



TOWN OF COMOX

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

REGULAR COUNCIL MEETING AGENDA FOR WEDNESDAY JUNE 5, 2019

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'

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

Call to Order: 5:30 p.m.

Adoption of the Agenda

1. DELEGATIONS: NIL

2. MINUTES OF MEETINGS:

- (5) a. [Regular Council Meeting Minutes](#)
That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday May 15, 2019, be Approved.
- (12) b. [Committee of the Whole Meeting Minutes](#)
That the Minutes of the Committee of the Whole Meeting, held in Council Chambers on Wednesday May 22, 2019, be Received.

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

- (14) a. [Management Report - June 5, 2019](#)
That the Management Report for June 5, 2019 be received and filed for information.

5. SPECIAL REPORTS: NIL

6. BYLAWS: NIL

7. NEW BUSINESS:

- (16) a. [Planning Report PR 19-7 Extension of Comox Downtown Vitalization Program](#)
- That the Downtown Vitalization Program \$40,000.00 fee rebate target be increased to 80,000.00;*
 - That Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914 be given First Reading;*

TOWN OF COMOX

REGULAR COUNCIL MEETING AGENDA OF WEDNESDAY JUNE 5, 2019

- (16) a. [Planning Report PR 19-7 Extension of Comox Downtown Vitalization Program](#)
 - 3. *That having given Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914 First Reading, having received the June 5, 2019 Planning Report on PR 19-7, and in accordance with Section 226(6)(b) of the Community Charter, Council has considered the Bylaw in conjunction with the objectives and policies set out under Section 165(3.1)(c) of the Community Charter in its Financial Plan;*
 - 4. *That Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914 be given Second and Third Reading; and*
 - 5. *That Comox Planning Procedures Amendment bylaw 1915 be given First, Second and Third Reading.*

8. CORRESPONDENCE:

- (33) a. [Bruce Gibbons - Request for a ban on the bottling of groundwater](#)
- (34) b. [George Farquharson - Water Meters](#)

9. LATE ITEMS: NIL

10. DELEGATIONS: NIL

11. REPORTS FROM MEMBERS OF COUNCIL:

12. MEDIA QUESTION PERIOD:

13. PUBLIC QUESTION PERIOD:

14. EXCLUDE THE PUBLIC:

ADJOURNMENT



Deputy Corporate Administrator

TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday May 15, 2019

Present: Mayor R. Arnott
Councillors A. Bissinger, K. Grant, S. McGowan,
P. McKenna, N. Minions, M. Swift
Staff R. Kanigan, Chief Administrative Officer
S. Russwurm, Deputy Corporate Administrator
C. Freundlich, Director of Finance
M. Kamenz, Municipal Planner

Absent: Nil

Call to Order:

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

The Agenda was Adopted.

There were 13 visitors in attendance.

1. DELEGATIONS:

- a. **Tristan Rendell (Boys and Girls Club of Central Vancouver Island) Feed back to improve the Comox Marina Vendor experience**

Improve Mobile Vendor Experience

Mr. Rendell advised that he ran the Mexi-Pops stand at Marina Park last year, and thanked the Teen Entrepreneur Program (Boys and Girls Club) and the Town of Comox for the support he received. He advised that he has learned a lot about running a business through his experience last year. He also advised that he would like the Town to establish an on-line calendar of Marina Park events for the benefit of mobile vendors and the public in general. Mr. Rendell advised that such a calendar would help vendors to schedule their time at the park.

- b. **Jess and Stuart Aldred - Development Variance Permit Application DVP 19-4 (1390 Zephyr Place)**

1390 Zephyr Place

Ms. Aldred advised that she was available to answer any questions of Council.

- c. **Mike Bell & Steve Faraher-Amidon (Comox Valley Unitarian Fellowship) Climate Emergency**

Climate Emergency

Mr. Bell advised that there is all kinds of evidence that shows that climate change is real, and that significant changes need to be made by 2030. He advised that evidence shows that Canada will heat up twice as fast as the rest of the world, and northern Canada three times faster. Mr. Bell suggested that the Town needs a plan that can be activated in an emergency, with a communication and transportation system and a budget. Mr. Faraher-Amidon requested that the Town formally recognise the State of Climate Emergency, as 31 other cities in Canada have. He advised that he would like to see a standing committee formed, to consider and recommend actions, as well as keep the community informed.

d. Dr. Alexander Nataros - Climate Emergency

Climate Emergency

Dr. Nataros showed part of a video by Alexandria Ocasio-Cortez, identifying impacts of climate change. He identified and advised that he sees specific health impacts of climate change in Comox, in particular asthma and emphysema attacks related to air quality. He advised the he knows some of the impacts can be reversed, and is encouraged by Council's efforts in promoting and encouraging more biking in the community.

2. MINUTES OF MEETINGS:

a. Regular Council Meeting Minutes

RCM Minutes

That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday May 1, 2019, be Approved.

(2019.159) -- CARRIED

b. Committee of the Whole Meeting Minutes

COW Minutes

That the Minutes of the Committee of the Whole Meeting, held in Council Chambers on Wednesday May 8, 2019, be Received.

(2019.160) -- CARRIED

COMMITTEE RECOMMENDATIONS:

- (1) Sareh Puetz (Island Originals) Request for Marina Park fees to be waived

Island Originals

That the Marina Park fees be waived for the Island Originals event during August 10-11, 2019.

(2019.161) -- CARRIED

- (2) Tim O'Brien (Outlook Engineering and Landscape Architecture) - Shakesides Viewpoint Design Update

Shakesides Viewpoint Design Update

That the revised design of the proposed Shakesides viewing platform, as included in the April 26, 2019 letter from Tim O'Brien of Outlook Engineering and Landscape Architecture, be approved.

(2019.162) -- CARRIED

c. Special Council Meeting Minutes

Special Council Meeting Minutes

That the Minutes of the Special Meeting of Council, held in Council Chambers on Wednesday May 8, 2019, be Approved.

(2019.163) -- CARRIED

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

a. Management Report - May 15, 2019

Management Report

That the Management Report for May 15, 2019 be received and filed for information.

(2019.164) -- CARRIED

5. SPECIAL REPORTS:

a. Comox Valley Regional District Meeting Minutes

CVRD Meeting Minutes

*That the following Comox Valley Regional District meeting minutes be received for information:
- Comox Strathcona Regional Hospital District Board held on Thursday, April 11, 2019; and
- Comox Valley Regional District Board held on Tuesday, April 30, 2019.*

(2019.165) -- CARRIED

6. BYLAWS:

a. Comox Zoning Amendment Bylaw 1913

Accessible Parking Standards

That Comox Zoning Amendment Bylaw 1913 be Adopted.

(2019.166) -- CARRIED

b. Kye Bay Water and Sewer Service Debt Repayment Parcel Tax Bylaw No. 1918, 2019

Kye Bay Water and Sewer Service Debt Repayment

That the Kye Bay Water and Sewer Service Debt Repayment Parcel Tax Bylaw No. 1918, 2019 be Adopted.

(2019.167) -- CARRIED

7. NEW BUSINESS:

a. Climate Change

Climate Change

The May 10, 2019 report from the Chief Administrative Officer, titled "Climate Change", was received for information.

b. Climate Emergency (April 17, 2019 Notice of Motion: Councillor Bissinger)

Climate Crisis

1. *That the Town of Comox formally recognize the Climate Crisis.*

(2019.168) -- CARRIED

2. *That the following motions be referred to Council's next strategic planning process:*

- *"That staff prepare a report to Council within six months with tangible actions the Mayor/Council and Town staff can take to address the Climate Crisis", and*
- *"That Council seek commitment and financial support from the Comox Valley Regional District and its member communities for a shared position of Sustainability and Long Range Planning Manager for the Comox Valley."*

(2019.169) -- CARRIED

c. Development Variance Permit Application: DVP 19-4 (1390 Zephyr Place)

1390 Zephyr Place

That Development Variance Permit DVP 19-4 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the May 15, 2019 Planning Report on DVP 19-4.

(2019.170) -- CARRIED

d. Regional Organics Composting Facility Expansion Project

Regional Organics Facility

That the Council of the Town of Comox provide conditional support to the Regional Organics Program for Option F as identified in the May 3, 2018 Technical Memorandum from CH2M, titled "Initial Analysis of Regional System Options", subject to Council's satisfaction of a detailed, current cost comparative analysis being completed by the Comox Valley Regional District that considers:

- a regional compost facility in Campbell River,
- a regional compost facility in the Comox Valley, and
- smaller sub-regional facilities in both Campbell River and the Comox Valley.

(2019.171) -- CARRIED

e. Planning Report 19-9 Housing Needs Report, Regional Approach

Housing Needs Report

That the Town of Comox support the Comox Valley Regional District as the primary applicant to apply for, receive, and manage the Housing Needs Report program grant funding on the Town's behalf with the condition of Council's review and acceptance of a proposed Scope of Work prior to the initiation of any work by the Comox Valley Regional District on the Town's behalf.

(2019.172) -- CARRIED

8. CORRESPONDENCE:

a. Bob Wells, Chair (Comox Valley Regional District) Single Use Plastic Bag Ban

Single-Use Plastic Bags

That the May 3, 2019 letter from Bob Wells, Chair of the Comox Valley Regional District, encouraging the Town of Comox to undertake their own action in support of checkout bag and other single-use plastic restrictions, be received and filed for information.

(2019.173) -- CARRIED

b. Mayor Mike Hurley (City of Burnaby) Expanding Investment Opportunities

Investment Opportunities

That the May 2, 2019 letter from Mayor Mike Hurley of the City of Burnaby, asking for Council's support in their initiative to expand asset class investment opportunities, be received and filed for information.

(2019.174) -- CARRIED

c. Minister Selina Robinson (Ministry of Municipal Affairs and Housing) Increase the supply of affordable housing in our community

Affordable Housing Funding Opportunities

That the May 7, 2019 letter from Minister Robinson of the Ministry of Municipal Affairs, summarizing partnership opportunities for municipalities in increasing the availability and affordability of housing, be received and filed for information.

(2019.175) -- CARRIED

d. Mayor Leslie Baird (Village of Cumberland) Request for revenue sharing arrangement with Shares Casino revenue

Host Financial Assistance Agreement

That the May 6, 2019 letter from Mayor Leslie Baird of the Village of Cumberland to Mayor Bob Wells of the City of Courtenay, requesting that the City of Courtenay give serious consideration to a Casino revenue sharing arrangement with other local governments, be received and filed for information.

(2019.176) -- CARRIED

e. Various correspondence regarding a climate emergency

Climate Emergency

That the following items of correspondence be received and filed for information:

- April 19, 2019 email from Barbara Berger supporting the declaration of a climate emergency
- April 23, 2019 email from Terry Choquette supporting the declaration of a climate emergency
- May 1, 2019 letter from Helen Boyd & Betty Tate supporting the declaration of a State of Climate Emergency
- May 4, 2019 email from Bruce Martin supporting the recognition of the current global climate emergency
- May 6, 2019 email from Tom Collins advising that the pursuit of actions, such as those related to a state of climate change emergency, should not be top of mind for Council
- May 7, 2019 letter from Wendy Prothero encouraging Council to advance progress in combating climate change
- May 7, 2019 letter from the Comox Valley Unitarian Fellowship Board of Directors asking Council to formally declare a State of Climate Emergency.

(2019.177) -- CARRIED

9. LATE ITEMS: NIL

10. DELEGATIONS: NIL

11. REPORTS FROM MEMBERS OF COUNCIL:

a. Councillor McGowan

Councillor McGowan advised that she:

- attended the opening of the 27th annual Farmer's Market,
- attended the signing ceremony at Goose Spit for the MOU between DND and the K'omoks First Nation,
- attended the Comox Valley Social Planning Society's AGM,
- participated in the McHappy Day event, and
- attended the Project Watershed green infrastructure kayak tour.

b. Councillor Swift

Councillor Swift advised that she:

- attended the signing ceremony at Goose Spit for the MOU between DND and the K'omoks First Nation,
- participated in the McHappy Day event, and
- attended the Regional District sewer, water and committee of the whole meetings.

c. Councillor McKenna

Councillor McKenna advised that he:

- participated in the McHappy Day event,
- attended a housing conference in Campbell River,
- attended a meeting with the Nautical Days' Coordinator David Stevenson, and
- attended the Cumberland Wetlands Forest Conference.

d. Councillor Minions

Councillor Minions advised that she:

- attended an environmental rally on Climate Change,
- participated in the McHappy Day event, and
- attended a cost of living wage workshop.

e. Councillor Grant

Councillor Grant advised that he:

- participated in the McHappy Day event,
- participated in the inaugural Rotary Ryder Cup golf tournament, and
- attended the Regional District sewer, water and committee of the whole meetings.

f. Councillor Bissinger

Councillor Bissinger advised that she researched climate energy information and advised that Bike to Work week was coming up on May 27, 2019.

g. Mayor Arnott

Mayor Arnott advised that he attended:

- the RCMP boot camp graduation ceremony,
- a Coffee with the Mayor event at Berwick,
- attended the signing ceremony at Goose Spit for the MOU between DND and the K'omoks First Nation,
- attended a meeting with a Comox resident, and
- participated in the McHappy Day event.

14. EXCLUDE THE PUBLIC:

a. Exclude the Public

Exclude the Public

That, pursuant to section 127 of the Community Charter, notice is hereby given that the Public be Excluded from the In-Camera Meeting on Wednesday May 15, 2019, pursuant to the following sub-sections of the Community Charter:

90(1)(c) labour relations or other employee relations.

(2019.178) -- CARRIED

THE MEETING WAS CLOSED TO THE PUBLIC AT 7:14 P.M.

THE REGULAR COUNCIL MEETING RECONVENED AT 8:20 P.M.

Adjournment:

Regularly moved and seconded that the meeting adjourn at 8:20 p.m.

CARRIED

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

MAYOR

CORPORATE OFFICER

TOWN OF COMOX
Minutes of the Committee of the Whole Meeting,
held in Council Chambers on Wednesday May 22, 2019

Present:

Mayor	R. Arnott
Councillors	A. Bissinger, S. McGowan, P. McKenna, N. Minions, M. Swift
Staff	S. Ashfield, Acting CAO S. Russwurm, Deputy Corporate Administrator C. Freundlich, Director of Finance M. Kamenz, Municipal Planner G. Schreiner, Fire Chief

Absent: Councillor K. Grant

Call to Order: The meeting was called to order at 4:15 p.m.

The Agenda was Adopted.

1. Delegations:

a. Maya Chorobik (Community Energy Association) BC Energy Step Code implementation options

Maya Chorobik advised of the Province's Clean BC Strategy, which reaffirmed the Net Zero Energy Ready challenge (designed to support, promote and celebrate the design and construction of net-zero energy-ready buildings). She advised of the targets and deadlines of the Strategy, with the first deadline of 2022, when new homes must perform 20 percent better than those built to the requirements of the 2018 BC Building Code. She also advised that they will provide assistance to local governments in implementing the Step Code.

b. Cory Vanderhorst (MNP) - 2018 Audit Findings

Cory Vanderhorst summarized the 2018 audit findings for the Town of Comox, including financial statement highlights, the draft audit report and audit findings report. He advised that the audit went really well and thanked staff and Council for their assistance. He identified that it was a clean audit, with no irregularities and no conflicts of interest. Mr. Vanderhorst stated that financial sustainability is healthy and has continued to trend in a positive direction over the past 10 years. He stated that flexibility is also strong and continues to decline, and that the Town is not highly vulnerable to other funding sources.

2. Minutes of Meetings: NIL

3. Department Reports:

a. Fire Department - Report (January - April, 2019)

The Fire Department Report for January to April 2019 was received for information.

TOWN OF COMOX - COMMITTEE OF THE WHOLE MEETING MINUTES

b. Public Works - Capital and Operational Status (January - April, 2019)

The Public Works - Capital and Operational Status Report for January to April 2019 was received for information.

c. Planning and Building Department (January - April, 2019)

The Planning and Building Department Report for January to April 2019 was received for information.

d. Parks and Property Management Report (January - April, 2019)

The Parks and Property Management Department Report for January to April 2019 was received for information.

e. Recreation Department Management Report (January - April 2019)

The Recreation Department Report for January to April 2019 was received for information.

f. Administration Department Report (January - April, 2019)

The Administration Department Report for January to April 2019 was received for information.

4. Staff Reports: NIL

5. Correspondence:

a. Bob Wells, Chair (CVRD) - Fun challenge, Bike to Work Week May 27 to June 2, 2019

The May 16, 2019 letter from Bob Wells, Chair of the Comox Valley Regional District, advising of the Regional District's challenge to neighbouring local governments to log the most kilometers per capita during Bike to Work Week, May 27 to June 2, 2019, was received for information.

6. Exclude the Public: NIL

Adjournment:

Regularly moved and seconded that the meeting adjourn at 5:03 p.m.

CARRIED

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

CHAIR

TOWN OF COMOX – MANAGEMENT REPORT
June 5, 2019

Item	DATE ADDED	SUBJECT	COUNCIL DIRECTION	STATUS
1.	Mar 7, 2007	Organic Waste Collection Service	Investigate the provision of an Organic Waste Collection Service in Comox-Courtenay	Regional District continuing to investigate options. Organics collection remained constant, at nearly 1800 tonnes for 2018. Staff report examining implications of altering garbage collection for upcoming Committee of the Whole.
2.	Aug 20, 2014	Fixed Wing Search and Rescue Training Facility	Investigate the feasibility of financial and other incentives that would support the selection of 19 Wing Comox.	Grant-in-aid to be provided to 19 Wing Comox for facility. Expected building completion by July 2019.
3.	Jan 18, 2017	Northeast Comox Storm Water Management Plan	Implementation of Northeast Comox Storm Water Management Plan	Storm Water Management Plan accepted by Council at its October 3, 2018 RCM. Staff working on bylaws, to be introduced to Council in the Fall. History of project to be provided for Council.
4.	Jan 18, 2017	Mack Laing Trust	That staff be directed to begin the process to modify, if necessary, the terms of the Trust.	Facilitated Public Meeting and Workshop held March 27, 2019. Revised design for viewing platform approved by Council at May 15, 2019 Regular Meeting.
5.	August 2, 2017	Wayfinding Signage	Implement wayfinding signage standards, prototypes and implement Phase 1 signage	Directional fingerboards continue to be installed as time and weather allow. Larger map and interpretive signs now complete, with full installation expected by the end of May.
6.	February 20, 2019	Ambulance Station	Relocation of Ambulance Station to Berwick Addition	Lease agreement approved and all parties signed off. Move date May 13, 2019.
7.	March 20, 2019	Affordable Housing	That staff be directed to prepare a report on affordable housing initiatives.	Affordable housing initiatives approved by Council at April 17 RCM.

Note: Shaded items will be removed from the Management Report unless otherwise directed by Council.

STRATEGIC PRIORITIES CHART

January 2019


CORPORATE PRIORITIES (Council/CAO)


<p>NOW</p> <ol style="list-style-type: none"> 1. MACK LAING: Future 2. 5-YEAR CAPITAL PLAN: Priorities 3. NE INDUSTRIAL LANDS STRATEGY: Terms of Reference 4. AFFORDABLE HOUSING: Current Town Actions 5. OFF LEASH DOG PARK: Public Consultation 	<p>TIMELINE</p> <p>May April February March March/April</p>
<p>NEXT</p> <ul style="list-style-type: none"> • CLIMATE CHANGE ADAPTATION: Project • LONG TERM CAPITAL PLAN • DOWNTOWN REVITALIZATION: Zone Expansion • ORGANICS COLLECTION PROGRAM: Review • WATERFRONT WALKWAY: Options • CLIMATE CHANGE ADAPTATION STRATEGY • MARINA PARK: Phase II • WOOD STOVE: Initiatives Update • SHORT TERM RENTAL: Policy Options • SHELF/SHOVEL-READY GRANT PROJECT 	<p>ADVOCACY / PARTNERSHIPS</p> <ul style="list-style-type: none"> • <i>Regional Organics Facility: Decision (RD)</i> • <i>Wood Stove Air Quality: Options (RD)</i> • <i>NE Industrial Land Strategy (CVEDS)</i> • <i>Coalition to end Homelessness: Support</i> • <i>Climate Change Grant (FCM)</i> • <i>Regional Transit Review (RD)</i> • <i>Regional Connectivity System (RD)</i>
<p>OPERATIONAL STRATEGIES (CAO/Staff)</p>	
<p>CHIEF ADMINISTRATIVE OFFICER</p> <ol style="list-style-type: none"> 1. MACK LAING: Future – May 2. NE INDUSTRIAL LAND STRATEGY: TOR – February 3. CLIMATE CHANGE ADAPTATION: Project - April <ul style="list-style-type: none"> • WOOD STOVE: Initiatives Update 	<p>PLANNING SERVICES</p> <ol style="list-style-type: none"> 1. Subdivision Bylaw: Update - June 2. NE Comox SWMP: Implementation - September 3. AFFORDABLE HOUSING: Current Status - March <ul style="list-style-type: none"> • Step Code • Anderton Corridor Land Use: Services
<p>FINANCE</p> <ol style="list-style-type: none"> 1. Office Space: April 2. CAPITAL PLAN: Priorities – February 3. IT Systems: Process Review – January <ul style="list-style-type: none"> • Payroll Software (replacement) • Fiber Optics 	<p>CORPORATE</p> <ol style="list-style-type: none"> 1. Policy Manual: October 2. Procedure Bylaw: October 3. Records Management - Administration: December
<p>PARKS</p> <ol style="list-style-type: none"> 1. DOG PARK: Options – Public Consultation 2. Wayfinding Project – April 3. Pickle Ball Court: Completion - May <ul style="list-style-type: none"> • Ellis Street Walkway: Replacement • Greenway Development: Detailed Design 	<p>PUBLIC WORKS & ENGINEERING</p> <ol style="list-style-type: none"> 1. Noel Avenue: Upgrade Design – March 2. Anderton Servicing Plan – May 3. Church Street: Upgrade Design - March <ul style="list-style-type: none"> • Foreshore Sanitary Replacement • Transportation Plan: Update
<p>FIRE</p> <ol style="list-style-type: none"> 1. POC / Volunteer Retention: Review - June 2. Full Time Staff: Review - March 3. Service Level Review – September 	<p>RECREATION</p> <ol style="list-style-type: none"> 1. Site Master Plan: April - June 2. Fees / Charges: Review – March 3. Programmer Hours: Review – February <ul style="list-style-type: none"> • Fitness Studio: Capital Equipment • Regional Recreation Initiative



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER ELLIOT TURNBULL, PLANNING TECHNICIAN REGINA BOZEROCKA, PLANNER 1
SUBJECT:	PLANNING REPORT PR 19-7 EXTENSION OF COMOX DOWNTOWN VITALIZATION PROGRAM
DATE:	RCM JUNE 5, 2019 FIRST, SECOND AND THIRD READING REPORT


 Submitted by


 Concurrence


 Approval

Planner's recommendation:

- 1) That the Downtown Vitalization Program \$40,000.00 fee rebate target be increased to 80,000.00;
- 2) That Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914 be given First Reading (**Attachment 1**);
- 3) That having given Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914 First Reading, having received the June 5, 2019 Planning Report on PR 19-7, and in accordance with Section 226(6)(b) of the *Community Charter*, Council has considered the bylaw in conjunction with the objectives and policies set out under Section 165(3.1)(c) of the *Community Charter* in its Financial Plan;
- 4) That Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914 be given Second and Third Reading (**Attachment 1**); and
- 5) That Comox Planning Procedures Amendment Bylaw 1915 be given First, Second and Third Reading (**Attachment 2**).

Proposal:

The proposal is to extend the Comox Downtown Vitalization Program, including the Downtown Revitalization Tax Exemption component (the Program) for a year.

U:\Dev App\2019\PR\PR 19-7 Downtown Revitalization Renew\Reports\1 PR 19-7 RCM_2019_Downtown_Vitalization Program extension_1_2_3 Read.docx

JUNE 5, 2019

The key processing steps are listed in **Attachment 3**, including the review and re-evaluation of the Program at 6 month intervals.

Section 226 of the *Community Charter* authorizes revitalization tax exemptions and establishes specific requirements that must be strictly followed. These exemptions are exceptions to the rule prohibiting financial assistance to businesses.¹

There are three components to revitalization tax exemptions:

1. Bylaw - establishes the general parameters of the tax exemption;
2. Agreement with Property Owner- provides Council with an opportunity to specify specific conditions of an exemption as they relate to a particular property; and
3. Tax Exemption Certificate – is issued upon completion of all Bylaw and Agreement requirements.

Further information on these three components is provided in **Schedule 1**.

As the purpose of the legislation is to encourage revitalization, the program does not apply to vacant and unused land or developments for which applications have been submitted prior to the adoption of the revitalization exemption bylaw.

Background:

Downtown vitalization was identified as one of the strategic priorities in the Strategic Plan. The Program's intent is to provide incentives to encourage mixed-use commercial and residential development within Downtown, to support and increase the Town's economic, social and environmental vitality.

At this time, there are two developments eligible for Downtown Program incentives:

- Rezoning and Development Permit application at 1700 Balmoral Avenue, a five-storey, 45 residential units development (under construction, DP issued June 2018, eligible for BP and DP 50% rebate); and,
- the Berwick addition, at 1700 Comox Avenue (complete, DP issued in July 2016, eligible and recently applied for 8-year tax exemption², BP and DP fee 50% rebate).

To date, the following applications have taken advantage of the Program:

- Rezoning and Development Permit application at 1653 Comox Ave, a residential townhouse development (BP fee rebate in 2016).

¹ Tax exemptions cannot include exemptions from:

- Taxes, charges or levies for local area services, specified area services, local improvements;
- Municipal fees;
- Parcel taxes (except municipal taxes imposed under Section 197(1)(a)); and
- Taxes imposed by regional district, board of school trustees, hospital district, or other authority.

² One single-family home existed on site prior to Berwick addition, the total tax reduction resulting in addition's development for 8 years was estimated at \$2,400.

JUNE 5, 2019

One Year Downtown Vitalization Program extension:

To extend the Program for one year, proposed Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914 (**Attachment 1**) includes the following:

- a) The requirement for a submission of a complete Rezoning or Development Permit Application, if required, on or before July 1, 2020;
- b) The requirement for issuance of an Occupancy Permit on or before the earliest of: the fourth anniversary of the development approval or October 31, 2024; and
- c) The statement that after October 31, 2024, no further Tax Exemption Certificates will be issued.

The proposed Comox Planning Procedures Amendment Bylaw 1915 (**Attachment 2**) extends the fee refund provision to developments obtaining occupancy permit on or before the earliest of: the fourth anniversary of the development permit approval, or October 31, 2024.

The proposed amended deadlines for the various stages of the Vitalization Program would apply to new and existing applications.

Financial Implications:

Program costs to date include:

Development	Date ¹	Tax exemption cost	Fee rebate
1700 Balmoral	Upcoming – est. 2020	n/a	\$37,670 (pending)
Berwick extension	2019	\$2,400 (estimated)	\$18,745 (pending)
1653 Comox Ave	2016	n/a	\$799.52 (issued)
TOTAL:		\$2,400 (estimated)	\$57,214.52

1 – Application under Downtown Vitalization Program

The estimated \$2,400 tax exemption is well within the \$40,000 tax exemption budget target. If both Berwick and 1700 Balmoral receive the fee rebates as shown, the \$40,000 fee rebate target established by Council will be reached. Council has previously reserved the right to either end or extend the Program when these amounts are reached.

It is the understanding of staff that the Program has been well received by the development industry. Town of Comox Strategic Priorities 2019 includes zone expansion of the Downtown Revitalization Program as a Strategic Priority – Next.

Proposed Bylaw 1914 and an increase in the \$40,000 fee rebate target to \$80,000 are consistent with Financial Plan revitalization tax exemption objectives and policies a copy of which are contained in **Attachment 4**.

JUNE 5, 2019

Should Council increase the budget for the fee rebate so as to extend this portion of the program, program uptake would continue to be monitored to allow council to end or extend the program when the new limit is reached.

Other implications:

A text amendment to the Planning Procedures Bylaw 1780 is also proposed. Section 8 of Schedule A of the Bylaw contains reference to a Winery License. The Province now uses the term Liquor Manufacturer which includes wineries, breweries, and distilleries. It is proposed to change the word Winery to Liquor Manufacturer to remain consistent with Provincial language.

MK/RB/ET

Schedule 1
Attachments: 4

JUNE 5, 2019

**SCHEDULE 1
REVITALIZATION TAX EXEMPTION**

1. BYLAW

A revitalization tax exemption program must be established by a bylaw. The mandatory items, as per Section 226 (4) of the *Community Charter*, are as follows:

1. Description of the reasons for and objectives of the program;
2. Description of how the program is intended to accomplish the objectives;
3. Description of the eligible properties, related activities and circumstances
4. The extent of the available tax exemptions: i.e. land, improvements or both
5. The amounts of tax exemptions that may be provided under the bylaw, by specifying amounts or by establishing formulas by which the amounts are to be determined, or both;
6. The maximum term of a tax exemption that may be provided under the bylaw, which may not be longer than 10 years.

In addition to the required items per Section 226(4), Council may also include in its revitalization program bylaw:

- the requirements that must be met before an exemption certificate may be issued;
- conditions that must be included in the exemption certificate;
- provisions for a recapture amount that must be paid, if the conditions specified in the certificate are not met.

Section 165(3.1)(c) of the *Community Charter* states that, before adopting a Program, Council must consider the revitalization tax exemption program bylaw in conjunction with the objectives and policies as set out in its financial plan. The intent is that Council consider the municipality's overall objectives and policies in relation to permissive tax exemptions when exercising its revitalization tax exemption powers. Council must also, prior to adopting the revitalization tax exemption program bylaw, provide public notice of the proposed bylaw in accordance with Section 227.

2. AGREEMENT WITH PROPERTY OWNER

Once a revitalization tax exemption program bylaw has been adopted, Council may enter into an agreement with the owner of a property regarding the provision of a revitalization tax exemption. The agreement between the municipality and the property owner may outline requirements that must be met before an exemption certificate is issued, and any other conditions on which the tax exemption will be provided.

The agreement with the property owner provides Council with an opportunity to build on the program bylaw by enabling Council to provide a more specific level of detail regarding the conditions of an exemption as they relate to a particular property. Essentially, the agreement is intended to take the program bylaw to another level of specificity.

3. TAX EXEMPTION CERTIFICATE

Once all of the requirements established in the *bylaw* and in the agreement have been met, a revitalization tax exemption certificate must be issued for the property that is the subject of the agreement. This certificate must be issued no later than October 31 in the year before the tax exemption takes effect. As soon as practicable, a copy of the certificate must be provided to the assessor. This ensures that any tax exemptions related to a property are taken into account by BC Assessment during the calculation of the taxable value of a property.

JUNE 5, 2019

ATTACHMENT 1

COMOX DOWNTOWN REVITALIZATION TAX EXEMPTION AMENDMENT BYLAW 1914

TOWN OF COMOX

BYLAW 1914

A BYLAW TO AMEND A REVITALIZATION TAX EXEMPTION PROGRAM

WHEREAS Council may, by bylaw, amend a revitalization tax exemption program;

AND WHEREAS Council wishes to amend the revitalization tax exemption program for residential revitalization in the Comox Downtown lands;

AND WHEREAS Council has adopted a Financial Plan Bylaw and has the authority under the provisions of the *Community Charter* to amend the Financial Plan Bylaw;

AND WHEREAS Council has considered this Bylaw in conjunction with the objectives and policies set out in section 165(3.1)(c) of the *Community Charter* in the Town of Comox Financial Plan Bylaw, 2016;

AND WHEREAS the *Community Charter* provides that a revitalization tax exemption program bylaw may only be adopted after notice of the proposed bylaw has been given in accordance with Section 227 of the *Community Charter* and Council has given this notice;

AND WHEREAS the *Community Charter* provides that a revitalization tax exemption program bylaw may only be adopted after Council has considered the bylaw in conjunction with the objectives and policies of its financial plan under Section 165(3.1), and Council has considered this bylaw in that regard;

NOW THEREFORE, in open meeting assembled, Council of the Town of Comox **ENACTS AS FOLLOWS:**

1. Title

This Bylaw may be cited for all purposes as "Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914"

2. Amendments

Comox Downtown Revitalization Tax Exemption Bylaw No. 1784 is hereby amended as follows:

- (1) By deleting Section 10 in its entirety;
- (2) By adding the following text as Section 10:

After October 31, 2024 no further Tax Exemption Certificates will be issued under this bylaw.

- (3) By deleting Section 12 in its entirety;
- (4) By adding the following text as Section 12:

Each Agreement shall require that an Owner of a Project meet the following construction requirements:

- (a) The completed application for the rezoning or development permit for the Project, if required for the Project, must be submitted no later than July 1st, 2020.
- (b) Project construction must commence on or before the one-year anniversary of the earlier of the date of adoption of the rezoning bylaw, or development permit issuance for the Project; and
- (c) An occupancy permit for the Project and the Tax Exemption Certificate for the Project must be issued on the earliest of the fourth anniversary of the development approval, or before October 31, 2024.

An Agreement may include any additional terms and conditions deemed necessary by the Treasurer, in his or her sole discretion, acting reasonably.

- (5) Comox Downtown Revitalization Tax Exemption Bylaw No. 1784 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 this bylaw.

3. Adoption

- (1) Read A First Time this _____ day of ,
- (2) Read A Second Time this _____ day of ,
- (3) Read A Third Time this _____ day of ,
- (4) Notice of this Bylaw has been given in accordance
with Section 227 of the *Community Charter*
on these _____ and days of,
- (5) Finally Passed and Adopted this _____ day of ,

Russ Arnott,
Mayor

Richard Kanigan,
Corporate Officer

PR 19-7
EXTENSION OF COMOX DOWNTOWN VITALIZATION PROGRAM

JUNE 5, 2019

ATTACHMENT 2

COMOX PLANNING PROCEDURES AMENDMENT BYLAW 1915

Page 7

TOWN OF COMOX

BYLAW 1915

A BYLAW TO AMEND COMOX PLANNING PROCEDURES BYLAW 1780

WHEREAS Council has adopted a Planning Procedures Bylaw; and

WHEREAS Council has the authority under the provisions of the *Local Government Act* to amend the Planning Procedures Bylaw;

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

1. Title

This bylaw may be cited as "Comox Planning Procedures Amendment Bylaw 1915".

2. Interpretation

- (1) A reference in this bylaw to any enactment of British Columbia is a reference to the enactment as amended, revised, consolidated or replaced from time to time; and
- (2) A reference in this bylaw to any bylaw, policy or form of the Town of Comox is a reference to the bylaw, policy or form as amended, revised, consolidated or replaced from time to time.

3. Amendments

Comox Planning Procedures Bylaw 1780 is hereby amended by:

- (1) Deleting Section 7 Application Fees subsection (3) in its entirety;
- (2) Adding as Section 7 Application Fees subsection (3) the following text:

In the case of Applications for new buildings of 3 or more stories in height located within the area shown shaded on the map in Schedule "D" of this bylaw, 50% of an Application fee paid under this bylaw shall be refunded, subject to the issuance by the Town of a Building

Occupancy Permit in relation to the Application on the earlier of the fourth anniversary of the development approval, or October 31, 2024.

- (3) Deleting Schedule "A" in its entirety;
- (4) Adding as "Schedule A" the table contained in Schedule 1 which is attached to and forms a part of this Bylaw.
- (5) Comox Planning Procedures Bylaw 1780 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

GIVEN FIRST, SECOND AND THIRD readings this day of ,

ADOPTED by the Council this day of, .

Russ Arnott,
Mayor

Richard Kanigan,
Corporate Officer

SCHEDULE 1

SCHEDULE "A"

Table 1. Development Application Fees¹

Item	Application Type	Fee
1	Official Community Plan (OCP) Bylaw	
1.1	OCP Bylaw Amendment	\$2,020
1.2	Combined OPC and Zoning Bylaw Amendments	Rezoning application fee + \$870
2	Major Rezoning	
2.1	Major Zoning Bylaw Amendment	\$5,270
3	Minor Rezoning	
3.1	Zoning Bylaw Amendment to permit the creation of 4 or fewer additional residential units	\$2,520
3.2	Zoning Bylaw Amendment to permit a Coach House	\$270
3.3	Zoning Bylaw Amendment to permit a Bed and Breakfast Accommodation and Secondary Suite or Coach House	\$1020
3.4	Zoning Bylaw Text Amendment to add one permitted use in a commercial or industrial zone.	\$1,020
3.5	Zoning Bylaw Text Amendment to add one home occupation	\$520
4	Development Permits	
4.1	Development Permit Area #7 Riparian Area not combined with any other Development Permit Area	\$270
4.2	All other Development Permit Areas	\$870
4.3	Each amendment to a Development Permit for which the development that is the subject of the amendment has not commenced. ²	\$620
4.4	Each amendment to a Development Permit for which the development that is the subject of the amendment has been partially or wholly completed.	\$2,020
5	Development Variance Permits	
5.1	Development Variance Permit for one parcel pertaining to one Single-Family (with or without a Secondary Suite or Coach House) or one Two-Family Dwelling	\$520
5.2	All other Development Variance Permit applications	\$1,095
6	Flood Plain Exemption	
6.1	Flood Plain Exemption –pertaining to Single or Two Family Dwellings	\$1,020
6.2	Flood Plain Exemption – all other applications	\$1,620
7	Miscellaneous	
7.1	Board of Variance - All Application	\$320
7.2	Strata Conversion	\$845
7.3	Minimum highway frontage exemption	\$520
7.4	Modification or Discharge of Restrictive Covenant where a public hearing is required	\$1,020
7.5	Heritage Designation Repeal Bylaw	1,770
7.6	Heritage Alteration Permit – Single or Two-Family Dwellings	\$520
7.7	Heritage Alteration Permit – all other applications	\$1,095
8	Liquor or Cannabis Licence Review	
8.1	Issuance of new Liquor Primary Licence	\$2,520
8.2	Amendment to or transfer of an existing Liquor Primary Licence	\$2,020
8.3	Issuance of amendment of Food Primary with Patron Participation Entertainment Licence or with Liquor Service Past Midnight Licence	\$2,020
8.4	Endorsement to a Liquor Manufacturer Licence	\$2,520
8.5	Amendment to existing Endorsement to a Liquor Manufacturer Licence	\$2,020
8.6	A Liquor Licence Review Application in conjunction with a Major Zoning Bylaw Amendment Application	Rezoning application fee +\$845
8.7	Issuance, Renewal, Amendment or Transfer of a Cannabis Sales Licence	\$2,520
9	Subdivision	

9.1	Subdivision- Preliminary Layout Review Issuance	\$825
9.2	Subdivision Approval – per additional parcel created	\$165
9.3	Subdivision - Phased Strata Plan Declaration	\$825

1. All fees include GST.
2. Does not apply where the amendment is to a permit issued for Development Permit Area #7 which is not combined with any other development permit area.

JUNE 5, 2019

ATTACHMENT 3
PROCESSING PROCEDURES

1. First Reading of Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914;
2. Consideration of Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914 in conjunction with Financial Plan
3. Second and Third Reading of Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914;
4. First, Second and Third Reading of Comox Planning Procedures Amendment Bylaw 1915;
5. Public notification of Comox Downtown Revitalization Tax Exemption Amendment Bylaw 1914;
6. Adoption of the proposed Bylaws 1914 and 1915; and
7. Review and re-evaluation of the Program after 6 months.

PR 19-7
EXTENSION OF COMOX DOWNTOWN VITALIZATION PROGRAM

JUNE 5, 2019

ATTACHMENT 4

2019-2023 FINANCIAL PLAN EXCERPT

Page 9

Town of Comox
2019 - 2023 Financial Plan
SCHEDULE "B" - Revenue Objectives & Policies

Permissive Tax Exemptions:

Objectives

1. The Town will continue its current program of permissive tax exemptions for property that is available for public use or that benefits the general public.
2. The Town will also continue its current program of downtown revitalization tax exemptions for qualifying residential developments within the downtown revitalization area.

Policies

1. The Town will continue to consider grants of permissive tax exemptions annually.
2. The expected reduction on 2019 general taxes from permissive exemptions is approx. \$150,000.
3. The Town will continue to review its downtown revitalization tax exemptions at least annually.

Twyla Slonski

RECEIVED

May 16, 2019

From: Bruce & Nicole <brunic@shaw.ca>
Sent: May 16, 2019 8:31 PM
To: council
Cc: Shelly Russwurm: Town of Comox; Richard Kanigan
Subject: Delegation presentation and request for action Feb 20th - Bruce Gibbons/Merville Water Guardians

TOWN OF COMOX

Hello Mayor and Councillors. I am inquiring as to when I might see my request for action come before Council for a decision. One of my requests has been dealt with at the AVICC where the Strathcona Regional District resolution was passed unanimously. I am very pleased with that outcome. However, that resolution does not yet protect groundwater from existing licences for extraction for bottling. If the resolution is passed at the UBCM convention and then the provincial government accepts and acts on the resolution, then groundwater will be protected from bottling and commercial sale. In the meantime, groundwater is still at risk from existing licences and the FLNRORD Ministry continues to approve new licences. It is still critical for local government to take decisive action to protect and control what is within their purview. It is still critical for the Town of Comox to change bylaws to prohibit the bottling of groundwater.

I look forward to hearing about the status of my request, and look forward to seeing progressive, decisive action from Council.

Thank you for your consideration.

Bruce Gibbons
 Merville Water Guardians
 250-702-1672

LOG: 19-284	REFER:	AGENDA: RCM - June 5
FILE: 5600-01	ACTION: MR	

o - cfile
 copy - Mayor & Council
 RK / MK / SA / SR / agenda

Twyla Slonski

From: Town of Comox – Administration
Sent: May 10, 2019 12:12 PM
To: Twyla Slonski
Cc: Shelly Russwurm: Town of Comox
Subject: FW: Letter for next council agenda

RECEIVED

May 10, 2019

TOWN OF COMOX

LOG: 19-279	REFER:	AGENDA: CoW - May 22
FILE: 5600-03	ACTION: MR	

-----Original Message-----

From: George... <georgefn@shaw.ca>
Sent: Friday, May 10, 2019 11:36 AM
To: Town of Comox – Administration <town@comox.ca>
Subject: Letter for next council agenda

o - cfile
copy - Mayor & Council
RK / SA / SR / agenda

Dear Mr. Mayor and Council,

The Town of Comox has installed water meters on approximately half of the households in Comox. As stated in the water bylaw those residents who have water meters are charged a flat fee of \$32.25 per calendar month, and are subject to extra charges if their usage exceeds 500 cubic meters per calendar year.

Those residents of Comox who do not have water meters are charged a flat fee of \$32.25 per calendar month but do not face any extra charges for usage over 500 cubic meters per calendar year. There is no way of tracking the consumption of non metered households.

In Canada every citizen understands the principal that everyone is equal before the law, and every law must be applied without prejudice.

The Town of Comox BYLAW No. 529 SCHEDULE "A" PART II section "c" is contrary to the "equal before the law" principal, and needs to be changed until every household in Comox has a water meter.

Sincerely,

George Farquharson
510 Spitfire Dr.
Comox