreement. This Agreement may only be renewed by written agreement of the parties.

6.2 Either party may terminate this Agreement at any time by giving the other party at least six (6) months written notice.

7.0 INSURANCE

7.1 KFN will obtain and maintain throughout the Term, at its sole cost, general liability insurance in the amount of five million dollars (\$5,000,000.00) and each policy or renewal policy will include the Town and the Fire Department as additional insureds, a cross-liability clause and provide at least 30 days' notice to the Town in the event of any pending or potential change or termination of the policy. KFN will provide proof of insurance to the Town upon request. In the event First Nation fails to obtain and maintain the required insurance at any time throughout the Term or renewal term, the Town may obtain such insurance at the cost of KFN, and KFN will reimburse the Town for all costs of insurance so obtained upon delivery to KFN of the Town's invoice.

8.0 INDEMNITY

8.1 KFN will indemnify and hold harmless the Town and the Fire Department and their respective elected and appointed officials, officers, employees, volunteers and agents **(the "Indemnified Parties")** from and against any claims, demands, actions, suits, loss, damage, costs (including legal costs), fines, penalties, charges and expenses **("Claims")**:

- (a) suffered or incurred as a consequence of any fire at or in Buildings on the Lands that do not meet the standards that apply elsewhere in the Town, including Provincial Fire Safety Legislation;
- (b) arising out of any failure by KFN to meet its obligations under this Agreement including failure to maintain the Service Infrastructure and the Access Infrastructure to the standards required

under this Agreement or provide information and records required under this Agreement.

8.2 Notwithstanding any other term of this Agreement, the Town's provision of the Service to KFN under this Agreement must not result in any greater liability or obligation for the Indemnified Parties than any liability or obligation that may exist in law, including pursuant to provincial legislation, with respect to the Town's provision of fire protection services to property and persons elsewhere within the Town.

8.3 The release and indemnity in this part will survive the expiration or the earlier termination of this Agreement.

9.0 LIABILITY AND FORCE MAJEURE

9.1 The Town does not warrant or guarantee the continuance or quality of any of the Services under this Agreement and will not be liable for any damages, expenses or losses occurring by reason of suspension or discontinuance of the Services for any reason which is beyond the reasonable control of the Town, including without limitation acts of God, forces of nature, soil erosion, landslides, lightning, washouts, floods, storms, serious accidental damage, strikes or lockouts, vandalism, negligence in the design, supervision or construction of the Access Infrastructure or the Service Infrastructure, or in the manufacture of any materials used in the Access Infrastructure or Service Infrastructure or other similar circumstances.

10.0 DISPUTE RESOLUTION

10.1 In the interest of cooperative and harmonious co-existence, the Town and First Nation agree to use their best efforts to avoid conflict and to settle any disputes arising from or in relation to this Agreement.

10.2 In the event that the parties fail to resolve matters, the parties will seek a settlement of the conflict by through mediation and recourse to the Courts will be a means of last resort, except where public health or safety is concerned.

11.0 ACKNOWLEDGEMENT OF RIGHTS

11.1 Nothing in this Agreement will be deemed to limit or affect any Aboriginal rights or claims KFN may have at law or in equity or limit or affect the legal rights, duties or obligations of the Town, the Fire Chief or the Fire Department.

12.0 NOTICE

12.1 Any notices or other written communication required or permitted to be given under or with respect to this Agreement may be served personally, mailed or sent by electronic mail as follows:

- (a) In the case of KFN:

K'ómoks First Nation
3320 Comox Road
Courtenay, BC V9N 3P8

Email: [insert email]
Attention: Chief

- (b) In the case of the Town:

Town of Comox
1809 Beaufort Avenue
Comox, BC V9M 1R9

Email: russwurm@comox.ca
Attention: Corporate Officer

or at such other address or in care of such other officer or person as one party may from time to time communicate in writing to the other.

- 12.2 Any notice or other written communication required or permitted to be given under this Agreement may be delivered in person, by registered mail or by electronic mail and will be deemed to have been received:

- (a) on the date of delivery if served personally during regular business hours;
- (b) the fifth day, not including weekends or holidays, after the date of mailing in Canada, if sent by registered mail; or
- (c) on the date sent by email, if sent during regular business hours.

13.0 INTERPRETATION

- 13.1 Time is of the essence in the performance of each obligation under this Agreement.
- 13.2 The Agreement will not be varied or amended except by written agreement of both parties.
- 13.3 No consent or waiver, express or implied, by any party of any breach or default by another under this Agreement will:
 - (a) be valid unless it is in writing and stated to be a consent or waiver pursuant to this section;

- (b) be relied on as a consent to or waiver of any other breach or default of the same or any other nature;
 - (c) constitute a general waiver under this Agreement; or
 - (d) eliminate or modify the need for a specific consent or waiver under this section in any other or subsequent instance.
- 13.4 Headings that precede sections are provided for convenience only and will not be used in constructing or interpreting the terms of this Agreement.
- 13.5 This Agreement constitutes the entire agreement between the parties concerning the provision of fire protection services to the Lands and there are no undertakings, representations or promises express or implied, other than those expressly set out in this Agreement.
- 13.6 This Agreement supersedes and cancels any and all pre-existing agreements and understandings in the course of negotiations between the parties.
- 13.7 In the event that any provision of the Agreement should be found to be invalid, the provision will be severed, and the Agreement read without reference to that provision, but if the severance materially affects the implementation of this Agreement, then the parties agree to meet to resolve any issues as may arise as a result of that severance and to amend this Agreement accordingly.
- 13.8 The provisions of this Agreement will be governed and interpreted in accordance with the laws of British Columbia or Canada, as applicable.
- 13.9 Neither this Agreement nor any part of it may be assigned by either party without the written consent of the other party.
- 13.10 This Agreement enures to the benefit of and is binding on the parties and their respective successors and permitted assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

Town of Comox, by its authorized signatory(ies):

Name:

Title:

Name:

Title:

K'ómoks First Nation, by its authorized signatory(ies):

Name:

Title:

Name:

Title:

Comox Harbour

OHWM From 104711 CLSR

OHWM From 1130 CLSR

LEGEND

DESCRIPTION	SYMBOL
PROPERTY BOUNDARY	Black line
ROAD BOUNDARY	Red line
UTILITY BOUNDARY	Blue line
WATER BOUNDARY	Green line
OHWM BOUNDARY	Orange line
OHWM FROM 104711 CLSR	Blue line with 'H'
OHWM FROM 1130 CLSR	Blue line with 'H'
OHWM FROM 1130 CLSR	Blue line with 'H'
OHWM FROM 1130 CLSR	Blue line with 'H'

McElhanney

FIRE PROTECTION SERVICES AGREEMENT

Dated for Reference the 1st day of January, 2020

BETWEEN:

Town of Comox
1809 Beaufort Avenue
Comox, B.C. V9M 1R9

(the “Town”)

AND:

KFN Real Estate LP
3320 Comox Road
Courtenay, B.C. V9N 3P8

(“KFN Real Estate”)

(collectively, the “Parties”)

WHEREAS:

- A. The Town and KFN Real Estate have reached agreement for the Town’s continued provision of fire protection services on those parts of Comox Indian Reserve No. 1, Comox District, as shown highlighted in red on the Comox I.R.#1 Site Servicing Map (KFN Real Estate LP Fire Protection Service Area), attached to this Agreement as Schedule “A” (the “Lands”);
- B. KFN, as represented by its elected Chief and Council, has authority to enter into this Service Agreement pursuant to the *Indian Act*, R.S.C. 1985, c. I-5, and the K’ómoks First Nation Land Code, adopted June 2016 and KFN Real Estate has approved this Service Agreement by passing a Band Council Resolution at its meeting held on [Date]; and
- C. The Town has authority to enter into an agreement to provide fire protection services to KFN Real Estate pursuant to s. 23 of the *Community Charter*, and the Town’s Council has approved this Service Agreement by passing a resolution at its meeting held on [Date].

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements herein contained, the Parties agree as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

1.2

- (a) **"Access Infrastructure"** includes pedestrian and vehicular thoroughfares within the Lands that provide or control access to, from or within the Lands, including highways, lanes, streets, roadways, bridges, rights-of-way and driveways that provide access to or from Buildings on the Lands;
- (b) **"Agreement"** means this agreement, including the recitals and schedules hereto, as amended and supplemented from time to time.
- (c) **"Building"** means a building, mobile home, or a structure, whether occupied or not;
- (d) **"Fire Chief"** means the person appointed as the fire chief of the Fire Department and any person who in the normal course of their duties is authorized by the Fire Chief to act on the Fire Chief's behalf;
- (e) **"Fire Department"** means the Comox Fire Department;
- (f) **"Lands"** means those parts of Comox Indian Reserve No. 1, Comox District, as shown highlighted in red on the Comox I.R.#1 Site Servicing Map (KFN Real Estate LP Fire Protection Service Area), attached to this Agreement as Schedule "A";
- (g) **"Private Dwelling"** means a Building that is occupied as a private residence, or, if only part of a Building is occupied as a private residence, that part of the Building;
- (h) **"Provincial Fire Safety Legislation"** includes the British Columbia Fire Code, the British Columbia Building Code, *Fire Services Act*, RSBC 1996, c 144 and *Fire Safety Act*, SBC 2016, c 19;
- (i) **"Public Building"** means a Building other than a Private Dwelling to which the public is ordinarily invited or permitted access, or that is used for commercial, industrial or institutional purposes;
- (j) **"Service Area Map"** means a comprehensive, to-scale map of the Lands that shows of all Access Infrastructure, Service Infrastructure and Buildings on the Lands as updated and replaced from time to time;
- (k) **"Service Infrastructure"** means those parts of the Water Works that are necessary or desirable for the Services, including water distribution works, fire hydrants, standpipes and pumps;
- (l) **"Services"** means fire protection services;

- (m) **“Water Works”** means all water service infrastructure on the Lands including all wells, reservoirs, water mains, pipes, valves, pumps, fittings, connections and associated works and equipment to convey and distribute water to Buildings, works and facilities within the Lands;

2.0 SERVICES

- 2.1 The Town agrees to provide Services to the Lands subject to the terms and conditions of this Agreement.
- 2.2 The quality and quantity of the Services to be provided by the Town under this Agreement will be substantially the same as the quality and quantity of fire protection services provided by the Fire Department to the Town, except as provided herein. For greater certainty:
- (a) the Town is not obliged to provide Services at a greater level or degree than the level or degree to which the same Service is provided elsewhere within the Town;
 - (b) the Town is not obliged to provide the Services to the Town if the Service Infrastructure on the Lands does not meet the applicable safety and engineering standards for such works; or, in situations or conditions where the Town would not provide fire protection service within the Town; and
 - (c) KFN Real Estate acknowledges and agrees that there may be from time to time interruptions or reductions in the level of Services, and that the Town will not be held liable for any claims and expenses arising from or connected with a temporary interruption or reduction in the level of Services provided under this Agreement.
- 2.3 KFN Real Estate will notify the occupiers of the Lands that the Town provides Services to the Lands and notify them of the location and contact information for the Fire Department.

3.0 COVENANTS OF KFN REAL ESTATE

- 3.1 To enable the Town to provide the Service to the Lands, KFN Real Estate must:
- (a) If the Town requests it, provide the Town with a report certified by a professional engineer that the Service Infrastructure conforms with engineering standards and is capable of providing the amount of water pressure recommended by the Town;
 - (b) provide, regularly update and ensure the accuracy and completeness of a Service Area Map to show the location of, addresses and descriptions

of all Access Infrastructure, Service Infrastructure and Public Buildings and Private Dwellings on the Lands;

- (c) ensure adequate width, grading, and clearance of Access Infrastructure for Fire Department vehicles and equipment and to make reasonable efforts to ensure that all Buildings and premises on the Lands are accessible by Fire Department vehicles, equipment and personnel;
- (d) provide the Town with copies of any inspection reports, orders, responses and other information that are relevant or that could affect the Service and the health and safety of those who occupy Buildings on the Lands or Fire Department personnel who attend the Lands to provide the Service;
- (e) notify the Town in writing:
 - (i) of any new Buildings which have been constructed, erected, or placed on the Lands no later than the first day of the following month of such construction, erection or placement; and
 - (ii) immediately of the malfunctioning of any Service Infrastructure and any access issues with respect to the Access Infrastructure; and
- (f) permit the Town to enter upon the Lands at any time to provide the Services and to ensure compliance with the terms of the Agreement and, without limiting the foregoing, provide the Town with unhindered access to the Service Infrastructure and Access Infrastructure and ensure that no person interferes with the Town's access, the conduct of the firefighting, fire investigations, or other aspects of the Service.

3.2 KFN Real Estate will:

- (a) name all roads on the Lands;
- (b) prominently display such names on signposts located at every intersection on the Lands;
- (c) ensure that numbers are affixed to all Buildings or posted so they are prominent and easily visible during day and night; and
- (d) immediately advise the Town, by a telephone call followed by a written notice, of any change to the Service Area Map including any road names or Building numbering.

3.3 Upon request of the Town, KFN Real Estate will accompany and guide the Fire Chief and other representatives of the Fire Department on an inspection of the

Lands to confirm the location of all Access Infrastructure, Service Infrastructure and Buildings on the Lands.

- 3.4 KFN Real Estate will maintain the Service Infrastructure in good working order to the satisfaction of the Town and will perform annual fire hydrant perimeter maintenance and annual flushing of the Service Infrastructure.

4.0 FIRE INSPECTIONS

- 4.1 The parties acknowledge and agree that the Town is not responsible for enforcing Provincial Fire Safety Legislation on the Lands or ensuring any Building on the Lands meet adequate standards to protect the occupiers or users of the Building.
- 4.2 The Fire Chief may carry out fire inspections in Public Buildings on the Lands, upon at least one week's written notice to KFN Real Estate, or such earlier written notice if agreed by KFN Real Estate in writing, and KFN Real Estate will ensure that the Fire Chief has necessary access to such Public Buildings.
- 4.3 The Fire Chief may carry out fire inspections in Private Dwellings on the Lands upon the written request of KFN Real Estate subject to the consent of the occupier or owner of the Private Dwelling.
- 4.4 The parties acknowledge and agree that any inspections carried out by the Fire Chief shall not constitute a determination that the Public Building or Private Dwelling meets fire protection or fire safety requirements.
- 4.5 If KFN Real Estate undertakes its own fire inspections or has a third party undertake fire inspections on the Lands, it will provide the Town with copies of any reports resulting from such inspections as soon as practicable.

5.0 PAYMENT FOR SERVICES

- 5.1 KFN Real Estate will pay the Town a fee for the Service based on the number of Buildings protected on the Lands on an annual basis as follows:

Annual fee	2020*	2021	2022	2023	2024
Per Mobile Home	76.51	85.00	89.25	93.71	96.52

- 5.2 KFN Real Estate will pay the fee payable to the Town on the first day of January in each year, provided that if any Building is added to the Lands during the year, a proportionate share of the fee for the remainder of the year shall be paid forthwith to the Town.

- 5.3 If KFN Real Estate adds any Building to the Lands that is different from the Buildings enumerated in section 5.1, KFN Real Estate must notify the Town and the Town and First Nation shall negotiate a fair rate for that Building prior to the Town's provision of protection for the Building.
- 5.4 Interest will be payable on any late payments owing by KFN Real Estate to the Town under this Agreement at the same rate the Town may set from time to time for late payments.

6.0 TERM

- 6.1 This Agreement will be in effect for a five (5) year term unless terminated earlier in accordance with section 6.2 of this Agreement. This Agreement may only be renewed by written agreement of the parties.
- 6.2 Either party may terminate this Agreement at any time by giving the other party at least six (6) months written notice.

7.0 INSURANCE

- 7.1 KFN Real Estate will obtain and maintain throughout the Term, at its sole cost, general liability insurance in the amount of five million dollars (\$5,000,000.00) and each policy or renewal policy will include the Town and the Fire Department as additional insureds, a cross-liability clause and provide at least 30 days' notice to the Town in the event of any pending or potential change or termination of the policy. KFN Real Estate will provide proof of insurance to the Town upon request. In the event First Nation fails to obtain and maintain the required insurance at any time throughout the Term or renewal term, the Town may obtain such insurance at the cost of KFN Real Estate, and KFN Real Estate will reimburse the Town for all costs of insurance so obtained upon delivery to KFN Real Estate of the Town's invoice.

8.0 INDEMNITY

- 8.1 KFN Real Estate will indemnify and hold harmless the Town and the Fire Department and their respective elected and appointed officials, officers, employees, volunteers and agents (**the "Indemnified Parties"**) from and against any claims, demands, actions, suits, loss, damage, costs (including legal costs), fines, penalties, charges and expenses (**"Claims"**):
- (a) suffered or incurred as a consequence of any fire at or in Buildings on the Lands that do not meet the standards that apply elsewhere in the Town, including Provincial Fire Safety Legislation;
 - (b) arising out of any failure by KFN Real Estate to meet its obligations under this Agreement including failure to maintain the Service Infrastructure and the Access Infrastructure to the standards required

under this Agreement or provide information and records required under this Agreement.

8.2 Notwithstanding any other term of this Agreement, the Town's provision of the Service to KFN Real Estate under this Agreement must not result in any greater liability or obligation for the Indemnified Parties than any liability or obligation that may exist in law, including pursuant to provincial legislation, with respect to the Town's provision of fire protection services to property and persons elsewhere within the Town.

8.3 The release and indemnity in this part will survive the expiration or the earlier termination of this Agreement.

9.0 LIABILITY AND FORCE MAJEURE

9.1 The Town does not warrant or guarantee the continuance or quality of any of the Services under this Agreement and will not be liable for any damages, expenses or losses occurring by reason of suspension or discontinuance of the Services for any reason which is beyond the reasonable control of the Town, including without limitation acts of God, forces of nature, soil erosion, landslides, lightning, washouts, floods, storms, serious accidental damage, strikes or lockouts, vandalism, negligence in the design, supervision or construction of the Access Infrastructure or the Service Infrastructure, or in the manufacture of any materials used in the Access Infrastructure or Service Infrastructure or other similar circumstances.

10.0 DISPUTE RESOLUTION

10.1 In the interest of cooperative and harmonious co-existence, the Town and First Nation agree to use their best efforts to avoid conflict and to settle any disputes arising from or in relation to this Agreement.

10.2 In the event that the parties fail to resolve matters, the parties will seek a settlement of the conflict by through mediation and recourse to the Courts will be a means of last resort, except where public health or safety is concerned.

11.0 ACKNOWLEDGEMENT OF RIGHTS

11.1 Nothing in this Agreement will be deemed to limit or affect any Aboriginal rights or claims KFN Real Estate may have at law or in equity or limit or affect the legal rights, duties or obligations of the Town, the Fire Chief or the Fire Department.

12.0 NOTICE

12.1 Any notices or other written communication required or permitted to be given under or with respect to this Agreement may be served personally, mailed or sent by electronic mail as follows:

(a) In the case of KFN Real Estate:

KFN Real Estate LP
3320 Comox Road
Courtenay, BC V9N 3P8

Email: [insert email]
Attention: Chief

(b) In the case of the Town:

Town of Comox
1809 Beaufort Avenue
Comox, BC V9M 1R9

Email: russwurm@comox.ca
Attention: Corporate Officer

or at such other address or in care of such other officer or person as one party may from time to time communicate in writing to the other.

12.2 Any notice or other written communication required or permitted to be given under this Agreement may be delivered in person, by registered mail or by electronic mail and will be deemed to have been received:

- (a) on the date of delivery if served personally during regular business hours;
- (b) the fifth day, not including weekends or holidays, after the date of mailing in Canada, if sent by registered mail; or
- (c) on the date sent by email, if sent during regular business hours.

13.0 INTERPRETATION

13.1 Time is of the essence in the performance of each obligation under this Agreement.

13.2 The Agreement will not be varied or amended except by written agreement of both parties.

- 13.3 No consent or waiver, express or implied, by any party of any breach or default by another under this Agreement will:
- (a) be valid unless it is in writing and stated to be a consent or waiver pursuant to this section;
 - (b) be relied on as a consent to or waiver of any other breach or default of the same or any other nature;
 - (c) constitute a general waiver under this Agreement; or
 - (d) eliminate or modify the need for a specific consent or waiver under this section in any other or subsequent instance.
- 13.4 Headings that precede sections are provided for convenience only and will not be used in constructing or interpreting the terms of this Agreement.
- 13.5 This Agreement constitutes the entire agreement between the parties concerning the provision of fire protection services to the Lands and there are no undertakings, representations or promises express or implied, other than those expressly set out in this Agreement.
- 13.6 This Agreement supersedes and cancels any and all pre-existing agreements and understandings in the course of negotiations between the parties.
- 13.7 In the event that any provision of the Agreement should be found to be invalid, the provision will be severed, and the Agreement read without reference to that provision, but if the severance materially affects the implementation of this Agreement, then the parties agree to meet to resolve any issues as may arise as a result of that severance and to amend this Agreement accordingly.
- 13.8 The provisions of this Agreement will be governed and interpreted in accordance with the laws of British Columbia or Canada, as applicable.
- 13.9 Neither this Agreement nor any part of it may be assigned by either party without the written consent of the other party.
- 13.10 This Agreement enures to the benefit of and is binding on the parties and their respective successors and permitted assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

Town of Comox, by its authorized signatory(ies):

Name:
Title:

Name:
Title:

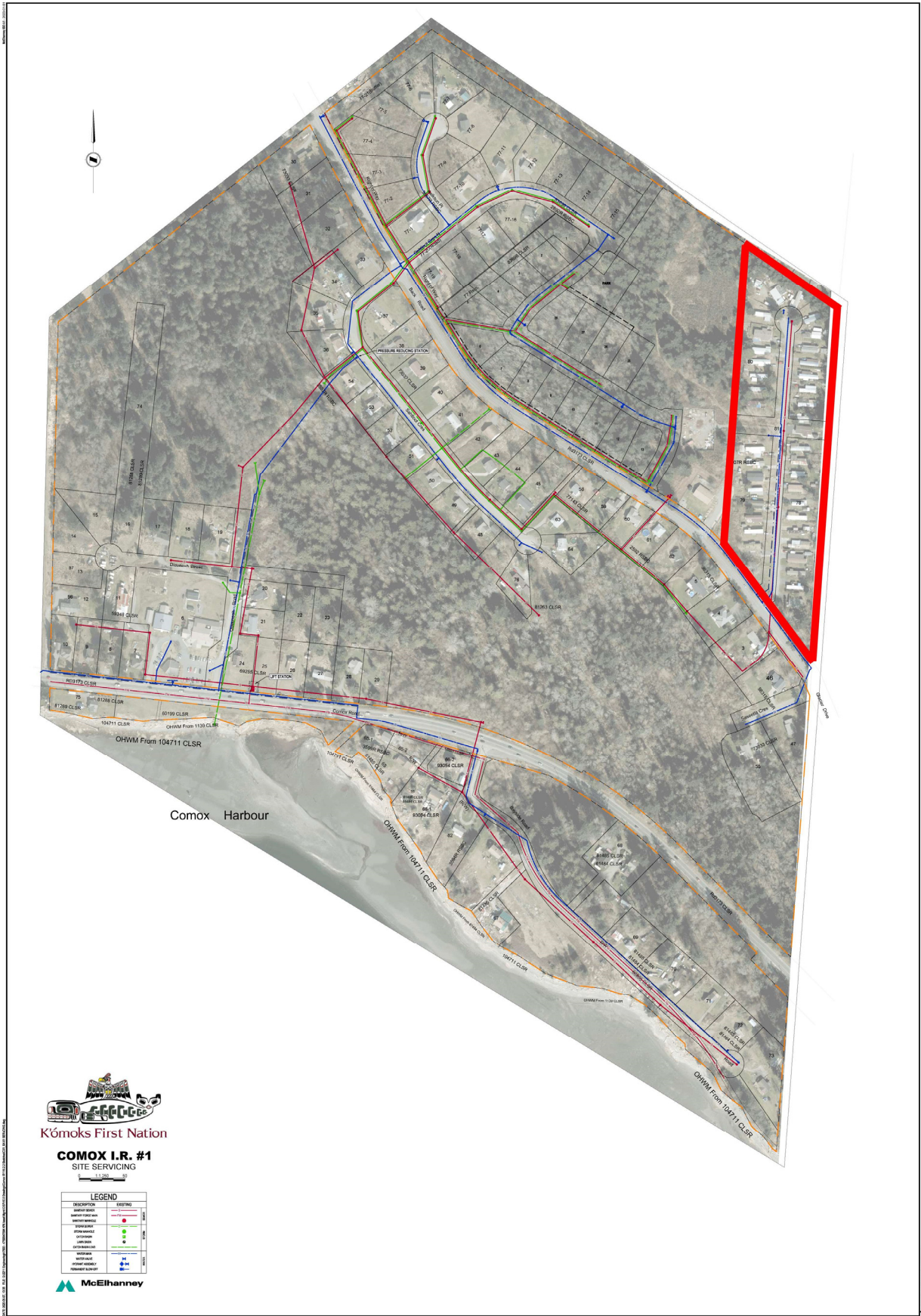
KFN Real Estate LP, by its authorized signatory(ies):

Name:
Title:

Name:
Title:

SCHEDULE "A"

KFN Real Estate LP Fire Protection Service Area





TOWN OF COMOX
REGULAR COUNCIL MEETING

STAFF REPORT
Meeting Date: 25 November 2020

TO:	Mayor and Council	FILE:	DVP 20-7
FROM:	Marvin Kamenz, Director of Development Services Regina Bozerocka, Planner 1 Corey Cooper, Planning Technician	DATE:	November 25, 2020
SUBJECT:	DEVELOPMENT VARIANCE PERMIT APPLICATION: DVP 20-7 1700 BALMORAL AVENUE		

Prepared by:	Supervisor:	Financial Approved:	Report Approved:
<i>Regina Bozerocka, Planner 1</i>	<i>Marvin Kamenz, Director of Development Services</i>	<i>Clive Freundlich, Fin. Director</i>	<i>Jordan Wall, CAO</i>
<i>Corey Cooper, Planning Tech.</i>			

RECOMMENDATION(S) FROM THE CHIEF ADMINISTRATIVE OFFICER:

That Development Variance Permit DVP 20-7 be issued subject to the Development Variance Permit Conditions listed in **Schedule 1** of the November 25th Planning Report on DVP 20-7.

PROPOSAL

The proposal is to vary Comox Zoning Bylaw 1850 to permit the placement of 3 heat pumps within the front yard of a 5-storey apartment building currently under construction at 1700 Balmoral Avenue.

An Application Summary is contained in **Attachment 1** and the applicant's submission is contained in **Attachment 2**. **Attachment 2** is composed of **3 segments** in the following order: Applicant's Submission with updated Landscaping Plan, Sheets 1 to 5, Engineer's Rationale with Heat Pump Specifications, Sheets 6 to 14, and Architect's Rationale, Sheet 15.

STRATEGIC PLAN LINKAGE

This Report addresses the following tasks identified in the 2020 Strategic Priorities Chart for Planning Services:

- Decrease Processing Times; and
- Major Development Applications.

BACKGROUND

Notification of Council's intent to consider DVP 20-7 at the November 25th, 2020 Regular Council Meeting was mailed or hand-delivered to abutting properties owners and tenants.

Correspondence received in advance of the November 25th, 2020 RCM will be distributed to Council prior to commencement of the November 25th, 2020 RCM.

OCP IMPLICATIONS

The subject property is within Development Permit Area (DPA) #3: General Multi-Family. This DPA primarily addresses the form and character of development including landscaping. Development Permit DP 17-7 was issued for the apartment building currently under construction on the subject property. DPA 3 lists specific activities that are exempt from requiring a development permit including minor alterations to existing buildings and structures that meet specified criteria. A Development Permit Exemption request has been received in relation to the proposed location of the 3 heat pumps within the front yard which is being processed at the staff level.

ZONING IMPLICATIONS:

During the initial design of the apartment building, all heat pumps were proposed to be located on the roof. During preparation of detailed construction drawings, it was discovered that there was insufficient roof area to accommodate the heat pumps for all of the apartment units. In addition, the servicing of the ground floor units by roof top heat pumps would exceed maximum refrigerant pipe length specifications. To address these issues, the heat pumps for the ground floor apartment units were relocated to within the yard space and parkade.

Comox Zoning Bylaw 1850 Section 5.4 prohibits the location of noise generating equipment within a front yard.

The Development Variance Permit application is to allow for 3 heat pumps for 3 ground floor apartment units to be located within the front yard. There are 45 units in the apartment building, and each unit has its own heat pump. 3 of the 45 heat pumps could not be accommodated

outside of the front yard due to space constraints, or within the parkade due to heat generation limitations.

Heat pumps generate an intermittent mechanical noise that can be disturbing to pedestrians if located in a front yard. In addition, heat pumps typically are of a utilitarian design. The applicant proposes the following to address the issues stated above:

1. Specifying heat pumps that produce low noise levels (47 - 53 decibels);
2. Reducing vibration and noise by utilizing rubber isolation pads underneath the heat pumps;
3. Enclosing the heat pumps on 4 sides with a 1.22 metre high wall to mitigate sound migration;
4. Cladding of the wall enclosure with the same siding as the apartment building, minimizing visual impact; and,
5. Screening of the wall enclosure from the street with low level landscaping.

LEGAL:

It is a statutory requirement of the *Local Government Act* (LGA), Section 499, that notification be provided to the owners and tenants within a distance specified by the local government's bylaw at least 10 days before adoption of the resolution to issue a development variance permit.

Comox Planning Procedures Bylaw 1780 specifies that development variance permit notifications be distributed to abutting property owners including those separated from the subject property by a street. Bylaw 1780 also increases the minimum notification period to 13 days.

SCHEDULE 1

DEVELOPMENT VARIANCE PERMIT CONDITIONS

1. This Development Variance Permit is for the location of 3 heat pumps / condensing units (CU-107 – 109) within the front yard of a 5-storey apartment building, in compliance with **Attachment 2, Sheets 1 to 15**.
2. Notwithstanding Condition 1, heat pump / condensing unit models with specifications equivalent to that of Mitsubishi PUZ-A30NHA7, PUZ-A24NHA7, PUMY-P36NKMU2 as contained in **Attachment 2, Sheets 9 to 14**, including pump / unit dimensions and sound pressure level maximum decibel reading, are permitted.
3. The 3 heat pumps / condensing units (CU-107 – 109) shall be screened from the front lot line by a wall and landscaping screening in accordance with **Attachment 2, Sheet 5 of 15**; and,
 - a. Minimum 1.2 metre height of the 15 Holly, 'Sky Pencil' at time of planting; and
 - b. Minimum 1 gallon pot size of the 6 English Lavender, 'Hidcote Blue' at time of planting.
4. Comox Zoning Bylaw 1850 Section 5.4 is hereby varied solely for the 3 heat pumps (CU-107 – 109) as follows:

From:

Noise generating mechanical equipment affixed to land, to a building or structure, or for the better use of the land or buildings and structures on the land, shall;

- (1) Be located no closer to a lot line than 3.0m;
- (2) Not be located in a front or exterior side yard; and
- (3) If located in an interior side yard,
 - a. Be within 2.0m of an exterior wall of a principal building; and
 - b. Be screened from the front and interior side lot line in accordance with Figures 5-2 and 5-3, by wood framed walls with a minimum width of 0.1m (excluding exterior cladding) and exterior cladding on both sides is to match that of the principal building.

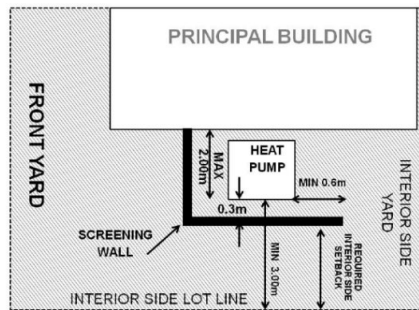


Figure 5-2. Site Plan view of Heat Pump side yard screening

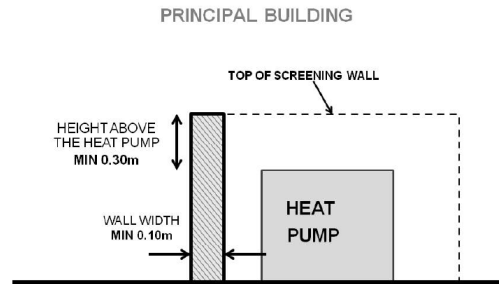


Figure 5-3. Section of Heat Pump side yard screening

To:

Noise generating mechanical equipment affixed to land, to a building or structure shall;

- (1) Be located no closer to a lot line than 4.0m;
- (2) Not be located in an exterior side yard; and
- (3) Be within 7.5m of an exterior wall of a principal building.

ATTACHMENT 1

Proposal:	The proposal is to vary Comox Zoning Bylaw 1850 to permit the location of 3 heat pumps within the front yard of a 5-storey apartment building at 1700 Balmoral Avenue.	
Applicant:	Lindary Holdings Ltd., Don Cameron	
Legal Description:	Stata Lots 1-45 Section 56 Comox District Strata Plan EPS6615	
Civic Addresses:	1700 Balmoral Avenue	
OCP:		
Land Use Designation:	Residential: Low Rise Apartments, Townhouses & Ground Oriented Infill	
Development Permit Areas:	DPA #3: General Multi-Family – DPX has been applied for DPA #17: Coach Houses – N/A as no coach house proposed DPA #18: Secondary Suites – N/A as no secondary suite proposed	
Zoning:	CD7.1 COMPREHENSIVE DEVELOPMENT 7.1: 1700 BALMORAL AVE	
Permitted uses include:	Accessory structures and uses, excluding buildings and outside storage, Apartment Dwellings, and Home Occupations.	
Section 5.4	Existing	Proposed Variance

Noise Generating
Mechanical Equipment

(1) Be located no closer to a lot line than 3.0m;

(2) Not be located in a front or exterior side yard; and

(3) If located in an interior side yard,

a. Be within 2.0m of an exterior wall of a principal building; and

b. Be screened from the front and interior side lot line in accordance with Figures 5-2 and 5-3, by wood framed walls with a minimum width of 0.1m (excluding exterior cladding) and exterior cladding on both sides is to match that of the principal building.

(1) Be located no closer to a lot line than 4.0m;

(2) Not be located in an exterior side yard; and

(3) Be within 7.5m of an exterior wall of a principal building.

Surrounding Uses:

Adjacent to Comox Downtown, Commercial developments to the south, Apartment Dwelling Residential to the south and east, and a Golf Course to the north & west.

ATTACHMENT 2

APPLICANT'S SUBMISSION



1700 BALMORAL AVENUE MULTI-FAMILY RESIDENTIAL COMOX, B.C. PROJECT # 0435 REISSUED FOR VARIANCE – heat pumps JULY 22, 2020

CIVIC ADDRESS: 1700 BALMORAL AVENUE, COMOX, B.C.
LEGAL DESCRIPTION: LOTS 1, 2 & 3, SECTION 56, COMOX DISTRICT, PLAN 3556



KEY PLAN – NTS

DRAWING LIST

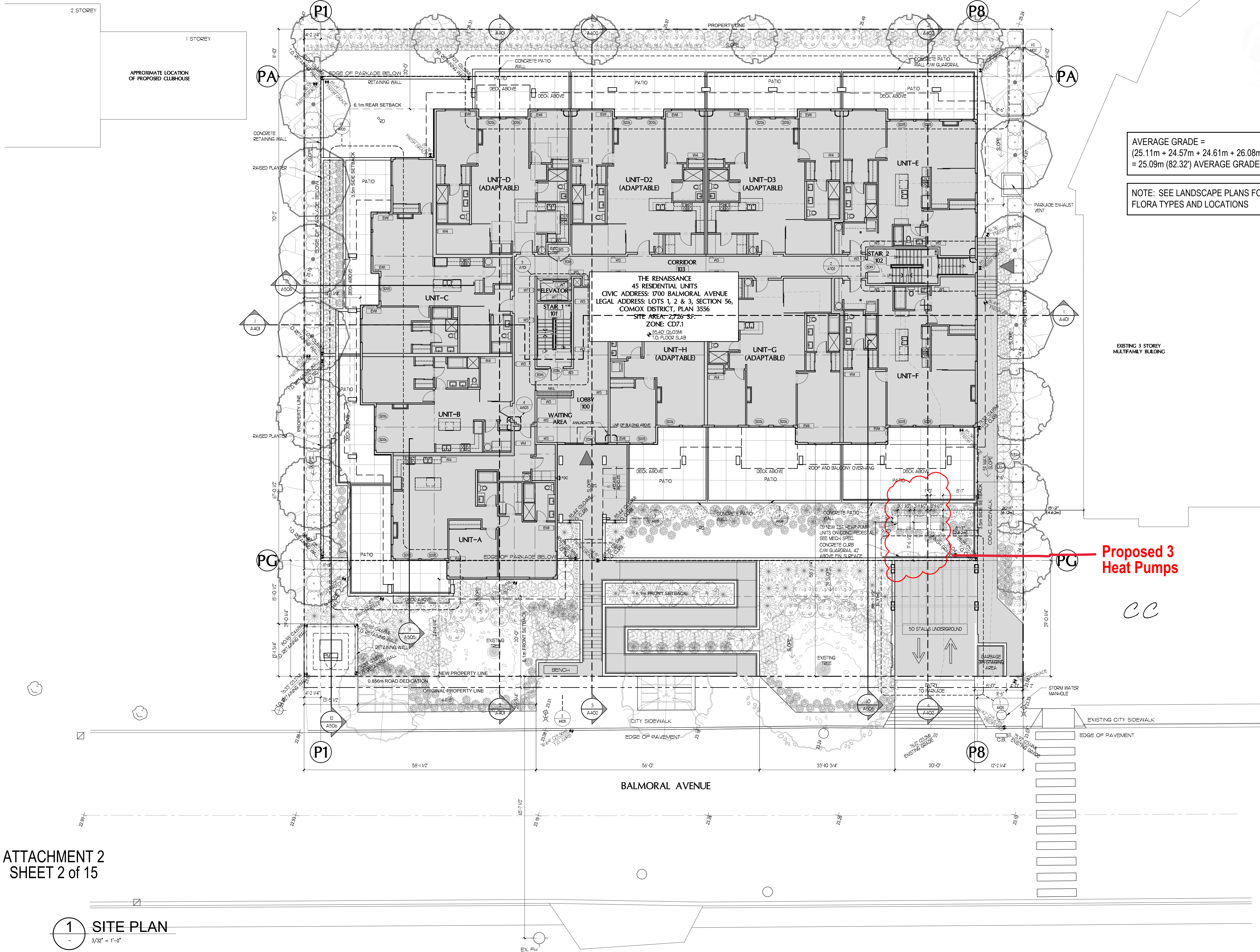
ARCHITECTURAL	A000	COVER SHEET	STRUCTURAL	S10	GENERAL NOTES	ELECTRICAL	E01	SITE PLAN
	A001	ASSEMBLY SCHEDULE		S11	GENERAL NOTES		E02	FLOOR KEYPLANS
	A002	DOOR SCHEDULE		S20	PARKADE – FOUNDATION PLAN		E03	TYPICAL SUITES
	A003	WINDOW SCHEDULE		S2.1	SHEARWALL HOLDOWN ANCHORS AT MAIN FLOOR SLAB		E04	CORRIDOR POWER AND SYSTEM LAYOUT
	A004	CODE REVIEW		S21	MAIN FLOOR SLAB REINFORCEMENT		E05	CORRIDOR LIGHTING AND CEILING LAYOUT
	A005	CODE REVIEW		S2.2	2ND FLOOR FRAMING		E06	PARKADE POWER AND SYSTEMS
	A006	CODE REVIEW		S2.2.1	1ST FLOOR SHEARWALLS AND HOLD DOWNS		E07	PARKADE LIGHTING AND CEILING PLAN
	A007	CODE REVIEW		S2.2.2	2ND FLOOR SHEARWALLS AND HOLD DOWNS		E08	DETAILS
	A008	CODE REVIEW		S2.3	3RD FLOOR FRAMING			
	A009	CODE REVIEW		S2.3.1	4TH FLOOR FRAMING			
	A010	EXISTING SURVEY		S2.3.2	5TH FLOOR FRAMING			
	A011	SITE PLAN		S2.4	3RD FLOOR SHEARWALLS AND HOLD DOWNS			
	A012	ENLARGED PATIO PLANS		S2.4.1	4TH FLOOR FRAMING			
	A013	ENLARGED PATIO PLANS		S2.4.2	5TH FLOOR FRAMING			
	A014	ENLARGED PATIO PLANS		S2.5	4TH FLOOR SHEARWALLS AND HOLD DOWNS			
	A015	SITE DETAILS		S2.5.1	5TH FLOOR FRAMING			
	A016	SITE DETAILS		S2.5.2	4TH FLOOR SHEARWALLS AND HOLD DOWNS			
	A200	PARKADE SLAB PLAN		S2.6	ROOF FRAMING PLAN			
	A201	MAIN FLOOR SLAB PLAN		S2.6.1	5TH FLOOR SHEARWALLS PLAN			
	A202	SLAB DETAILS		S30	TYPICAL SECTIONS AND DETAILS			
	A203	PARKADE PLAN		S3.1	TYPICAL SECTIONS AND DETAILS			
	A204	MAIN FLOOR PLAN		S3.2	TYPICAL SECTIONS AND DETAILS			
	A205	2ND FLOOR PLAN		S3.3	TYPICAL SECTIONS AND DETAILS			
	A206	3RD FLOOR PLAN		S40	SECTIONS AND DETAILS			
	A207	4TH FLOOR PLANS		S50	MAT REINFORCING DETAILS			
	A208	5TH FLOOR PLAN		S5.1	MAT REINFORCING DETAILS AND CONCRETE SECTIONS			
	A209	5TH FLOOR TERRACE PLAN		S5.2	MAT REINFORCING DETAILS			
	A210	ROOF PLAN		S5.3	STUD RAIL DETAILS			
	A211	UNIT PLANS		S5.4	STUD RAIL DETAILS			
	A212	UNIT PLANS						
	A213	UNIT PLANS						
	A214	UNIT PLANS						
	A215	UNIT PLANS						
	A216	UNIT PLANS						
	A217	UNIT PLANS						
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	A220	UNIT PLANS						
	A221	UNIT PLANS						
	A222	UNIT PLANS						
	A223	UNIT PLANS						
	A224	UNIT PLANS						
	A301	ELEVATIONS						
	A302	ELEVATIONS						
	A401	BUILDING SECTIONS						
	A402	BUILDING SECTIONS						
	A501	WALL SECTIONS						
	A502	WALL SECTIONS						
	A503	WALL SECTIONS						
	A504	WALL SECTIONS						
	A505	WALL SECTIONS						
	A506	WALL SECTIONS						
	A701	VERTICAL TRANSPORTATION						
	A702	VERTICAL TRANSPORTATION						
	A703	VERTICAL TRANSPORTATION						
	A704	VERTICAL TRANSPORTATION						
	A801	PLAN DETAILS						
	A901	TYPICAL WINDOW/DOOR DETAILS						
	A902	TYPICAL WINDOW/DOOR DETAILS						
	A903	TYPICAL WINDOW/DOOR DETAILS						
	A904	SECTION DETAILS						
	A905	SECTION DETAILS						
	A910	FIRESTOPPING DETAILS TYPICAL						
	A911	FIRESTOPPING DETAILS TYPICAL						
	A912	SEQUENCING DETAILS TYPICAL						

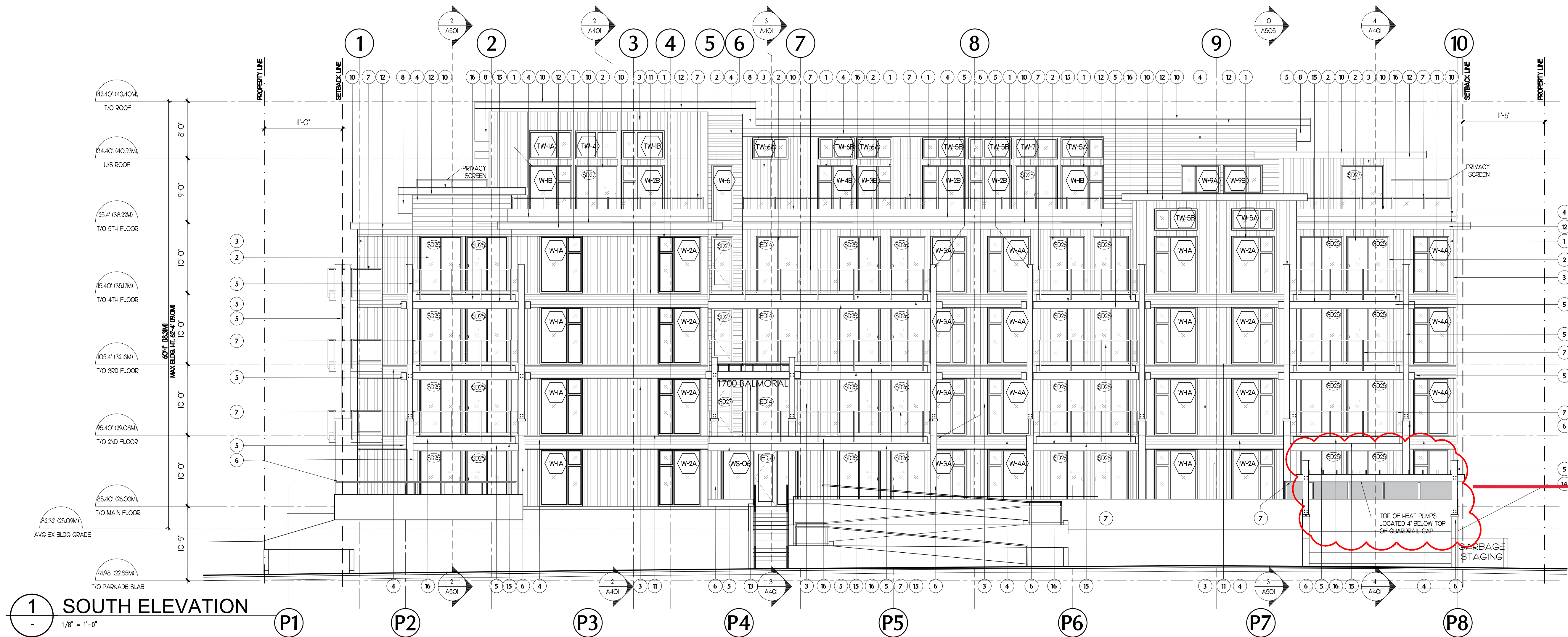
STRUCTURAL	S10	GENERAL NOTES	ELECTRICAL	E01	SITE PLAN
	S11	GENERAL NOTES		E02	FLOOR KEYPLANS
	S20	PARKADE – FOUNDATION PLAN		E03	TYPICAL SUITES
	S2.1	SHEARWALL HOLDOWN ANCHORS AT MAIN FLOOR SLAB		E04	CORRIDOR POWER AND SYSTEM LAYOUT
	S21	MAIN FLOOR SLAB REINFORCEMENT		E05	CORRIDOR LIGHTING AND CEILING LAYOUT
	S2.2	2ND FLOOR FRAMING		E06	PARKADE POWER AND SYSTEMS
	S2.2.1	1ST FLOOR SHEARWALLS AND HOLD DOWNS		E07	PARKADE LIGHTING AND CEILING PLAN
	S2.2.2	2ND FLOOR SHEARWALLS AND HOLD DOWNS		E08	DETAILS
	S2.3	3RD FLOOR FRAMING			
	S2.3.1	4TH FLOOR FRAMING			
	S2.3.2	5TH FLOOR FRAMING			
	S2.4	3RD FLOOR SHEARWALLS AND HOLD DOWNS			
	S2.4.1	4TH FLOOR FRAMING			
	S2.4.2	5TH FLOOR FRAMING			
	S2.5	4TH FLOOR SHEARWALLS AND HOLD DOWNS			
	S2.5.1	5TH FLOOR FRAMING			
	S2.5.2	4TH FLOOR SHEARWALLS AND HOLD DOWNS			
	S2.6	ROOF FRAMING PLAN			
	S2.6.1	5TH FLOOR SHEARWALLS PLAN			
	S30	TYPICAL SECTIONS AND DETAILS			
	S3.1	TYPICAL SECTIONS AND DETAILS			
	S3.2	TYPICAL SECTIONS AND DETAILS			
	S3.3	TYPICAL SECTIONS AND DETAILS			
	S40	SECTIONS AND DETAILS			
	S50	MAT REINFORCING DETAILS			
	S5.1	MAT REINFORCING DETAILS AND CONCRETE SECTIONS			
	S5.2	MAT REINFORCING DETAILS			
	S5.3	STUD RAIL DETAILS			
	S5.4	STUD RAIL DETAILS			

MECHANICAL	M-001	MECHANICAL COVER SHEET	ELECTRICAL	E01	SITE PLAN
	M-101	FIRE SUPPRESSION PARKADE PLAN		E02	FLOOR KEYPLANS
	M-102	FIRE SUPPRESSION MAIN FLOOR PLAN		E03	TYPICAL SUITES
	M-103	FIRE SUPPRESSION SECOND FLOOR PLAN		E04	CORRIDOR POWER AND SYSTEM LAYOUT
	M-104	FIRE SUPPRESSION THIRD FLOOR PLAN		E05	CORRIDOR LIGHTING AND CEILING LAYOUT
	M-105	FIRE SUPPRESSION FOURTH FLOOR PLAN		E06	PARKADE POWER AND SYSTEMS
	M-106	FIRE SUPPRESSION FIFTH FLOOR PLAN		E07	PARKADE LIGHTING AND CEILING PLAN
	M-2.01	PLUMBING FOUNDATION PLAN		E08	DETAILS
	M-2.02	PLUMBING PARKADE PLAN			
	M-2.03	PLUMBING MAIN FLOOR PLAN			
	M-2.04	PLUMBING SECOND FLOOR PLAN			
	M-2.05	PLUMBING THIRD FLOOR PLAN			
	M-2.06	PLUMBING FOURTH FLOOR PLAN			
	M-2.07	PLUMBING FIFTH FLOOR PLAN			
	M-2.08	PLUMBING ROOF PLAN			
	M-3.01	HVAC PARKADE PLAN			
	M-3.02	HVAC MAIN FLOOR PLAN			
	M-3.03	HVAC SECOND FLOOR PLAN			
	M-3.04	HVAC THIRD FLOOR PLAN			
	M-3.05	HVAC FOURTH FLOOR PLAN			
	M-3.06	HVAC FIFTH FLOOR PLAN			
	M-3.07	HVAC ROOF PLAN			
	M-4.01	FIRE SUPPRESSION SCHEMATICS			
	M-4.02	PLUMBING DOMESTIC WATER AND GAS SCHEMATICS			
	M-4.03	PLUMBING SANITARY SCHEMATICS			
	M-5.01	PLUMBING AND HVAC SCHEDULES			
	M-5.02	HVAC SCHEDULES			
	M-5.03	SCHEDULES			
	M-6.01	FIRE SUPPRESSION DETAILS			
	M-6.02	PLUMBING DETAILS			
	M-6.03	HVAC DETAILS			
	M-7.01	SPECIFICATIONS			

LANDSCAPE	L1	LANDSCAPE PLANTING PLAN
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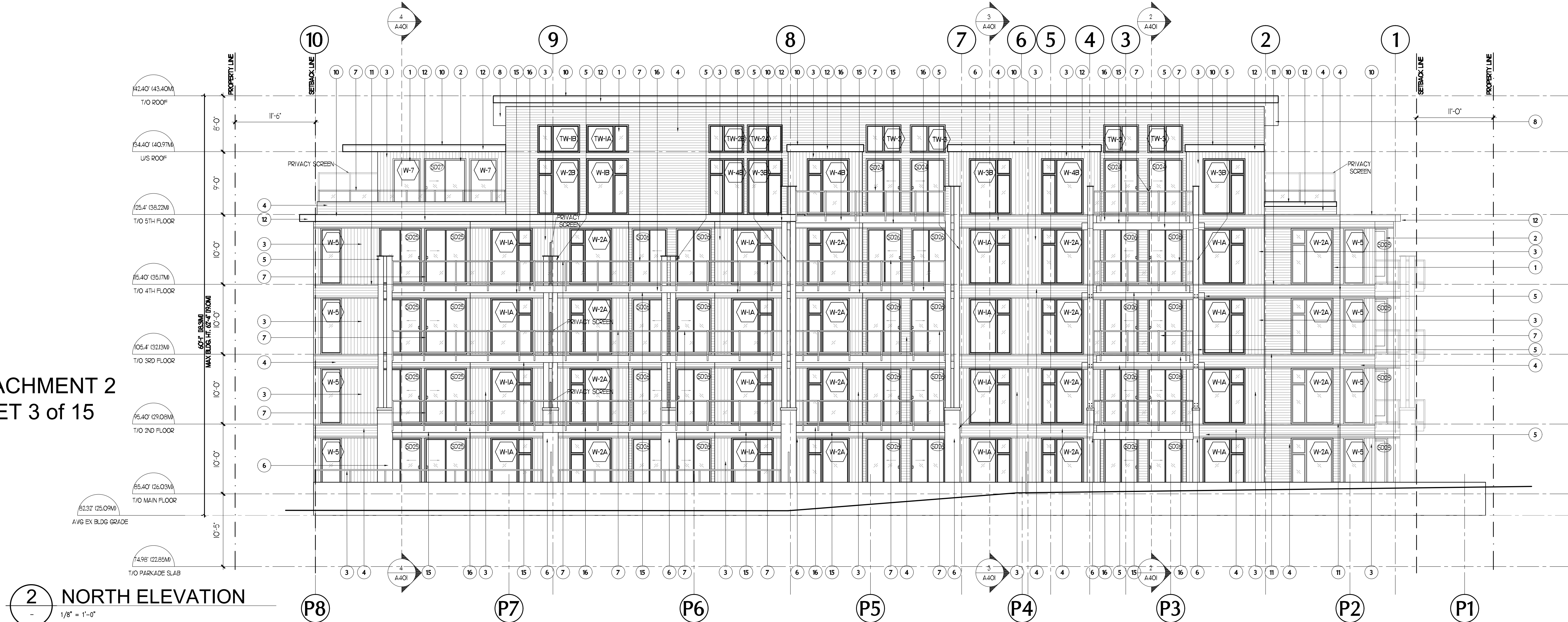
SITE INFORMATION					
LEGAL DESCRIPTION	LOTS 1, 2 & 3, SECTION 56, COMOX DISTRICT, PLAN 3556				
CIVIC ADDRESS	1700 Balmoral Ave, Comox, BC				
ZONING	EXISTING		REQUIRED	PROPOSED	
	CD7			CD7.1	
SITE AREA (ft²)	29,731 sf (2,762m²)				
FSR			N/A	2.11	
SITE COVERAGE			N/A	46%	
BUILDING HEIGHT			62'-4" (19.0m)	57'-0" (17.3m)	
SETBACKS	FRONT (from west property line)		25.7' (7.82m)	59.42' (18.1m)	
	FRONT (from east property line)		55.8' (17.0m)	11.5' (3.50m)	
	SIDE		19.69' (6.0m)	20.00' (6.10m)	
	REAR				
BUILDING DATA					
CONDO UNITS					
UNITS	DESCRIPTION	NET AREA(ft²)	# OF UNITS	COMBINED (m²)	COMBINED (ft²)
UNIT A	2BR + 2BATH	1300	1	120.8	1,300
UNIT A1	3BR + 2BATH	1480	3	412.5	4,440
UNIT B	1BR + 1BATH	910	4	338.2	3,640
UNIT C	2BR + 2BATH	1232	4	457.8	4,928
UNIT D ADAPT.	2BR + 2BATH	1214	1	112.8	1,214
UNIT D1	2BR + 2BATH	1215	3	338.6	3,645
UNIT D2 ADAPT.	2BR + 2BATH	1228	1	114.1	1,228
UNIT D3 ADAPT.	2BR + 2BATH	1228	1	112.2	1,208
UNIT D4	2BR + 2BATH	1208	3	342.2	3,684
UNIT D5	2BR + 2BATH	1209	3	336.9	3,627
UNIT E	2BR + 2BATH	1185	1	110.1	1,185
UNIT E1	2BR + 2BATH	1206	3	336.1	3,618
UNIT F	2BR + 2BATH	1324	1	123.0	1,324
UNIT F1	2BR + 2BATH	1346	3	375.1	4,038
UNIT G ADAPT.	2BR + 2BATH	1314	1	122.1	1,314
UNIT G1	2BR + 2BATH	1315	3	366.5	3,945
UNIT H ADAPT.	1BR + 1BATH	978	1	90.9	978
UNIT J	2BR + 2BATH	1226	3	341.7	3,678
PENTHOUSE P1	2BR + 2BATH	1215	1	112.9	1,215
PENTHOUSE P2	2BR + 2BATH	1228	1	114.1	1,228
PENTHOUSE P3	2BR + 2BATH	1803	1	167.5	1,803
PENTHOUSE P4	2BR + 2BATH	1525	1	141.7	1,525
PENTHOUSE P5	2BR + 2BATH	2103	1	195.4	2,103
		TOTAL ADAPT.	5		
		TOTAL UNITS	45	5,283.0	56,868
SITE DATA					
GROSS FLOOR AREA			5,820.6	62,654	
HORIZONTAL PROJECTION			1,259.7	13,560	
PARKING DATA					
PROPOSED PARKING				# OF PARKING	
DWELLING UNIT PARKING VISITOR PARKING ACCESSIBLE PARKING				42	
				5	
				3	
				50	
TOTAL PROPOSED PARKING				50	
REQUIRED PARKING				# OF PARKING	
1 per dwelling unit				45	
0.1 per dwelling unit visitors parking				5	
1 oversize vehicle parking space per every 10 dwelling units				0	
TOTAL REQUIRED PARKING				50	
SMALL CAR PARKING SPACES				25	
MAX. ALLOWABLE				50%	
PROPOSED				18%	
BICYCLE PARKING DATA					
PROPOSED BICYCLE PARKING				35	
REQUIRED BICYCLE PARKING (CLASS 1)				11	
REQUIRED BICYCLE PARKING (CLASS 2)				23	
TOTAL REQUIRED BICYCLE PARKING				34	





Proposed 3
Heat Pumps

cc



- LEGEND OF FINISHES**
- 1 VINYL WINDOWS (SEE SPECIFICATIONS)
 - 2 VINYL DOORS (SEE SPECIFICATIONS)
 - 3 VERTICAL VINYL SIDING - SAGPER SAG/WALL KNOTTY MAPLE REF#79
 - 4 HORIZONTAL HARDIE LAP SIDING RICH EXPRESSO
 - 5 GULLIAM POST & BEAMS - PAINTED BM
 - 6 EXPOSED ARCHITECTURAL CONCRETE W/SAO RUBBED FINISH
 - 7 GLASS AND ALUMINUM GUARD RAIL - CLEAR TEMPERED BLACK ANODIZED
 - 8 SOFFIT - SAGPER SAGREV 6' SOFFIT LIGHT MAPLE REF#13
 - 9 STEEL DOOR & FRAMES (SEE SPECIFICATIONS)
 - 10 PREFINISHED METAL FLASHING - BLACK
 - 11 THRU-WALL METAL FLASHING - BLACK
 - 12 COMBED SPRUCE FASCIA-PAINTED BM
 - 13 SIGNAGE
 - 14 GARAGE DOOR (SEE SPECIFICATIONS)
 - 15 DECK SOFFIT - SAGPER SAGREV 6' SOFFIT LIGHT MAPLE REF#13
 - 16 DECK FASCIA - COMBED SPRUCE PAINTED BM
 - 17 4\"/>

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NORTH ARROW:

OWNER/CLIENT:

GENERAL NOTES:

13	ISSUED FOR VARIANCE - HEAT PUMP	07/22/20
12	REISSUED FOR BUILDING PERMIT	08/29/19
11	ISSUED FOR CONSTRUCTION	07/28/19
10	ISSUED FOR PRICING	04/03/19
09	REISSUED FOR FOUNDATION PERMIT	01/02/19
08	ISSUED FOR BUILDING PERMIT	12/06/18
07	ISSUED FOR FOUNDATION PERMIT	11/13/18
06	ISSUED FOR 50% OWNER REVIEW	09/21/18
05	RE-ISSUED FOR DP REVISION	06/19/18
04	ISSUED FOR DP REVISION	03/27/18
03	ISSUED FOR DP ROAD DEDICATION	01/31/18
02	ISSUED FOR DEVELOPMENT PERMIT	01/25/18
01	ISSUED FOR REZONING / DP	29/09/17
NO.	ISSUE	Y/M/D



CONSULTANT:

IWA ARCHITECTS

VAN 301 - 1444 Alberni Street Vancouver, V6G 2Z4
VIC 104 - 3212 Jacklin Road Victoria, V8B 0J5
604.685.3529 | office@wa-arch.ca | wa-arch.ca

PROJECT NAME:
**MULTI-FAMILY
RESIDENTIAL**

PROJECT ADDRESS:
1700 BALMORAL, COMOX BC

DRAWING TITLE:
**NORTH & SOUTH
ELEVATIONS**

PROJECT NO: 0435 DRAWN BY: ##
SCALE: 1/8\"/>

ATTACHMENT 2
SHEET 3 of 15

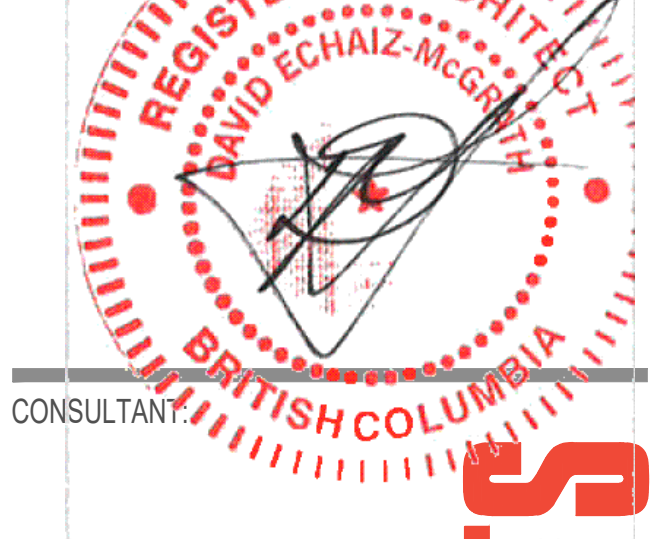
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NO.	ISSUE	Y/M/D

SEAL:



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**MULTI-FAMILY
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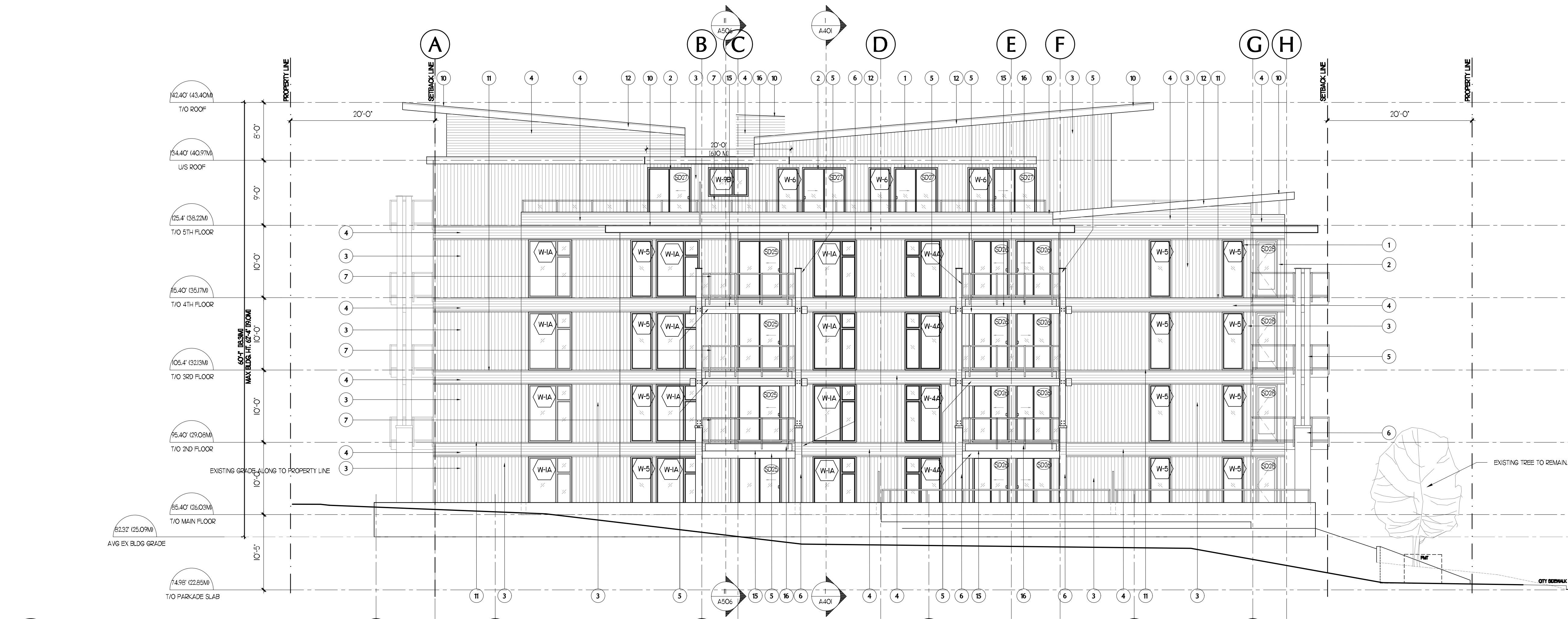
PROJECT ADDRESS:
1700 BALMORAL, COMOX BC

DRAWING TITLE:
**EAST & WEST
ELEVATIONS**

PROJECT NO: 0435 DRAWN BY: ##

SCALE: 1/8" = 1'-0" REVIEW BY: DEM

DWG NO:



1 WEST ELEVATION
1/8" = 1'-0"



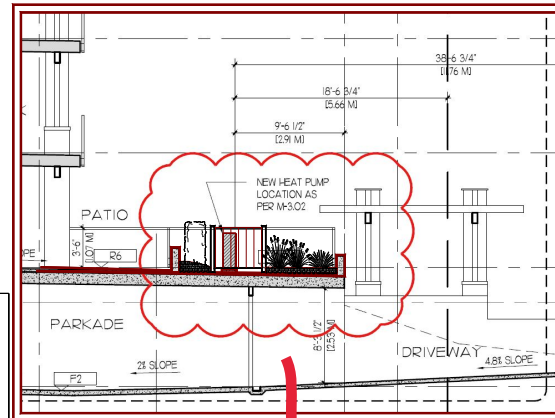
2 EAST ELEVATION
1/8" = 1'-0"

**Proposed 3
Heat Pumps**

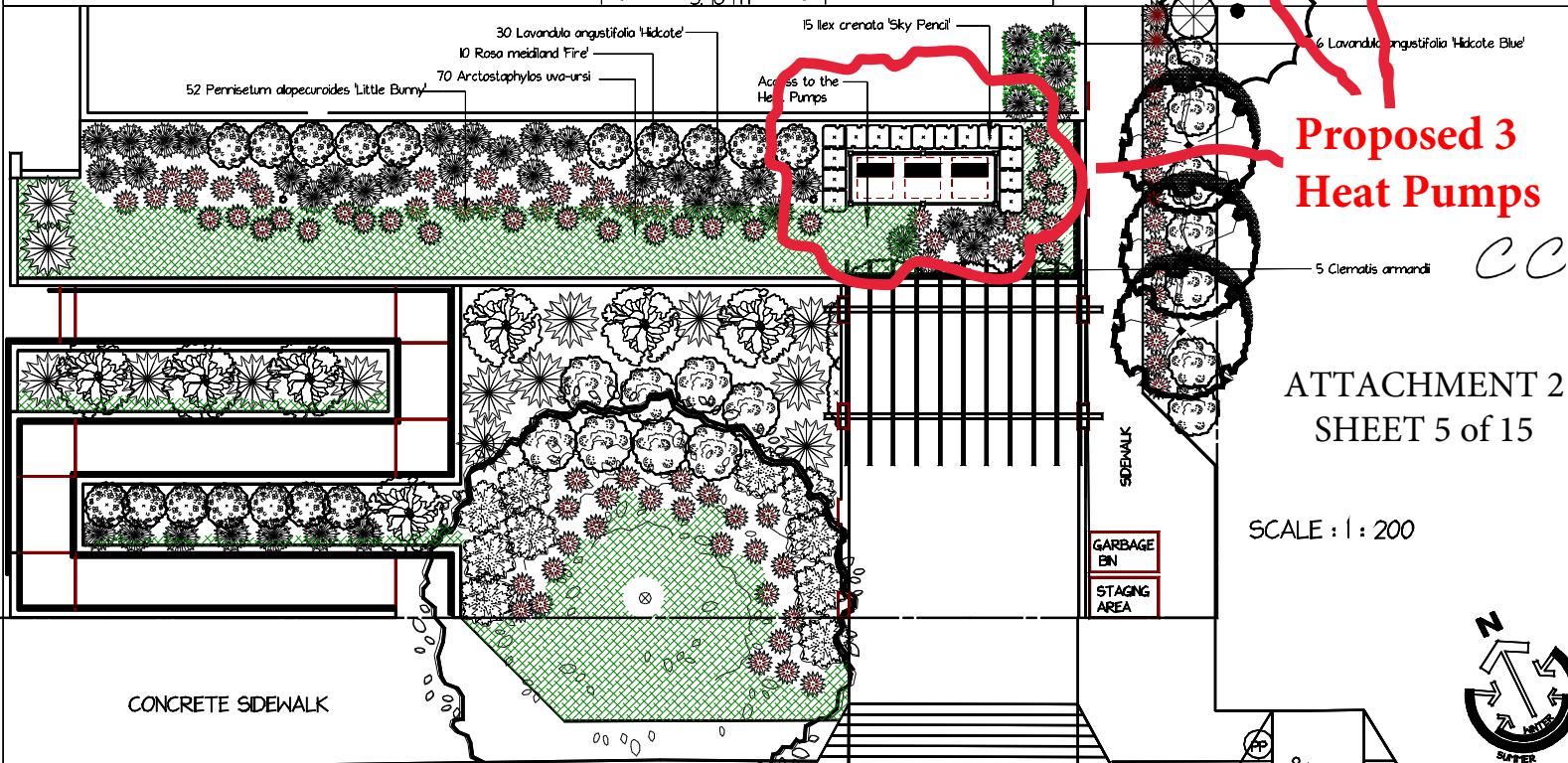
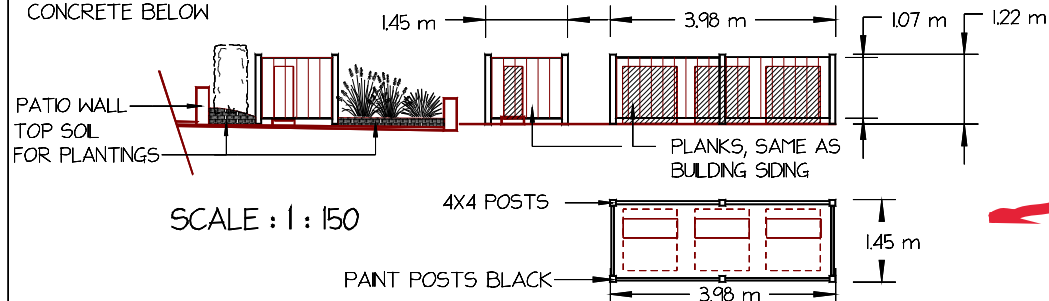
cc



Heat Pumps and
screen area



USE BUILDING SIDING FOR SCREENS
SECURED TO 4X4 POSTS FASTENED TO
CONCRETE BELOW



PROJECT:

1700 BALMORAL AVE
COMOX, B.C.

CLIENT:

CAMERON
CONTRACTING

LANDSCAPE DESIGNER:

MYSTIC WOODS
LANDSCAPE DESIGN
4737 Gordon Rd
Campbell River, B.C.
V9H 1T3
phone: 250-286-1327
cell phone: 250-287-0160
design@mysticwoods.ca
Corinne Matheson CLD, HT
Certified Landscape Designer
Horticultural Technician

DRAWN BY: CM & WB

Member of the
BCLNA / CLNA

DATE:

November 5, 2020

DRAWING:

SCREENING FOR
CONDENSER UNITS



August 27, 2020

Project Number: 218424

**Town of Comox**

1809 Beaufort Avenue

Comox, BC V9M 1R9

Reference: 1700 Balmoral
1700 Balmoral Avenue, Comox, BC

Due to excessive heat loads generated by the condensers originally located in the parkade Avalon has determined it necessary to relocate three condensing units (CU-107 - 109) to the landscaped area above the parkade access ramp. Locating the condensing units on the rooftop was explored as an alternative solution however maximum refrigerant pipe lengths between condenser and indoor unit prevent this installation.

The three relocated condensers are to be fastened to concrete pavers complete with rubber isolation pads included to reduce vibration and noise. The units have a maximum height of 53" and will be located 4" below the top of the guardrail over the ramp with the intention of being fully concealed from Balmoral Ave. Screening of the units will be provided by WA architects.

Mechanical schedules have been included indicating physical data of the specified units.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tim Robertson'.

Tim Robertson, P.Eng.
Principal

**AVALON MECHANICAL CONSULTANTS LTD.**

FAN SCHEDULE											
TAG	SERVICE	QTY	TYPE	SIZE	MAKE	MODEL	POWER/LOAD	SOUND	WEIGHT	NOTES	
EF-01	PARKADE EXHAUST	1	WALL MOUNT	13,000CFM @ 0.3"WC	GREENHECK	SBE-2L36	208/3/60 2 HP	71 DBA	140 LBS	A, F, 2, 3	
EF-02	STORAGE ROOM	1	CEILING FAN	70 CFM @ 0.25" WC	GREENHECK	SP-A50-90-VG	115/1/60 / 12W	< 0.3 SONES	12 LBS	C, 1	
EF-03	SERVICE ROOM	1	CEILING FAN	50 CFM @ 0.25" WC	GREENHECK	SP-A50-90-VG	115/1/60 / 12W	< 0.3 SONES	12 LBS	G, 2, 10	
EF-04	BIKE STORAGE	1	CEILING FAN	148 CFM @ 0.25" WC	GREENHECK	CSP-B150	115/1/60 / 145W	2.3 SONES	12 LBS	D, 1, 5	
EF-05	GARBAGE ROOM	1	CEILING FAN	395 CFM @ 0.25" WC	GREENHECK	CSP-A510-VG	115/1/60 / 1/6 HP	1.6 SONES	36 LBS	D, 1, 5	
EF-06	ELEC ROOM	1	CEILING FAN	165 CFM @ 0.25" WC	GREENHECK	SP-A190	120/1/60 / 49W	2.3 SONES	17 LBS	B, 1	
EF-07	STORAGE ROOM	1	CEILING FAN	70 CFM @ 0.25" WC	GREENHECK	SP-A50-90-VG	115/1/60 / 12W	< 0.3 SONES	12 LBS	C, 1	
TF-01	PARKADE TRANSFER FAN	4	INLINE	2,000 CFM	GREENHECK	AX-36-160-0429	208/3/60 1/3 HP	9.8 SONES	111 LBS	A, 2, 4	
BF-1	DRYER BOOSTER FAN	—	INLINE	-	REVERSOMATIC	RI-200	115/1 FR HP			E, 6	
REFER TO PLANS FOR FINAL QUANTITY OF FANS											
CONTROL NOTES: A. OPERATE VIA COIN02 SENSOR. COIN02 SENSORS IN PARALLEL WITH TEMPERATURE CONTROLLER (SEE BELOW). B. OPERATE VIA REVERSE ACTING THERMOSTAT C. CONTINUOUS OPERATION D. OPERATE CONTINUALLY AT LOW SPEED (15CFM) AND INCREASE SPEED TO FULL SPEED BASED ON WALL MOUNT OCC. SENSOR WITH DELAY-OFF OVERRIDE SWITCH E. AMP SENSOR WIRED TO DRYER POWER TO OPERATE WHILE DRYER IN OPERATION F. FIVE TEMPERATURE SENSORS THROUGHOUT PARKADE CONNECTED TO CENTRAL CONTROLLER. ON/OFF TEMPERATURE CONTROL IN PARALLEL WITH COIN02 CTRL.											
NOTES: 1. GRAVITY BACKDRAFT DAMPER 2. C/W MOTOR GUARD, FINGER GUARD 3. WALL MOUNT FAN C/W BACKDRAFT DAMPER COUNTER-BALANCED TO ASSIST OPENING 4. TRANSFER FAN (HORIZONTAL CIRCULATION), CEILING HUNG, C/W CEILING MOUNT BRACKET 5. MULTI SPEED FAN 6. C/W LINT TRAP (REVERSOMATIC LT400SD)											

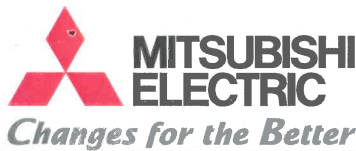
HALLWAY PRESSURIZATION UNIT SCHEDULE											
TAG	SERVICE	SIZE	MAKE	MODEL	INPUT (N. GAS)	OUTPUT	FAN MOTOR	POWER/LOAD	SOUND	WEIGHT	NOTES
HPU-1	CORRIDOR	1280 CFM @ 0.75"	GREENHECK	IGX-108-H12	100 MBH	80 MBH	1 HP, 1725 RPM	208/3/60; 7.4 MCA; 15 MOP	68 DBA; 15.7 SONES	860 LBS	1-11
NOTES: 1. INSULATED ROOF CURB 2. WEATHERHOOD WITH ALUMINUM BIRDSCREEN 3. AIR FILTERS: 2" PLEATED MERV 8 4. GRAVITY BACKDRAFT DAMPER 5. STAINLESS STEEL HEAT EXCHANGER 6. 8 STAGE GAS BURNER, INDIRECT HEATING 7. DOWNFLOW CONFIGURATION 8. INSULATED GALVANIZED HOUSING, SERVICE RECEPTACLE 9. THERMOSTAT IN KITCHEN (ADJUSTABLE) 10. 2 HP FAN MOTOR 11. RATED FOR OUTDOOR INSTALLATION NEMA 4X ENCLOSURE											

HEAT RECOVERY VENTILATOR SCHEDULE											
TAG	SERVICE	QUANTITY	SUPPLY AIRFLOW	EXHAUST AIRFLOW	TYPE	MAKE	MODEL	ENTHALPY RECOVERY (WINTER/SUMMER)	FAN MOTOR SIZE (S/A & E/A)	POWER/LOAD	NOTES
HRV-01	SUITES	SEE PLANS	45CFM @ 0.25"WC	45CFM @ 0.25"WC	INDOOR	RENEWAIR	BR70	75 / 62	0.08 HP	120/60/1 / 94W	ALL
HRV-02	LEVEL 5 - UNITS P3 & P5	2	60CFM @ 0.25"WC	60CFM @ 0.25"WC	INDOOR	RENEWAIR	BR70	75 / 62	0.08 HP	120/60/1 / 94W	ALL
NOTES: 1. VERTICAL SUPPLY AND EXHAUST CONFIGURATION 2. HANGERS C/W RUBBER VIBRATION ISOLATORS 3. PROVIDE SEISMIC RESTRAINT CABLES 4. INTEGRAL FILTERS 5. INTEGRAL DEFROST CAPABILITY											

GRILLE / DIFFUSER / LOUVER SCHEDULE					
TAG	MAKE	MODEL	DESCRIPTION	MOUNTING	NOTES
SD-1	EH PRICE	RCD	ROUND CONE DIFFUSER	SEE PLANS	1.4
SD-2	EH PRICE	SPD	SQUARE PLAQUE DIFFUSER	SEE PLANS	1.4
SR-1	EH PRICE	520	DOUBLE DEFLECTION LOUVERED GRILLE	SEE PLANS	1.2
IL-1	PRIMEX	WCL8	LOW PROFILE INTAKE VENT	SEE PLANS	1-3
NOTES: 1. REFER TO ARCH FOR COLOR. 2. INTEGRAL BALANCING DAMPER 3. INSECT SCREEN 4. SEISMIC RESTRAINT CABLES					

SUITES - HEAT PUMP SYSTEM SCHEDULE (INDOOR COMPONENTS)													
TAG	SERVICE	OUTDOOR UNIT	SIZE	AIRFLOW (MAX)	CAPACITY COOL/HEAT	MAKE	MODEL	POWER/LOAD	SOUND	WEIGHT	NOTES		
FC-100	LEVEL 1 - UNIT A	CU-100	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-101	LEVEL 1 - UNIT B	CU-101	2.0 TON	700 CFM @ 0.4"WC	24 / 26 MBH	mitsubishi	PEAD-A24AA7	208/1/60 / 2.1 MCA / 15 MOP	37 DB	69 LBS	ALL		
FC-102	LEVEL 1 - UNIT C	CU-102	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-103	LEVEL 1 - UNIT D1	CU-103	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-104	LEVEL 1 - UNIT D2	CU-104	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-105	LEVEL 1 - UNIT D3	CU-105	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-106	LEVEL 1 - UNIT E	CU-106	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-107	LEVEL 1 - UNIT F	CU-107	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-108	LEVEL 1 - UNIT G	CU-108	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-109	LEVEL 1 - UNIT H	CU-109	2.0 TON	700 CFM @ 0.4"WC	24 / 26 MBH	mitsubishi	PEAD-A24AA7	208/1/60 / 2.1 MCA / 15 MOP	37 DB	69 LBS	ALL		
FC-200	LEVEL 2 - UNIT A1	CU-200	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-201	LEVEL 2 - UNIT B	CU-201	2.0 TON	700 CFM @ 0.4"WC	24 / 26 MBH	mitsubishi	PEAD-A24AA7	208/1/60 / 2.1 MCA / 15 MOP	37 DB	69 LBS	ALL		
FC-202	LEVEL 2 - UNIT C	CU-202	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-203	LEVEL 2 - UNIT D1	CU-203	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-204	LEVEL 2 - UNIT D4	CU-204	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-205	LEVEL 2 - UNIT D6	CU-205	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-206	LEVEL 2 - UNIT E1	CU-206	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-207	LEVEL 2 - UNIT F1	CU-207	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-208	LEVEL 2 - UNIT G1	CU-208	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-209	LEVEL 2 - UNIT J	CU-209	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-300	LEVEL 3 UNIT A1	CU-300	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-301	LEVEL 3 - UNIT B	CU-301	2.0 TON	700 CFM @ 0.4"WC	24 / 26 MBH	mitsubishi	PEAD-A24AA7	208/1/60 / 2.1 MCA / 15 MOP	37 DB	69 LBS	ALL		
FC-302	LEVEL 3 - UNIT C	CU-302	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-303	LEVEL 3 - UNIT D1	CU-303	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-304	LEVEL 3 - UNIT D4	CU-304	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-305	LEVEL 3 - UNIT D6	CU-305	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-306	LEVEL 3 - UNIT E1	CU-306	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-307	LEVEL 3 - UNIT F1	CU-307	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-308	LEVEL 3 - UNIT G1	CU-308	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-309	LEVEL 3 - UNIT J	CU-309	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-400	LEVEL 4 UNIT A1	CU-400	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-401	LEVEL 4 - UNIT B	CU-401	2.0 TON	700 CFM @ 0.4"WC	24 / 26 MBH	mitsubishi	PEAD-A24AA7	208/1/60 / 2.1 MCA / 15 MOP	37 DB	69 LBS	ALL		
FC-402	LEVEL 4 - UNIT C	CU-402	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-403	LEVEL 4 - UNIT D1	CU-403	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-404	LEVEL 4 - UNIT D4	CU-404	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-405	LEVEL 4 - UNIT D6	CU-405	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-406	LEVEL 4 - UNIT E1	CU-406	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-407	LEVEL 4 - UNIT F1	CU-407	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-408	LEVEL 4 - UNIT G1	CU-408	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-409	LEVEL 4 - UNIT J	CU-409	2.5 TON	883 CFM @ 0.5"WC	30 / 32 MBH	mitsubishi	PEAD-A30AA7	208/1/60 / 2.73 MCA / 15 MOP	39 DB	69 LBS	ALL		
FC-501	LEVEL 5 - UNIT P1	CU-501	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-502	LEVEL 5 - UNIT P2	CU-502	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-503A	LEVEL 5 - UNIT P3	CU-503	2.0 TON	706 CFM @ 0.5"WC	24 / 27 MBH	mitsubishi	PEFY-P24NMAU-E3	208/1/60 / 2.73 MCA / 15 MOP	39 DB	67 LBS	ALL		
FC-503B	LEVEL 5 - UNIT P3	CU-503	2.0 TON	706 CFM @ 0.5"WC	24 / 27 MBH	mitsubishi	PEFY-P24NMAU-E3	208/1/60 / 2.73 MCA / 15 MOP	39 DB	67 LBS	ALL		
FC-504A	LEVEL 5 - UNIT P4	CU-504	2.0 TON	706 CFM @ 0.5"WC	24 / 27 MBH	mitsubishi	PEFY-P24NMAU-E3	208/1/60 / 2.73 MCA / 15 MOP	39 DB	67 LBS	ALL		
FC-504B	LEVEL 5 - UNIT P4	CU-504	2.0 TON	706 CFM @ 0.5"WC	24 / 27 MBH	mitsubishi	PEFY-P24NMAU-E3	208/1/60 / 2.73 MCA / 15 MOP	39 DB	67 LBS	ALL		
FC-505	LEVEL 5 - UNIT P5 WEST	CU-505	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
FC-506	LEVEL 5 - UNIT P5 EAST	CU-505	3.0 TON	1342 CFM @ 0.5"WC	36 / 40 MBH	mitsubishi	PEFY-P36NMHU-E2	208/1/60 / 3.1 MCA / 15 MOP	46 DB	153 LBS	ALL		
NOTES: 1. PROVIDE C/W CONDENSATE PUMP 2. CONDENSATE TO DRAIN STACK 3. WALL MOUNTED THERMOSTAT, 24H/7D PROGRAMMABLE T-STAT C/W NIGHT SETBACK OPTION 4. FILTER RACK ON RETURN 5. R410A REFRIGERANT													

SUITES - HEAT PUMP SYSTEM SCHEDULE (OUTDOOR COMPONENTS)												
TAG	SERVICE	SIZE	EFFICIENCY	CAPACITY COOL / HT / HT@17°F OAT	MAKE	MODEL	POWER/LOAD	SOUND	WEIGHT	NOTES		
CU-100	LEVEL 1 - UNIT A	3.0 TON*	12.6 EER; 18.3 SEER; 11.7 HSPF	36 / 42 / 40 MBH	MITSUBISHI	PUMY-HP36NKMJU	208/1/60; 36 MCA; 44 MOP	53 DBA	273 LBS	2-8		
CU-101	LEVEL 1 - UNIT B	2.0 TON	11.7 EER; 19.6 SEER; 10.8 HSPF; 4.35 COP	24 / 26 / 14.8 MBH	MITSUBISHI	PUZ-A24NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-102	LEVEL 1 - UNIT C	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-103	LEVEL 1 - UNIT D1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-104	LEVEL 1 - UNIT D2	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-105	LEVEL 1 - UNIT D3	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-106	LEVEL 1 - UNIT D4	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-107	LEVEL 1 - UNIT F1	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-108	LEVEL 1 - UNIT G	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-109	LEVEL 1 - UNIT H	2.0 TON	11.7 EER; 19.6 SEER; 10.8 HSPF; 4.35 COP	24 / 26 / 16 MBH	MITSUBISHI	PUZ-A24NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-200	LEVEL 2 - UNIT A1	3.0 TON*	12.6 EER; 18.3 SEER; 11.7 HSPF	36 / 42 / 40 MBH	MITSUBISHI	PUMY-HP36NKMJU	208/1/60; 36 MCA; 44 MOP	53 DBA	273 LBS	2-8		
CU-201	LEVEL 2 - UNIT B	2.0 TON	11.7 EER; 19.6 SEER; 10.8 HSPF; 4.35 COP	24 / 26 / 16 MBH	MITSUBISHI	PUZ-A24NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-202	LEVEL 2 - UNIT C	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-203	LEVEL 2 - UNIT D1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-204	LEVEL 2 - UNIT D4	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-205	LEVEL 2 - UNIT D6	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-206	LEVEL 2 - UNIT E1	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-207	LEVEL 2 - UNIT F1	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-208	LEVEL 2 - UNIT G1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-209	LEVEL 2 - UNIT J1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-300	LEVEL 3 UNIT A1	3.0 TON*	12.6 EER; 18.3 SEER; 11.7 HSPF	36 / 42 / 40 MBH	MITSUBISHI	PUMY-HP36NKMJU	208/1/60; 36 MCA; 44 MOP	53 DBA	273 LBS	2-8		
CU-301	LEVEL 3 - UNIT B	2.0 TON	11.7 EER; 19.6 SEER; 10.8 HSPF; 4.35 COP	24 / 26 / 16 MBH	MITSUBISHI	PUZ-A24NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-302	LEVEL 3 - UNIT C	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-303	LEVEL 3 - UNIT D1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-304	LEVEL 3 - UNIT D4	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-305	LEVEL 3 - UNIT D6	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-306	LEVEL 3 - UNIT E1	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-307	LEVEL 3 - UNIT F1	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-308	LEVEL 3 - UNIT G1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-309	LEVEL 3 - UNIT J1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-400	LEVEL 4 UNIT A1	3.0 TON*	12.6 EER; 18.3 SEER; 11.7 HSPF	36 / 42 / 40 MBH	MITSUBISHI	PUMY-HP36NKMJU	208/1/60; 36 MCA; 44 MOP	53 DBA	273 LBS	2-8		
CU-401	LEVEL 4 - UNIT B	2.0 TON	11.7 EER; 19.6 SEER; 10.8 HSPF; 4.35 COP	24 / 26 / 16 MBH	MITSUBISHI	PUZ-A24NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-402	LEVEL 4 - UNIT C	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-403	LEVEL 4 - UNIT D1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-404	LEVEL 4 - UNIT D4	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-405	LEVEL 4 - UNIT D6	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-406	LEVEL 4 - UNIT E1	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-407	LEVEL 4 - UNIT F1	3.0 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-408	LEVEL 4 - UNIT G1	2.5 TON	12.5 EER; 18.3 SEER; 3.3 COP; 11.2 HSPF	36 / 42 / 26 MBH	MITSUBISHI	PUMY-P36NKMJ2	208/1/60; 29 MCA; 44 MOP	53 DBA	267 LBS	2-8		
CU-409	LEVEL 4 - UNIT J1	2.5 TON	10.0 EER; 19.1 SEER; 10.8 HSPF; 3.76 COP	30 / 32 / 20 MBH	MITSUBISHI	PUZ-A30NH7	208/1/60; 19 MCA; 25 FUSE	48 DBA	153 LBS	2-8		
CU-501	LEVEL 5 - UNIT P1	3.0 TON*	12.6 EER; 18.3 SEER; 11.7 HSPF	36 / 42 / 40 MBH	MITSUBISHI	PUMY-HP36NKMJU	208/1/60; 36 MCA; 44 MOP	53 DBA	273 LBS	2-8		
CU-502	LEVEL 5 - UNIT P2	3.0 TON*	12.6 EER; 18.3 SEER; 11.7 HSPF	36 / 42 / 40 MBH	MITSUBISHI	PUMY-HP36NKMJU	208/1/60; 36 MCA; 44 MOP	53 DBA	273 LBS	2-8		
CU-503	LEVEL 5 - UNIT P3	4.0 TON*	11.3 EER; 16.5 SEER; 11.0 HSPF	48 / 54 / 52 MBH	MITSUBISHI	PUMY-HP48NKMJU	208/1/60; 36 MCA; 44 MOP	54 DBA	273 LBS	1-8		
CU-504	LEVEL 5 - UNIT P4	4.0 TON*	11.3 EER; 16.5 SEER; 11.0 HSPF	48 / 54 / 52 MBH	MITSUBISHI	PUMY-HP48NKMJU	208/1/60; 36 MCA; 44 MOP	54 DBA	273 LBS	1-8		
CU-505	LEVEL 5 - UNIT P5	6.0 TON	11.3 EER; 16.5 SEER; 11.0 HSPF	72 / 80 / 61 MBH	MITSUBISHI	PURY-P72TNU-A	208/3/60; 24 MCA; 40 MOP	76 DBA	483 LBS	1-9		
NOTES:												
1. VARIABLE REFRIGERANT FLOW SYSTEM												
2. R-410A REFRIGERANT												
3. AHRA STANDARD 1230 CERTIFIED												
4. COMPATIBLE WITH CONNECTED INDOOR EQUIPMENT												
5. CAPABLE OF PROVIDING HEAT EQUIVALENT TO NOMINAL TONNAGE AT 5°F OUTDOOR AIR TEMPERATURE												
6. INSTALL WITH RUBBER VIBRATION ISOLATORS ON SEISMIC RATED SLEEPERS (SEISMIC RESTRAINT BY SEISMIC SUB-CONSULTANT RETAINED BY HVAC CONTRACTOR)												
7. VERTICAL ELEVATION CHANGE OF 50FT FOR REFRIGERANT PIPING FOR ALL LEVEL 1 SYSTEMS												
8. VERTICAL ELEVATION CHANGE OF 50FT FOR REFRIGERANT PIPING FOR ALL LEVEL 1 SYSTEMS												
9. HEAT RECOVERY SYSTEM												



P-SERIES

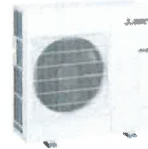
SUBMITTAL DATA: PEAD-A24AA7 & PUZ-A24NHA7

24,000 BTU/H HORIZONTAL-DUCTED HEAT-PUMP SYSTEM

Job Name: 1700 Balmoral	Engineer: Avalon Mechanical Consultants LTD
Purchaser: VENT AIR HEATING & REFRIGERATION LTD.	Application:
Submitted To: Gord Adams	For: ☐ Reference ☒ Approval ☐ Construction
Submitted By: Chris Ardeleanu MESCA	Location:
System Designation: CU/FC-101/109/201/301/401	Schedule No.:



Indoor Unit: PEAD-A24AA7



Outdoor Unit: PUZ-A24NHA7 (-BS)

UNIT OPTION:

- ☒ Standard Model.....PUZ-A24NHA7
☐ Seacoast (BS) Model.....PUZ-A24NHA7-BS

ACCESSORIES:

Indoor Unit

- ☒ Filter Box (PAC-KE93TB-E)
☐ External Heating Adaptor (PAC-YU25HT)

Controls

- ☐ Wireless Controller (MHK1)
☒ Advanced Wired Controller (PAR-32MAA / PAR-33MAA)
☐ Simple Wired Controller (PAC-YT53CRAU)
☐ Wireless Remote Controller (PAR-FL32MA) + Wireless Signal Receiver (PAR-FA32MA)
☐ Thermostat Interface (PAC-US444CN)
☐ M-NET Adapter (PAC-SF83MA-E)

Outdoor Unit

- ☐ Front Wind Guard (PFR-24-30)
☐ Rear Wind Guard (PRE-24-30)
☐ Side Wind Guard (PSD-24-30)

Note: Mitsubishi Electric (MESCA) supports the use of only MESCA supplied and approved Snow Guard / Wind Deflectors / Windscreens and accessories for proper functioning of the unit(s). Use of non-MESCA supported Snow Guard / Wind Deflectors / Windscreens and accessories will affect warranty coverage.

SPECIFICATIONS:

Rated Conditions (Capacity / Input)*		
Cooling	Btu/h / W	24,000 / 2,050
Heating at 47° F	Btu/h / W	26,000 / 1,750
Heating at 17° F	Btu/h / W	14,800 / 1,630

* Rating Conditions per AHRI Standard:
Cooling | Indoor: 80° F (27° C) DB / 67° F (19° C) WB; Outdoor: 95° F (35° C) DB / 75° F (24° C) WB
Heating at 47° F | Indoor: 70° F (21° C) DB / 60° F (16° C) WB; Outdoor: 47° F (8° C) DB / 43° F (6° C) WB
Heating at 17° F | Indoor: 70° F (21° C) DB / 60° F (16° C) WB; Outdoor: 17° F (-8° C) DB / 15° F (-9° C) WB

Capacity Range		
Cooling	Btu/h	10,000 - 24,000
Heating at 47° F	Btu/h	9,000 - 28,000

Operating Range		
Cooling	0°F** (-18°C) to 115°F (46°C) DB	
Heating	-4°F (-20°C) to 70°F (21°C) DB	

** Windscreens required for cooling operation below 23°F (-5°C)

AHRI Efficiency Rating	
EER	11.7
SEER	19.6
HSPF IV / V	10.8 / 8.0
COP at 47° F	4.35

Electrical Power Requirements	208 / 230V, 1-Phase, 60 Hz
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Minimum Circuit Ampacity (MCA) *	Breaker Size	MOCP (Outdoor)
Indoor 2.63 AMP	Outdoor 19 AMP	25 AMP
		26 AMP

* All electrical work shall comply with National (CEC) and local codes and regulations.

Indoor Unit			
Blower Motor (ECM)	FLA	2.10	
Blower Motor Output	W	121	
SHF / Moisture Removal		0.68 / 6.9 pt./h	
External Static Pressure	In. WG	0.14-0.20-0.28-0.40-0.60	
Drain Lift Mechanism (Included)	H: In.	27-9/16	Drainpipe Size O.D [in. (mm)] - 1-1/4 (32)

Outdoor Unit		
Compressor		DC INVERTER-driven Scroll
Fan Motor (ECM)	FLA	0.4
Fan Motor Power	W	86

Airflow Rate (Low-Mid-Hi)			
Indoor (Cooling)	DRY	CFM	512-635-741
	WET		472-595-701
Outdoor	DRY		1,940

Sound Pressure Level		
Indoor (Low-Mid-Hi)		30-33-37
Outdoor	Cooling	dB(A) 47
	Heating	48

External Dimensions		
Indoor (H x W x D)	In.(mm)	9-7/8 x 43-5/16 x 28-7/8 (250 x 1,100 x 732)
Outdoor (H x W x D)		37-1/8 x 37-13/32 x 13 + 1-3/16 (943 x 950 x 330 + 30)

Net Weight		
Indoor	Lbs.(kg)	69 (31)
Outdoor		153 (69)

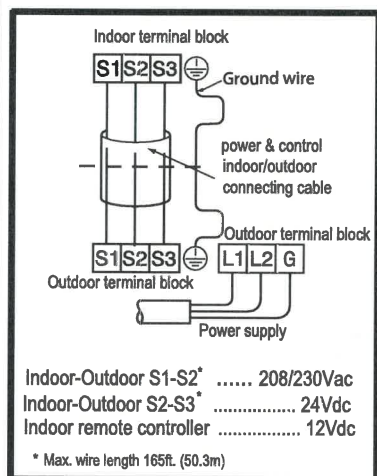
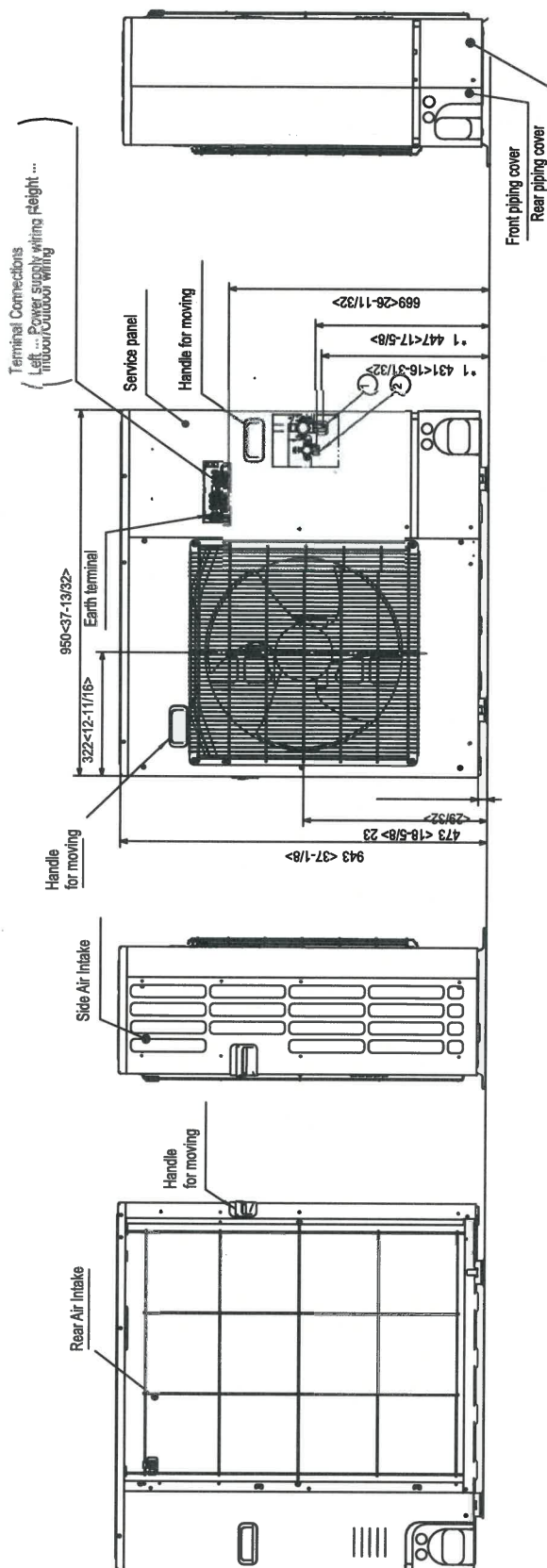
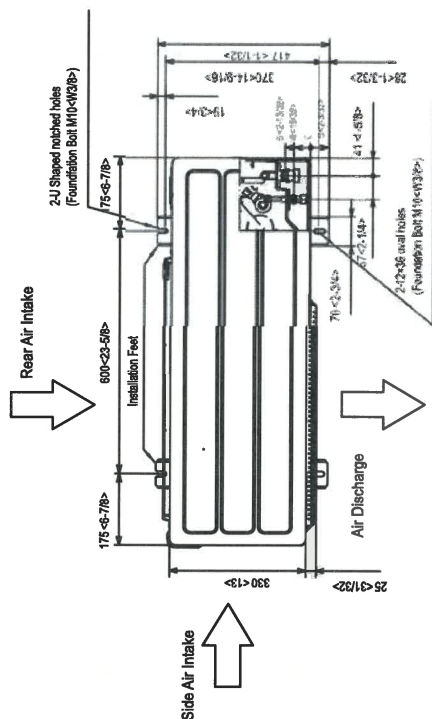
External Finish	
Indoor	Galvanized-steel Sheet
Outdoor	Ivory Munsell No. 3Y 7.8 / 1.1

Refrigerant	R410A ; 7lbs., 11oz. (3.5kg)
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Refrigerant Piping (Flared)		
Liquid (High Pressure)	In.(mm)	3/8 (9.52)
Gas (Low Pressure)		5/8 (15.88)
Maximum Total Refrigerant Pipe Length	Ft. (m)	165 (50)
Maximum Vertical Separation	Ft. (m)	100 (30)

Unit: mm (in.)

ATTACHMENT 2
SHEET 10 of 15



Should this document be altered or changed without MESCA's permission, it becomes null and void. MESCA assumes no responsibility for any consequences in such cases. *

Job Name: 1700 Balmoral

ATTACHMENT 2

Schedule Reference: CU-102/106/107/202/206/207/302/306/307/402/406/407/408/501/502

Date: SHEET 11 of 15

OUTDOOR VRF SYSTEM FEATURES

- Single-phase outdoor unit with variable refrigerant flow (VRF) zoning technology
- Inverter-driven (variable speed) compressor
- Total refrigerant piping length of 984' (300 m)
- Connects up to 9 indoor units
- Uses CITY MULTI indoor units and Controls Network
- Low ambient cooling operation down to -40°C available as an option(*5 *6)

UNIT OPTION

- ☒ Standard Model.....PUMY-P36NKMU2
☐ Sea Coast (-BS) Model.....PUMY-P36NKMU2-BS

OPTIONAL PARTS

- ☐ Branch Joint (T-Branch) CMY-Y62-G-E
☐ Header - Four Branch CMY-Y64-G-E
☐ Header - Eight Branch CMY-Y68-G-E
☐ Base Heater PAC-SJ20BH-E
- ☐ Snow/Wind Guard (x2) CM-S-FR-NKMU
☐ Snow/Wind Guard Rear SG-1-RE
☐ Snow/Wind Guard Side SG-1-SD
☐ Snow/Wind Guard Blocker CM-S-BLK-NKMU

Note: Mitsubishi Electric (MESCA) supports the use of only MESCA supplied and approved Snow Guard / Wind Deflectors / Windscreens and accessories for proper functioning of the unit(s). Use of non-MESCA supported Snow Guard / Wind Deflectors / Windscreens and accessories will affect warranty coverage.

Specifications		Model Name
Unit Type		PUMY-P36NKMU2 (-BS)
Nominal Cooling Capacity	Btu/h *1	36,000
Nominal Heating Capacity	Btu/h *2	42,000
Operating Temperature Range	Cooling (Outdoor) *3 *4	23°F ~ 115°F (-5°C ~ +46°C) DB
	Heating (Outdoor)	-13°F ~ +59°F (-25°C ~ +15°C) WB
External Dimensions (H x W x D)	In. / mm	52-11/16 x 41-11/32 x 13 (+1) / 1,338 x 1050 x 330 (+25)
External Finish / Colour		Galvanized sheets (+power coating for -BS type) / Munsell No.3Y 7.8/1.1
Net Weight	Lbs. / kg	267 / 121
Electrical Power Requirements	Voltage, Phase, Hertz	208 / 230V, 1-phase, 60Hz
Minimum Circuit Ampacity (MCA) *	A	29
Maximum Overcurrent Protection	A	44
Piping Diameter (Flared) (In. / mm)	Liquid (High Pressure)	3/8 / 9.52
	Gas (Low Pressure)	5/8 / 15.88
Indoor Unit	Total Capacity	50 to 130% of Outdoor Unit Capacity
	Model / Quantity	P05 to P36 / 1 to 9
Sound Pressure Levels	dB(A) Clg / Htg	49 / 53
Fan		
Type x Quantity (kW)		Propeller Fan x 2 - (0.074 + 0.074)
Airflow Rate	CFM	3,885
Compressor Operating Range	Cooling	29% to 100%
	Heating	24% to 100%
Compressor Type x Quantity		INVERTER-driven Scroll Hermetic x 1
Compressor Motor Output	kW	2.8
Refrigerant		R410A: 10lbs. + 9oz. (4.8kg)
Lubricant		FV50S (2.3 liters)
High-pressure Protection Device		High pressure Switch, High pressure Sensor
Compressor Protection Device		Compressor thermistor, Overcurrent detection
Inverter Circuit Protection Device		Overcurrent detection, Overheat detection (Heat sink thermistor)
AHRI Ratings Ducted / Non-Ducted	EER	12.6 / 15.0
	SEER	18.3 / 22.3
	COP	NA
	HSPF	11.20 / 12.0

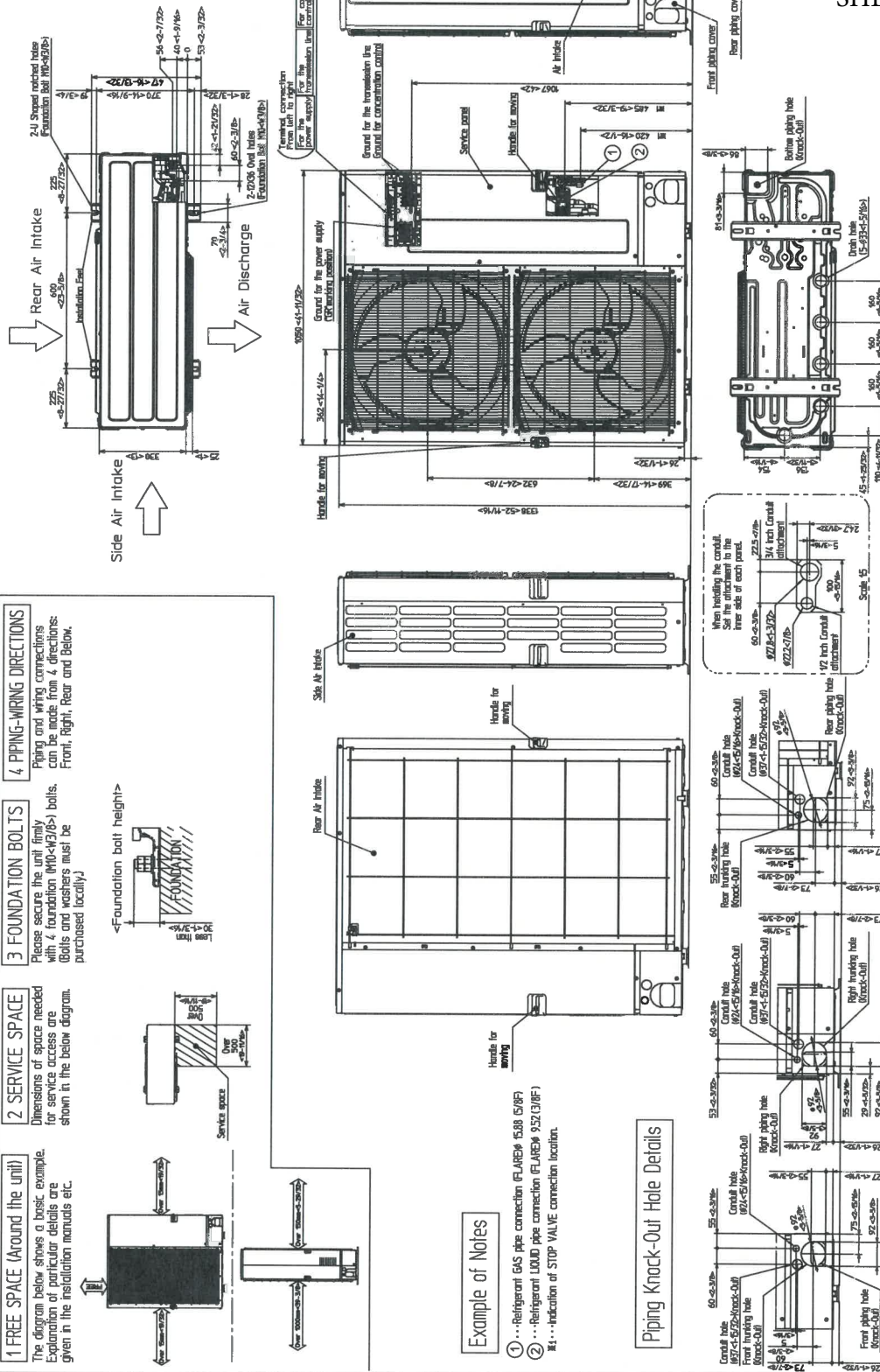
Notes:

- *1. Nominal cooling conditions (subject to ISO 15042)
 Indoor: 27°CDB./19°CWB. (81°FDB./66°FWB.), Outdoor: 35°CDB. (95°FDB.)
 Pipe length: 7.5 m (24-9/16 ft.), Level difference: 0 m (0 ft.)
- *2. Nominal heating conditions (subject to ISO 15042)
 Indoor: 20°CDB. (68°FDB.), Outdoor: 7°CDB./6°CWB. (45°FDB./43°FWB.)
 Pipe length: 7.5 m (24-9/16 ft.), Level difference: 0 m (0 ft.)
- *3. 50 to 115°F (10 to 46°C)DB.: When connecting PKFY-P06NBMU, PKFY-P08NHMU, PFFY-P06/08/12NEMU, and PFFY-P06/08/12NRMU type indoor unit.
- *4. 5 to 115°F (-15 to 46°C)DB.: When using an optional front wind baffle.
 However, this condition does not apply to the indoor units listed in *3.
- *5. For -40°C cooling ONLY operation a low ambient kit is required along with a front wind deflector. Heating operation is not permitted.
- *6. For Low-Ambient Cooling operation, dip switch SW 3 #1 must be switched to the ON position in the indoor unit to disable heating mode.

Model: PUMY-P36NKMU2 (-BS) - DIMENSIONS

ATTACHMENT 2
SHEET 12 of 15

Unit: mm(in)



P-SERIES

SUBMITTAL DATA: PEAD-A30AA7 & PUZ-A30NHA7

30,000 BTU/H HORIZONTAL-DUCTED HEAT-PUMP SYSTEM

Job Name: 1700 Balmoral	Engineer:
Purchaser:	Application:
Submitted To:	For: ☐ Reference ☒ Approval ☐ Construction
Submitted By:	Location:
System Designation: CU/FC-103,104,105,108,203,204,205,208,209	Schedule No.: CU/FC-303,304,305,308,309,403,404,405,409



Indoor Unit: PEAD-A30AA7



Outdoor Unit: PUZ-A30NHA7 (-BS)

UNIT OPTION:

- ☒ Standard Model.....PUZ-A30NHA7
☐ Seacoast (BS) Model.....PUZ-A30NHA7-BS

ACCESSORIES:

Indoor Unit

- ☒ Filter Box (PAC-KE93TB-E)
☐ External Heating Adaptor (PAC-YU25HT)

Controls

- ☐ Wireless Controller (MHK1)
☒ Advanced Wired Controller (PAR-32MAA / PAR-33MAA)
☐ Simple Wired Controller (PAC-YT53CRAU)
☐ Wireless Remote Controller (PAR-FL32MA) + Wireless Signal Receiver (PAR-FA32MA)
☐ Thermostat Interface (PAC-US444CN)
☐ M-NET Adapter (PAC-SF83MA-E)

Outdoor Unit

- ☐ Front Wind Guard (PFR-24-30)
☐ Rear Wind Guard (PRE-24-30)
☐ Side Wind Guard (PSD-24-30)

Note: Mitsubishi Electric (MESCA) supports the use of only MESCA supplied and approved Snow Guard / Wind Deflectors / Windscreens and accessories for proper functioning of the unit(s). Use of non-MESCA supported Snow Guard / Wind Deflectors / Windscreens and accessories will affect warranty coverage.

SPECIFICATIONS:

Rated Conditions (Capacity / Input)*

Cooling	Btu/h / W	30,000 / 3,000
Heating at 47° F	Btu/h / W	32,000 / 2,490
Heating at 17° F	Btu/h / W	18,500 / 1,980

* Rating Conditions per AHRI Standard:

Cooling | Indoor: 80° F (27° C) DB / 67° F (19° C) WB; Outdoor: 95° F (35° C) DB / 75° F (24° C) WB
 Heating at 47° F | Indoor: 70° F (21° C) DB / 60° F (16° C) WB; Outdoor: 47° F (8° C) DB / 43° F (6° C) WB
 Heating at 17° F | Indoor: 70° F (21° C) DB / 60° F (16° C) WB; Outdoor: 17° F (-8° C) DB / 15° F (-9° C) WB

Capacity Range

Cooling	Btu/h	9,000 - 30,000
Heating at 47° F	Btu/h	8,800 - 34,000

Operating Range

Cooling	0°F** (-18°C) to 115°F (46°C) DB
Heating	-4°F (-20°C) to 70°F (21°C) DB

** Windscreens required for cooling operation below 23°F (-5°C)

AHRI Efficiency Rating

EER	10.0
SEER	19.1
HSPF IV / V	10.8 / 7.7
COP at 47° F	3.76

Electrical Power Requirements	208 / 230V, 1-Phase, 60 Hz
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Minimum Circuit Ampacity (MCA) *	Breaker Size	MOCP (Outdoor)
Indoor 2.73 AMP	Outdoor 19 AMP	25 AMP
		26 AMP

*All electrical work shall comply with National (CEC) and local codes and regulations.

Indoor Unit		
Blower Motor (ECM)	F.L.A.	2.18
Blower Motor Output	W	121
SHF / Moisture Removal		0.68 / 8.6 pt./h
External Static Pressure	In. WG	0.14-0.20-0.28-0.40-0.60
Drain Lift Mechanism (Included)	H: In.	27-9/16
		Drainpipe Size O.D [in. (mm)] - 1-1/4 (32)

Outdoor Unit		
Compressor		DC INVERTER-driven Scroll
Fan Motor (ECM)	F.L.A.	0.4
Fan Motor Power	W	86

Airflow Rate (Low-Mid-Hi)			
Indoor (Cooling)	DRY	CFM	618-742-883
	WET		578-702-843
Outdoor	DRY		1,940

Sound Pressure Level			
Indoor (Low-Mid-Hi)	Cooling	dB(A)	30-34-39
			47
Outdoor	Heating		48

External Dimensions		
Indoor (H x W x D)	In.(mm)	9-7/8 x 43-5/16 x 28-7/8 (250 x 1,100 x 732)
Outdoor (H x W x D)		37-1/8 x 37-13/32 x 13 + 1-3/16 (943 x 950 x 330 + 30)

Net Weight		
Indoor	Lbs.(kg)	69 (31)
Outdoor		153 (69)

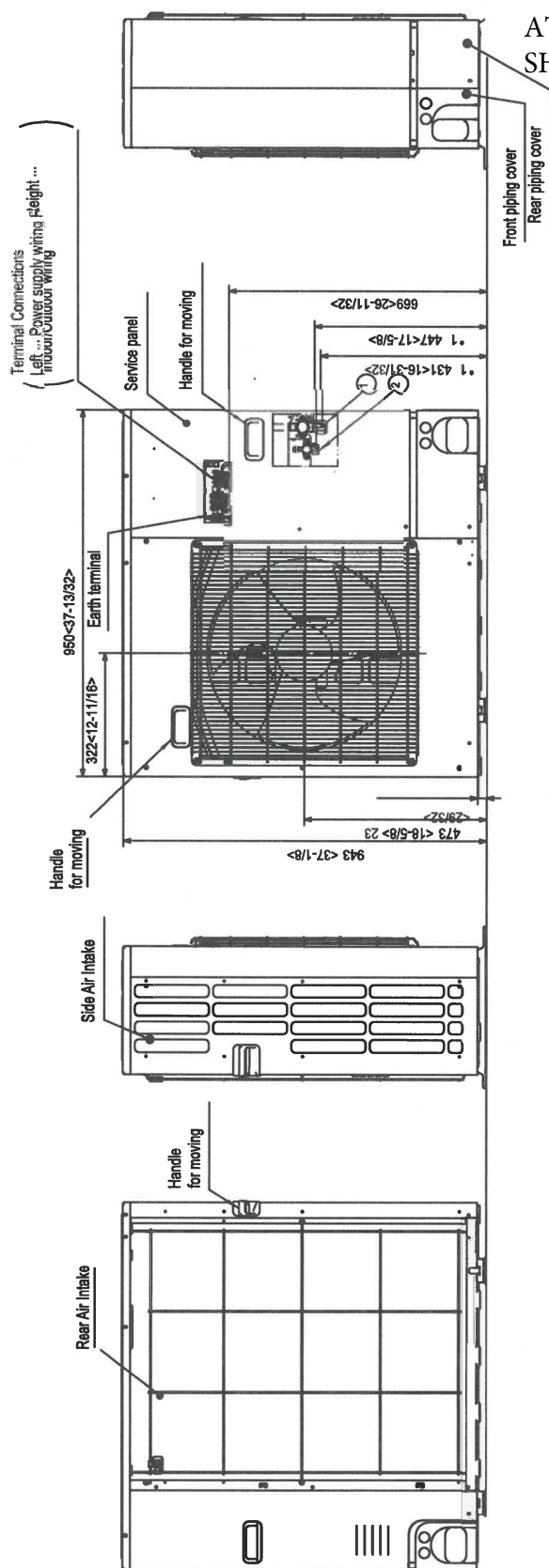
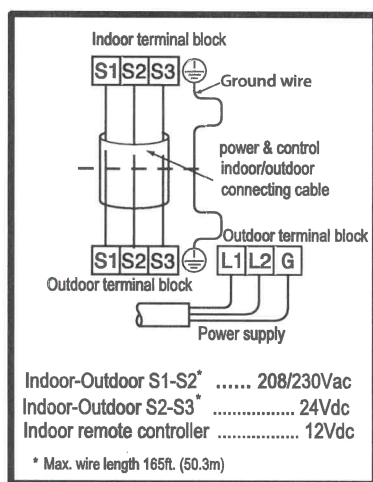
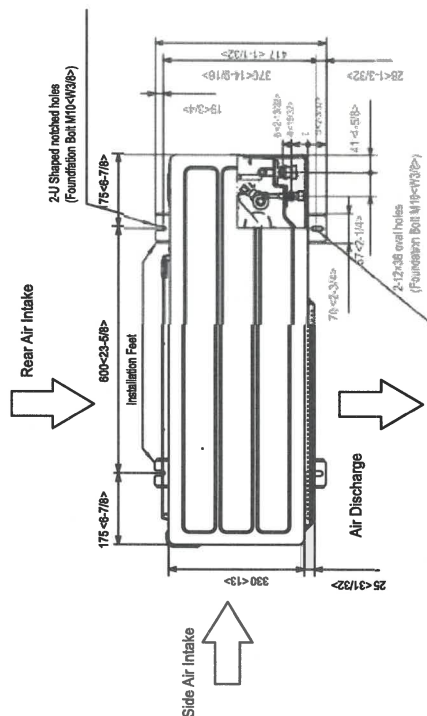
External Finish	
Indoor	Galvanized-steel Sheet
Outdoor	Ivory Munsell No. 3Y 7.8 / 1.1

Refrigerant	R410A ; 7lbs., 11oz. (3.5kg)
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Refrigerant Piping (Flared)		
Liquid (High Pressure)	In.(mm)	3/8 (9.52)
Gas (Low Pressure)		5/8 (15.88)
Maximum Total Refrigerant Pipe Length	Fl. (m)	165 (50)
Maximum Vertical Separation	Fl. (m)	100 (30)

ATTACHMENT 2
SHEET 14 of 15

Unit: mm (in.)



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1700 Balmoral Avenue, Comox
File No. DP 17-7

Aug. 4, 2020

Town of Comox
1809 Beaufort Avenue
Comox BC, V9M 1R9

Attention: DEVELOPMENT VARIANCE COMMITTEE

RE: Noise Generating Mechanical Equipment (Section 5.4 Comox Zoning Bylaw 1850) located in the front of the building

Dear Development Variance committee,

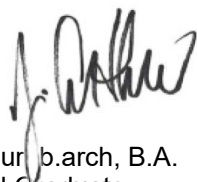
The following Rationale is to propose that the Comox Zoning Bylaw 1850, Section 5.4.(2) Noise Generating Mechanical Equipment located in a front yard be re-evaluated for this multi-family CD7.1 zoning. The 3 heat pumps in question are fixed on top of the parkade concrete suspended slab on the main floor level, behind the required front yard setback and surrounded by guard rail screening in a roof top landscaped area. Please reference A101 Site Plan. The adjacent neighbouring property to the East is zoned RM3.2

Apartment/Townhouse – High Density which as shown has a frontage face of the building that sits forward of the 3 new proposed heat pumps. The noise is thus isolated to the side yard of the neighbouring building and with adequate screening and setbacks should buffer any decibel level reaching the adjacent property. The noise impact to Balmoral street is low since the elevation of the 3 proposed heat pumps from the street level is raised 10' feet above the Street level sidewalk and is set back 39' from the sidewalk. The developer has also extended the city sidewalk to continue along the front property line and has worked with the Town of Comox to screen and buffer the entire South (front) façade and approaching East (side) façade of the building with landscaping, decorative wood trellis and concrete 'reveal' details that help blend the building into the city backdrop. The property to the West and North of the building is zoned P2.1 Public Golf Course.

Listed below are the minor changes to the development permit drawings. The changes meet all exemption criteria and applicable DP guidelines. The character of the development is preserved. No changes were made to the building above the main floor. Changes were limited to the parkade small car count with the inclusion of some heat pump units by the Mechanical Engineer and the inclusion of three heat pump units in the landscaped area over the parkade ramp overhang between the ramp canopy and the main floor unit F patio. The heat pumps could not all fit on the roof as initially designed by the Mechanical Engineer and they needed to be placed in strategic locations on the site for serviceability and access which result in a number of units that alter the DPX application. Please refer to M-3.01, M-3.02 and Rationale for variance application.

1. Mechanical heat pumps to be added to the Main Floor in the landscaped area over the parkade suspended concrete slab.
 - a. The inclusion of (3) heat pumps strategically located by the Mechanical Engineer will be situated between the privacy patio guard rail of Unit F and the guard rail at the Parkade Canopy. This is a landscaped area Reference A101 Site Plan and due to the elevation has guardrails on 3 sides which will obscure their vision from Balmoral Avenue and from the adjacent property. Reference A204 Main Floor Plan.

Regards,



Jammy Arthur, b.arch, B.A.
Architectural Graduate
WA ARCHITECTS LTD.



TOWN OF COMOX
REGULAR COUNCIL MEETING

STAFF REPORT

Meeting Date: November 25, 2020

TO: Mayor and Council	FILE: 0340-50 / 2020
FROM: Jordan Wall, Chief Administrative Officer	DATE: November 3 rd 2020
SUBJECT: Council Meeting Video Recording Policy	

Prepared by:


Jordan Wall, CAO

RECOMMENDATION(S) FROM THE CHIEF ADMINISTRATIVE OFFICER:

THAT Council adopt the Council Meeting Video Recording Policy No. CCL-060.

ALTERNATIVES TO THE RECOMMENDATIONS

THAT Strategic Planning meetings be added to the policy for regular live streaming and video archiving.

PURPOSE

To provide a policy and agreed upon procedures for Council meeting livestreaming and archiving.

BACKGROUND

Councils across Canada have moved to providing their Council meetings online as a way of increasing access for residents to municipal decision making. Council currently provides live streaming for Regular Council meetings but not Strategic Planning meetings. This policy will serve to codify current practices.

The ability to access live streaming as well as archived videos will be done through systems that do not require payment by the user.

For those who watch the meeting through livestream, questions can be emailed to an address identified on the agenda. Should those questions meet the regular standard for in person questions, those questions will be read aloud.

 TOWN OF COMOX		POLICY AND PROCEDURE MANUAL	
Section: COUNCIL	Number: CCL-060	Office of Primary Responsibility: CORPORATE SERVICES	
COUNCIL MEETING VIDEO RECORDING POLICY			
Type: ☒ Policy ☒ Procedure		Authority: ☒ Council ☐ Administrative	
		Approved By: ☒ Council ☐ Chief Administrative Officer ☐ Department Head	
Date Adopted:		Council Resolution No:	
		Date to be Reviewed:	
Manner Issued: Website, Internal Memo, Upon request			

1 PURPOSE

- 1.01 To provide a policy for public access to Council meetings.

2 POLICY STATEMENT

- 2.01 Council will make its Regular Council Meetings available to the public through both Live Streaming and Video Archives.
- 2.02 Regular Council Meetings will provide a method for the public to ask questions of Council electronically.

3 DEFINITIONS

- 3.01 "Live Streaming" a method of allowing the public to view Council meetings electronically in real time. This can include different streaming platforms including but not limited to YouTube and Facebook.
- 3.02 "Video Archives" a repository of previously recorded Council meetings which are available electronically on demand for no fee.

4 SCOPE

- 4.01 All Regular Council Meetings and all Special Meetings of Council.
- 4.02 In-camera meetings or Regular Council Meetings where the only item contained within the open portion is to go into an in-camera meeting, are exempt from this policy.
- 4.03 Strategic Planning Meetings are exempt from this policy.

5 POLICY

- 5.01 Regular Council Meetings will be Live Streamed and saved to a Video Archives. This archive must be accessible to the public without requirement for payment.
- 5.02 Should Council wish to turn off the recording of a Regular Council or Special Council Meeting a majority vote of Council will be required.

- 5.03 Should Council wish to turn on the recording of a Strategic Planning Meeting or other meeting a majority vote of Council will be required.
- 5.04 On each agenda where Live Streaming will take place an email address will be provided where residents can email questions related to that agenda. Should the questions meet the following criteria they will be read aloud in the meeting:
- (a) The question is in relation to an agenda item
 - (b) The name and address of the person asking the question is provided