



TOWN OF COMOX

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

REGULAR COUNCIL MEETING **AGENDA FOR WEDNESDAY SEPTEMBER 5, 2018**

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:

- a. [Inspector Tim Walton \(CV RCMP\) - Quarterly RCMP Update](#)
- (19) b. [Donna Collins \(RCMP\) Crime Free Multi Housing](#)
- (23) c. [Tim Pringle \(Partnership for Water Sustainability in BC\) Brooklyn Creek Ecological Accounting Process](#)

2. MINUTES OF MEETINGS:

- (24) a. [Regular Council Meeting Minutes](#)
That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday August 1, 2018, be Approved.
- (30) b. [Public Hearing Meeting Minutes](#)
That the Public Hearing Minutes, held at d'Esterre Seniors Centre on Wednesday August 1, 2018, be Approved.

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

- (34) a. [Management Report - September 5, 2018](#)
That the Management Report for September 5, 2018 be received and filed for information.
- (35) b. [Traffic Calming Policy](#)
That the last sentence in section 5.1 of the Town of Comox Traffic Calming Policy & Procedures document, as included in the October 25, 2017 Committee of the Whole meeting agenda, be amended to read "To begin the traffic calming process, the resident(s) concern must be made in writing to the Town of Comox, to the attention of Mayor and Council."; and further,

That the "Town of Comox Traffic Calming Policy & Procedures No. CCL-051" be adopted.

(60) d. [Correspondence for Planning Report PR 18-3 \(1825 Comox Avenue\)](#)

(89) e. [Planning Report PR 18-3 - Transition to LIQUOR PRIMARY from LIQUOR PRIMARY-CLUB LICENCE at 1825 Comox Ave. \(Comox Legion\)](#)

That the Town of Comox Council's comments on the prescribed considerations regarding the request to transition from a Liquor Primary-Club licence to a Liquor Primary licence at 1825 Comox Avenue, Comox Legion Branch No. 160 (Lots 6, 7, & 8, Section 56, Comox District, Plan 3923) are as follows:

a) *The location of the establishment:*

i) *Downtown Comox has a mixture of commercial and residential uses. The subject property is on a commercially developed arterial street within Downtown Comox abutting commercial development to the west and, across streets, is surrounded by commercial development to the north and southeast, by mixed use multi-family above commercial to the east, and by multi-family development to the south and southwest. The Town has implemented a Downtown Vitalization Program and associated Planning Procedures Bylaw, Comox Building Bylaw, and Zoning Bylaw changes and Marina Enhancement initiatives to attract more businesses and residential density to the downtown core.*

b) *The person capacity and hours of liquor service of the establishment:*

i) *The subject property is zoned C4.1 Core Commercial. Permitted uses include Pub and Assembly uses.*

The Town's Zoning Bylaw 1850 limits the maximum seating capacity of a pub to 175, including outdoor seating. The proposed capacity of this Liquor Primary licence is 175 persons. The application proposes a reduction in licensed capacity from 200 persons on the upper floor plus 211 persons on the lower floor of the Legion building to a total licensed capacity of 175 persons.

ii) *The proposed hours of liquor service from 11:00 AM to 1:00 AM Monday to Saturday and 11:00 AM to midnight on Sunday are unchanged from the hours of operation currently permitted with the Legion's Liquor Primary-Club licence.*

iii) *Historically, the Legion has not operated a pub as late as their liquor licence would enable. While the Legion pub's actual closing time has ranged from 6 PM on Sundays to 11 PM on Saturdays or for special events, it is recognized that the Legion pub may choose stay open longer if operating under a Liquor Primary licence.*

iv) *The Comox Legion's Liquor Primary-Club licence enables liquor service to a later time on more days of the week than the existing Black Fin Pub at 132 Port Augusta Street or the approved-in-principle Taphouse at 215 Church Street Liquor Primary licences, or the proposed New Tradition Brewing Company's proposed Lounge Endorsement to a Manufacturer's Liquor Licence to be located in the Comox Centre Mall at 215 Port Augusta Street.*

Additionally, while the Legion pub is located in a mixed use area, a multi-family development is located across the road at 1841 Beaufort Avenue. Therefore, a decrease to midnight from the proposed 1:00 AM end time of liquor service on Monday through Thursday is recommended.

c) The impact of noise on nearby residents:

- i) There is a multi-family development to the south and southwest of the subject property across the road at 1841 Beaufort Avenue where the dwelling units are setback from the adjacent road by a single lane surface parking area and most units are oriented to the far, waterfront side of the buildings.*
- ii) Twelve apartment units above ground floor commercial, across Church Street to the east at 1811 Comox Avenue, are exposed to busy traffic noise during the day as well as existing pub traffic in the evening.*
- iii) There are currently no plans for changes to the Legion building which has operated at this location for many years.*
- iv) The Town has not received any written complaints and does not have any outstanding enforcement issues related to the operation of the Legion as a pub in the last 5 years.*
- v) The RCMP referral response on this application expressed no concerns.*

d) The impact on the community if the application is approved:

- i) If the application is approved, the impact is expected to be generally positive in that it will support the growth in tourism and offer a social venue for a wider cross-section residents when it will not be necessary to be a Legion member to use the services of the pub.*
- ii) In accordance with Comox Zoning Bylaw 1850, with the change to a Liquor Primary use, the Legion is required to provide a minimum of:
 - a. 8 Class I (unprotected bike rack): and*
 - b. 4 Class II (bicycle room or locker) bicycle parking spaces.**
- iii) The provision of Class I and Class II bicycle parking is a positive impact for the community by providing infrastructure to support alternative transportation choices.*

e) The method the Town used to gather the views of the residents:

- i) A notice, as contained in Attachment 5 of the September 5, 2018 Planning Report PR 18-3 for 1825 Comox Ave, was:
 - a. posted on the Town's website and Town Hall notice board;*
 - b. published in two consecutive editions of the Comox Valley Record newspaper (August 23, 2018 and August 28, 2018);*
 - c. mailed or otherwise delivered to owners and tenants within 75 metres of the subject property.**
- ii) A sign advertising the Liquor License application was installed on both the north and south street frontages of the subject property.*

iii) *Written submissions from the public were provided to Council for Council's consideration of this application, copies of which shall be forwarded to the General Manager of the Liquor and Cannabis Regulation Branch with this resolution.*

f) *The Town of Comox Council recommends the that a Liquor Primary License be issued to the Comox Legion Branch #160, located at 1825 Comox Ave., having a maximum seating capacity, including outdoor seating, of 175 subject to:*

i) *the provision of bicycle parking spaces in accordance with Resolution item 1(d)(ii) above; and*

ii) *subject to the hours of liquor service permitted in the License being:*

a. *from 11:00 AM daily; and*

b. *to 12:00 Midnight from Sunday to Thursday; and*

c. *past Midnight on Friday to 1:00 AM on Saturday; and*

d. *past Midnight on Saturday to 1:00 AM on Sunday.*

(121) f. [Correspondence for Planning Report PR 18-8 \(2040 Guthrie Road\)](#)

(153) g. [Planning Report PR 18-8 Lounge Endorsement Application Review 2040 Guthrie Road](#)

That the Town of Comox Council's comments on the prescribed considerations regarding the request for a Lounge Endorsement to a Manufacturer's Licence for the Land and Sea Brewing Company at 2040 Guthrie Road, Comox (Lot 2, Section 70, Comox District, Plan VIP52533) are as follows:

a) *The location of the establishment:*

i) *The subject property is located on Guthrie Road, an arterial in the Town's northwest commercial node. Surrounding uses include abutting multi-family residential to the south, commercial development to the west, light industrial to the east and, across the street to the north, a mixture of commercial, light industrial and residential uses.*

b) *The person capacity and hours of liquor service of the establishment:*

i) *The subject property is zoned C3.2 Commercial Industrial. The development is proposed under the following C3.2 permitted uses:*

a. *restaurant-lounges;*

b. *processing or packaging of food or beverage products (e.g. brewery); and*

c. *as an accessory use, the retail sale of beverage products produced or packaged onsite.*

The proposed liquor licence for Lounge Endorsement capacity of 99 persons (indoor and outdoor) is significantly less than the Zoning Bylaw 175 seat (indoor and outdoor) maximum for brew pubs which is also an allowed use in the C3.2 zone.

ii) *The proposed hours of liquor service from 12:00 noon daily and closing at 10:00 PM from Sunday to Wednesday and closing at 11:00 PM on Thursday to Saturday are shorter than other existing or proposed Liquor Primary or Lounge Endorsement licences for commercially zoned land.*

c) *The impact of noise on nearby residents:*

- i) *The leased area of the proposed development is limited to the ground floor of an existing 2 storey, commercial building and extends from the front (north) to the rear (south) wall of the building. Indoor liquor serving areas are in the centre and northern part of the commercial unit and the future patio on the north side of the building is screened by the two stories of the commercial building from the multi-family development to the south.*
 - ii) *The proposed development is separated from the abutting Multi-Family parcel to the south by a 7.5 m building setback and an approximately 1.8 m high fence.*
 - iii) *Residents in a mixed use development to the west are separated from the subject property by a commercially developed parcel.*
 - iv) *Residents to the north across Guthrie Road are separated by a 2 to 4 lane arterial road and other commercial development.*
 - v) *No concerns were raised by the RCMP regarding this new liquor licence application.*
- d) *The impact on the community if the application is approved:*
- i) *If the application is approved, the impact is expected to be generally positive in that it will support:*
 - a. *the growth in tourism and offer a social venue on a section of an arterial road that is primarily focused on retail, services and light industrial development; and*
 - b. *will support local beverage manufacturing.*
 - ii) *In accordance with Comox Zoning Bylaw 1850, with the addition of a restaurant-lounge use, the subject property is required to add bicycle parking as follows:*
 - a. *a minimum of 4 additional Class I (unprotected bicycle rack); and*
 - b. *a minimum of 4 additional Class II (bicycle room or locker) bicycle parking spaces.*
 - iii) *The provision of Class I and Class II bicycle parking is a positive impact for the community by providing infrastructure to support alternative transportation choices.*
- e) *The method the Town used to gather the views of the residents:*
- i) *A notice, as contained in Attachment 5 of the September 5, 2018 Report to Mayor and Council, Planning Report PR 18-8 Lounge Endorsement to a Manufacturer's Licence Review, was:*
 - a. *posted on the Town's website and Town Hall notice board;*
 - b. *published in two consecutive editions of the Comox Valley Record newspaper (August 23, 2018 and August 28, 2018); and*
 - c. *mailed or otherwise delivered to owners and tenants within 75 metres of the subject property.*
 - ii) *A sign advertising the Liquor License application was installed on the subject property.*
 - iii) *Written submissions from the public were provided to Council for Council's consideration of this application, copies of which will be forwarded to the General*

Manager of the Liquor and Cannabis Regulation Branch with this resolution.

f) *The Town of Comox Council recommends the that a Lounge Endorsement to a Manufacturer's Licence be issued for the Land and Sea Brewing Company, located at 2040 Guthrie Road in Comox having a maximum person capacity, including outdoor seating, of 99 on the condition of meeting Comox Zoning Bylaw 1850 definition of a "restaurant-lounge" and the limitation of outdoor seating to the area between the north building face and the north lot line.*

(174) h. [Correspondence for Planning Report PR 18-10 \(215 Port Augusta Street\)](#)

(184) i. [Planning Report PR 18-10 Lounge Endorsement Liquor Licence Application Review New Tradition Brewing Company 215 Port augusta St. - Comox Mall](#)

That the Town of Comox Council's comments on the prescribed considerations regarding the request for a Lounge Endorsement to a Manufacturer's Licence for the New Tradition Brewing Company at 215 Port Augusta St., Comox (Lot A, Section 56, Comox District, Plan VIP75741) are as follows:

a) *The location of the establishment:*

i) *The subject property is located within Comox Centre Mall at the corner of Comox Avenue, an arterial road, and Port Augusta St. in downtown Comox. Surrounding uses include Comox Golf Course to the west and northwest, multi-family residential to the north across Balmoral Avenue, adjacent multi-family (congregate care) to the east, and commercial development to the east and south.*

b) *The person capacity and hours of liquor service of the establishment:*

i) *The subject property is zoned C4.1 Core Commercial. Permitted uses include:*
a. *a maximum 175 seat brew pub, including outdoor seating; and*
b. *as an accessory use, retail sale of products brewed on site.*

The proposed liquor licence for Lounge Endorsement capacity of 110 person is less than the Zoning Bylaw would permit for a pub use. The indoor area of pub seating is approximately 91 square metres and 81 indoor seats and 28 outdoor seats are proposed.

ii) *The proposed daily hours of liquor service from 9:00 AM and closing at 12:00 Midnight are earlier opening hours than other existing or proposed Liquor Primary or Lounge Endorsement licences for commercially zoned land.*

c) *The impact of noise on nearby residents:*

i) *The commercial unit within Comox Centre Mall where the brew pub is proposed to be located is approximately 75 m across an existing surface parking lot from the property line shared by the subject property and the adjacent residential uses to the east. The pub's proposed outdoor seating is partially screened from the multi-family development the east by an existing commercial building at 1710 Comox Avenue.*

ii) *No concerns were raised by the RCMP regarding this new liquor licence application.*

d) *The impact on the community if the application is approved:*

- i) *If the application is approved, the impact is expected to be generally positive in that it will support:*
 - a. *the growth in tourism and offer an additional social venue in Downtown Comox; and*
 - b. *will support local beverage manufacturing.*
- ii) *In accordance with Comox Zoning Bylaw 1850, with the addition of a brew pub use, the subject property is required to add bicycle parking as follows:*
 - a. *a minimum of 4 additional Class I (unprotected bicycle rack); and*
 - b. *a minimum of 2 additional Class II (bicycle room or locker) bicycle parking spaces.*
- iii) *The provision of Class I and Class II bicycle parking is a positive impact for the community by providing infrastructure to support alternative transportation choices.*

e) *The method the Town used to gather the views of the residents:*

- i) *A notice, as contained in Attachment 5 of the September 5, 2018 Planning Report PR 18-10 for 215 Port Augusta Street was:*
 - a. *posted on the Town's website and Town Hall notice board;*
 - b. *published in two consecutive editions of the Comox Valley Record newspaper (August 23, 2018 and August 28, 2018); and*
 - c. *mailed or otherwise delivered to owners and tenants within 75 metres of the subject property.*
- ii) *A sign advertising the Liquor License application was installed on each of the three abutting street frontages of the subject property.*
- iii) *Written submissions from the public were provided to Council, for Council's consideration of this application, copies of which will be forwarded to the General Manager of the Liquor and Cannabis Regulation Branch with this resolution.*

f) *The Town of Comox Council recommends that a Lounge Endorsement to a Manufacturer's Licence be issued for the New Tradition Brewing Company, located at 215 Port Augusta Street having a maximum person capacity, including outdoor seating and staff, of 110 subject to:*

- i) *the provision of bicycle parking spaces in accordance with Resolution item 1(d)(ii) above.*

(203) j. [Rezoning Application RZ 18-8 \(215 Port Augusta Street\) PR 18-12 Business Regulation Amendment \(Cannabis-Related Establishment\)](#)

1. *That Comox Business Regulation Amendment Bylaw No. 1895, 2018 be given First, Second and Third Reading;*
2. *That Comox Zoning Amendment Bylaw 1896 be given First and Second Reading;*
3. *That a Public Hearing in respect of Comox Zoning Amendment Bylaw 1896 be scheduled for September 19, 2018, 7:00 pm, at d'Esterre House, 1801 Beaufort Avenue, and staff be instructed to publish the requisite notices as required by the Local Government Act.*
4. *That staff be instructed to publish notice of Comox Business Regulation Amendment Bylaw No. 1895, 2018 in accordance with section 94 of the*

Community Charter.

5. SPECIAL REPORTS:

- (226) a. [Comox Valley Regional District Meeting Minutes](#)
That the following Comox Valley Regional District meeting minutes be received for information:
- Comox Valley Regional District Board held on Tuesday, July 24, 2018, and
- Comox Valley Regional District Board held on Tuesday, August 28, 2018.

6. BYLAWS: NIL

7. NEW BUSINESS:

- (242) a. [Planning Report on REA 18-1 \(Komox Grind Parklet Agreement Renewal for 2019\)](#)
That the Road encroachment agreement for the existing parklet at Komox Grind be renewed for year 2019, subject to the conditions contained in Schedule 1 of the Septmeber 5, 2018 Planning Report on REA 18-1.
- (224) b. [Street Closure - Highridge Drive Block Party](#)
That the Town of Comox - Road Permit Application received August 30, 2018 from Paula Ives of 1520 Highridge Drive be received; and further,

That the request to close the cul-de-sac portion of Highridge Drive between 5:00 p.m. and 10:00 p.m. on Saturday September 8, 2018 be approved, subject to all emergency service providers being notified and the applicant meeting all other conditions of the Town of Comox Road Permit.

8. CORRESPONDENCE:

- (246) a. [Jan Buehler \(Canadian Cancer Society\) Tour de Rock](#)
- (249) b. [Tara Faganello and Gary MacIsaac \(Green Communities Committee\) Congratulations](#)
- (242) c. [Kent Gulliford \(Royal Canadian Legion\) Remembrance Day Events](#)

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



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 COMMITTEE OF THE WHOLE MUST BE SUBMITTED NO LATER THAN THURSDAY NOON, THE WEEK PRIOR TO THE MEETING

Name(s) of person(s) speaking: Cst Donna Collins

Organization you are representing: RCMP

Primary purpose of Organization: Policing Number of members: 2

Mailing address: 800 Ryan Road

City: Courtenay BC Postal Code: V9N 7T1

Contact name: Donna Collins Email: donna.collins@rcmp-grc.gc.ca

Phone: 250-338-1321 Fax: _____

Subject matter: Crime Free Multi Housing

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

Support for the program aimed at reducing crimes and calls for service at rental properties. Work with ma

Requested meeting and date: Sept 5, 2018

Audio-visual equipment required: Power Point

Date of application: Aug 7, 2018 Signature of applicant: _____

Please Note: or Print Name: Donna A Colins

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

RECEIVED

August 6, 2018

LOG: 18-208	REFER:	AGENDA: RCM Sept. 5
FILE: 0550-20	ACTION: MR	

o ~ cfile - 0550-20-DEL
copy ~ Mayor & Council
RK / SR / agenda

apartment bldg. owned by
tenant's husband/landlord
"delegation" req.

CRIME FREE MULTI-HOUSING

Keep Illegal Activity Off Rental Property

The Crime Free Multi-Housing Program is a, state-of-the-art, crime prevention program designed to reduce crime, drugs, and gangs on apartment properties. This program was successfully developed at the Mesa Arizona Police Department in 1992. The International Crime Free Multi-Housing Program has spread to nearly 2,000 cities in 48 U.S. States, 5 Canadian Provinces, England, Nigeria, and Puerto Rico, to name a few.

The program consists of three phases that must be completed under the supervision of the local police department. Property managers can become individually certified after completing training in each phase and the property becomes certified upon successful completion of all three phases.

The anticipated benefits are reduced police calls for service, a more stable resident base, and reduced exposure to civil liability.

TRAINING COORDINATORS

The program begins with the training of a law enforcement agency coordinators who will administer the program in their jurisdiction. Each Crime Free Multi-Housing Coordinator receives 24-hours of intensive training and becomes certified as an instructor of the program. The Crime Free Program Coordinators return to their cities and begin the provide training and certify apartment properties in their community. Fully certified properties have reported reductions in police calls for service up to 70% over previous years. The heart and soul of the program is in the correct implementation and use of the Crime Free Lease Addendum.

Crime Free Multi-Housing Program Benefits:

- A stable, more satisfied tenant base. Increased demand for rental units with a reputation for active management
- Lower maintenance and repair costs. Increased property values
- Improved personal safety for tenants, landlords, and managers

Costs of Drug Activity In Rental Property

When drug criminals and other destructive tenants operate out of rental property, neighborhoods suffer and landlords pay a high price. That price may include:

- Decline in property values -- particularly when the activity begins affecting the reputation of the neighborhood
- Property damage arising from abuse, retaliation, or neglect; property damage from police raids
- Fire resulting from manufacturing or growing operations. Civil penalties, including temporary closure of the property -- or even property seizure. Loss of rent during the eviction and repair periods
- Fear and frustration when dealing with dangerous and threatening tenants. Increased resentment and anger between neighbors and property managers
- The loss of other valued tenants

Here is a brief outline of the program contents:

Phase I - Management Training (8-Hours) Taught by the Police

- Crime Prevention Theory
- CPTED Theory (Physical Security)
- Benefits of Resident Screening
- Lease Agreements and Eviction Issues
- Crime Free Lease Addendum
- Key Control and Master Key Use
- On-Going Security Management Monitoring and Responding to Criminal Activity
- Gangs, Drugs Activity, and Crime Prevention
- Legal Warnings, Notices & Evictions Working Smarter With the Police Fire and Life Safety Training
Community Awareness

A 100-page resource manual is supplied with additional handouts.

Phase II - CPTED - Survey by the Police

- Crime Prevention Through Environmental Design Survey (CPTED)
- Minimum door, window, and lock standards compliance inspection
- Minimum exterior lighting standards evaluation
- Key Control procedures evaluation
- Landscape maintenance standards compliance

Phase III - Community Awareness Training

- Annual crime prevention social taught by property management and police
- Community awareness and continuous participation is encouraged

Full certification (gold certificate) permits the right to post the Crime Free Multi-Housing Program sign and advertise membership in the Crime Free Multi-Housing Program in the print media using the official logo. This certificate expires every year unless renewed following compliance with Phases I & II.



the partnership
for water sustainability in bc

August 10, 2018

RECEIVED

Town of Comox

AUG 21 2018

Attention: Shelley Ashfield, Marvin Kamenz, Al Fraser and Glenn Westendorp

TOWN OF COMOX

Re: **Georgia Basin Inter-Regional Educational Initiative (IREI)**
Report on Brooklyn Creek EAP Demonstration Application

We thank the Town of Comox for your ongoing commitment to collaborate with the Partnership for Water Sustainability. Our collaboration has resulted in a foundation piece for the Ecological Accounting Process (EAP). Accordingly, we are pleased to forward an electronic copy of this document for your use:

**Assessing the Worth of Ecological Services Using the
Ecological Accounting Process for Watershed Assessment:**

Brooklyn Creek Demonstration Application in the Comox Valley

The EAP analyses have described what the Town's residents and key intervenors think the Brooklyn creekshed is worth. At once they expect the creekshed to intercept and infiltrate rainwater, to recharge aquifers, to sustain riparian areas with aquatic and terrestrial life, to be a conveyance for stormwater systems and roadside ditches, to lend amenity value to trails and neighbourhoods, attenuate flooding and so on.

Historic land uses and on-going urbanization continue to degrade this package of ecological services. The Town of Comox and collaborators have recognized the importance of managing and maintaining the creekshed. Since 2006, they have invested more than \$725,000 in maintenance and enhancement.

Through use of the commons asset analysis (described in Part Six), which applies BC Assessment data for land values, EAP has estimated the financial value of the stream corridor and adjacent set-back areas at about \$2700 per lineal metre. This calculation is important for an asset management strategy.

Through the multi-year strategy to maintain and enhance the lower catchment of Brooklyn Creek, the Town of Comox and its collaborators have provided a working example of understanding the worth of the creekshed, its hydrology, and ecological systems. This effort confirms the need for similar investment in other catchments of the creekshed.

In closing, we look forward to presenting our findings to Council on September 5th, and then to sharing your story at the Asset Management BC Conference on September 26th.

On behalf of
Partnership for Water Sustainability in BC

Tim Pringle
Chair, EAP Initiative
pringle@watersustainabilitybc.ca

Kim A Stephens, M.Eng., P.Eng.,
Executive Director
kstephens@watersustainabilitybc.ca

TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday August 1, 2018

Present: Mayor P. Ives
Councillors R. Arnott, K. Grant, M. Grant
H. MacKinnon, B. Price, M. Swift

Absent: Nil

Call to Order:

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

The Agenda was Adopted as amended to include one late item.

There were 7 visitors in attendance.

1. DELEGATIONS:

a. John Paulin & Lynn Edey (Royal Canadian Legion) 1825 Comox Avenue / PR 18-3

1825 Comox Avenue

Mr. Paulin provided a brief overview of their liquor licence amendment application. He advised that their intent is to generate more funds in order to keep their doors open and to donate to veterans and charities. He advised that it will create a gathering place for the public and provide an added amenity for liquor service to the public.

b. Jason Walker (Land & Sea Brewing Company) 2040 Guthrie / PR 18-8

2040 Guthrie Road

Mr. Walker summarized his application. He advised that the intent is to provide local residents with a place to gather, to celebrate where they live and to enjoy fresh food and beverages.

c. Pat Savard (New Tradition Brewing) 215 Port Augusta Street Comox Mall / PR 18-10

215 Port Augusta Street

Mr. Savard provided background information on his application and the brewing process.

d. Al Fraser (Parks Superintendent) Wayfinding Project Update

Wayfinding Project

Allan Fraser, Parks Superintendent, provided an update for Council on the Wayfinding Project. He advised that the purpose of the program is to provide more logical and functional movement within Town. He advised that three types of signs will be used - those for identification of landmarks and features, those for directional information and those for interpretive information. Mr. Fraser advised that the program is also very easily expandable.

2. MINUTES OF MEETINGS:

a. Regular Council Meeting Minutes

RCM Minutes

That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday July 4, 2018, be Approved.

(2018.193) -- CARRIED

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

a. Management Report - August 1, 2018

Management Report

That the Management Report for August 1, 2018 be received and filed for information.

(2018.194) -- CARRIED

b. 2017 Annual Report

2017 Annual Report

That the 2017 Annual Report, as contained in the August 1, 2018 Regular Council Meeting agenda, be Approved.

(2018.195) -- CARRIED

5. SPECIAL REPORTS: NIL

6. BYLAWS: NIL

7. NEW BUSINESS:

a. Non-Binding Community Opinion Question - Future of Comox Golf Course Property

Future of Comox Golf Course

The July 25, 2018 report from the Chief Administrative Officer, titled Non-Binding Community Opinion Question - Future of Comox Golf Course Property, was received for information.

b. Non-Binding Community Opinion Question - Governance Restructure Study

Governance Restructure Study

The July 25, 2018 report from the Chief Administrative Officer, titled Non-Binding Community Opinion Question - Governancy Restructure Study, was received for information.

c. Loss of Municipal Officers' Expense Allowance

Municipal Officers' Expense Allowance

1. *That Council direct staff to amend the Comox Council Remuneration and Expense Bylaw, 2006 by deleting Subsection 2 (1) & (2) Council Remuneration and replace with the following:*

2(1) The Mayor shall be paid remuneration for discharge of the duties of office in the amount of thirty eight thousand, three hundred and eighty four dollars (\$38,384.00) per year

2(2) Each Councillor shall be paid remuneration for discharge of the duties of office in the amount of twenty thousand, two hundred and thirty dollars (\$20,230.00) per year.

And Delete Subsection 3 - Allowance for Expenses in its entirety.

(2018.196) -- DEFEATED

[Opposed: Councillors KGrant MGrant HMacKinnon MSwift]

2. *That staff be directed to engage an independent market review of Council remuneration, taking into account the changes in federal tax rules related to expenses incidental to the discharge of the duties of an Elected Municipal Office.*

(2018.197) -- CARRIED

d. LATE ITEM: Development Variance Permit Application: DVP 18-4 1759 Robb Avenue

1759 Robb Avenue

The August 1, 2018 Planning Addendum Report titled, Development Variance Permit Application: DVP 18-4 1759 Robb Avenue, was received for information.

Development Variance Permit Application: DVP 18-4 1759 Robb Avenue

1. *That Schedule 1 of the August 1, 2018 Planning Report on DVP 18-4 be amended to add the following condition: removal or reconstruction of the existing deck on the rear of the principal dwelling in compliance with Comox Zoning Bylaw 1850.*

(2018.198) -- CARRIED

2. *That Development Variance Permit DVP 18-4 be issued, subject to the as amended Development Variance Permit Conditions listed in Schedule 1 of the August 1, 2018 Planning Report on DVP 18-4.*

(2018.199) -- CARRIED

e. Development Variance Permit Application: DVP 18-5 (2137 Comox Avenue)

2137 Comox Avenue

That Development Variance Permit DVP 18-5 be issued subject to the Development Variance Permit Conditions listed in Schedule 1 of the August 1, 2018 Planning Report on DVP 18-5.

(2018.200) -- CARRIED

AT 6:54 P.M. THE MEETING RECESSED IN ORDER TO CONDUCT A PUBLIC HEARING IN RELATION TO BYLAW NO. 1890 - REZONING APPLICATION RZ 18-4 (RECREATIONAL CANNABIS REGULATION STEP 2).

THE MEETING RECONVENED AT 7:15 P.M.

f. Planning Report PR 18-3 - Transition to LIQUOR PRIMARY from LIQUOR PRIMARY-CLUB LICENCE at 1825 Comox Ave. (Comox Legion)

Comox Legion

That staff be directed to gather the views of residents in the Town of Comox on the transition of the Liquor Primary-Club Licence to Liquor Primary Licence application PR 18-3 as follows:

- a. *Placement of a newspaper notice with invitation to comment in two consecutive issues of a newspaper; and*
- b. *Mail-out of an invitation to comment to owners and tenants within 75 metres of the subject property.*

(2018.205) -- CARRIED

g. PR 18-7 Recreational Cannabis Retail Procedure/Business Licence

Retail Cannabis Procedures

The August 1, 2018 Planning Report, titled PR 18-7 - Recreational Cannabis Retail Procedure/Business Licence, was received for information.

h. Planning Report PR 18-8 Lounge Endorsement Application Review 2040 Guthrie Road

2040 Guthrie Road

That staff be directed to gather the views of residents in the Town of Comox on the Lounge Endorsement application PR 18-8 as follows:

- a. *Placement of a newspaper notice with invitation to comment in two consecutive issues of a newspaper; and*
- b. *Mail-out of an invitation to comment to owners and tenants within 75 metres of the subject property.*

(2018.206) -- CARRIED

- i. Planning Report PR 18-10 Lounge Endorsement Liquor Licence Application Review New Tradition Brewing Company 215 Port Augusta St. - Comox Mall**

215 Port Augusta Street

That staff be directed to gather the views of residents in the Town of Comox on the Lounge Endorsement application PR 18-10 as follows:

- a. Placement of a newspaper notice with invitation to comment in two consecutive issues of a newspaper; and*
- b. Mail-out of an invitation to comment to owners and tenants within 75 metres of the subject property.*

(2018.207) -- CARRIED

- j. Regional Organics Composting Facility**

Organics Composting

That the Council of the Town of Comox provide conditional support to the Regional Organics Program and Option F, as outlined in the May 3, 2018 Technical Memorandum prepared by CH2M for the Comox Valley Regional District, and subject to a detailed cost comparative analysis being completed by the CVRD and given full consideration by the Comox Strathcona Waste Management Board on a Regional Compost Facility site in the Comox Valley or smaller facilities in both Campbell River and the Comox Valley versus solely locating the compost facility in Campbell River at the Norm Wood Environmental Centre.

(2018.208) -- CARRIED

8. CORRESPONDENCE:

- a. John Ingram - Comox Golf Course**

Comox Golf Course

That the June 29, 2018 email from John Ingram, regarding the conversion of the golf course to a park and the development of a waterfront walkway, be received and filed for information.

(2018.209) -- CARRIED

- b. Jonathan Barry (Ministry of Children and Family Development) Childcare BC New Spaces Fund Announcements**

Childcare BC New Spaces Fund

That the July 6, 2018 letter from Jonathan Barry, Ministry of Children and Family Development, regarding the Province announcement on details of its Childcare BC New Spaces Fund, be received and filed for information.

(2018.210) -- CARRIED

- c. Honourable Selina Robinson & Honourable Shane Simpson (Office of the Minister) Homelessness Action Plan**

BC's Homelessness Action Plan

That the July 13, 2018 letter from the Honourable Selina Robinson and Honourable Shane Simpson, regarding BC's Homelessness Action Plan, be received and filed for information.

(2018.211) -- CARRIED

- d. Sharren K. Grant (Great Canadian Shoreline Cleanup) Thank you for the donation**

Great Canadian Shoreline Cleanup

That the July 2018 letter from Sharren Grant of the Great Canadian Shoreline Cleanup, thanking the Parks Superintendent for his continued support of the event, be received and filed for information.

(2018.212) -- CARRIED

e. Wendy Booth (UBCM) Gas Tax Agreement Community Works Fund Payment

Community Works Fund Payment

That the July 20, 2018 letter from Wendy Booth, UBCM President, regarding the first of two Community Works Fund payments, in the amount of \$328,622.94, be received and filed for information.

(2018.213) -- CARRIED

f. Marcia Turner - DVP 18-4 (1759 Robb Avenue)

DVP 18-4 (1759 Robb Avenue)

That the July 24, 2018 email from Marcia Turner, regarding her support for DVP application 18-4, be received and filed for information.

(2018.214) -- CARRIED

g. Chris and Diane Gage - DVP 18-4 (1759 Robb Avenue)

DVP 18-4 (1759 Robb Avenue)

That the July 24, 2018 letter from Chris and Diane Gage, regarding their opposition to DVP application 18-4, be received and filed for information.

(2018.215) -- CARRIED

h. Bruce Jolliffe (Comox Valley Regional District) Initiation of Regional Growth Strategy Bylaw No. 120, Amendment No. 1

RGS Amendment Initiation - 3L Developments

That the July 25, 2018 letter Bruce Jolliffe, Chair of the CVRD Board, regarding the initiation of an amendment to the Regional Growth Strategy, be received and filed for information.

(2018.216) -- CARRIED

9. LATE ITEMS: NIL

10. DELEGATIONS: NIL

11. REPORTS FROM MEMBERS OF COUNCIL:

a. Councillor Ken Grant

Councillor Grant advised that he attended a Regional District board meeting and a number of 3L Developments' meetings.

b. Councillor Arnott

Councillor Arnott advised that he attended the Pride Flag Raising event and a Regional District meeting regarding 3L Developments.

c. Councillor Swift

Councillor Swift advised that she attended:

- the 67-67 Potlatch event,
- the regular Filberg board meeting, and
- the Filberg volunteer dinner.

d. Councillor Price

Councillor Price advised that she attended:

- the 67-67 Potlatch community meeting,
- the Regional District committee of the whole meeting, and
- the raising of the Pride Flag event.

e. Councillor MacKinnon

Councillor MacKinnon advised that he attended a Homelessness Coalition meeting and a Community Justice forum.

f. Councillor Marg Grant

Councillor Grant advised that she attended the Potlatch 67-67 event and participated in a bike tour to celebrate agriculture in the community.

g. Mayor Ives

Mayor Ives advised that he:

- met with the CAO, the Planner and representatives of St. Joseph's Hospital,
- attended the Change of Command ceremony at HMCS Quadra,
- participated in an interview process for Inspector Tim Walton's replacement,
- met with one declared candidate for mayor,
- attended the Pride Flag raising event,
- attended both Potlatch 67-67 events,
- attended the first of several graduation parade events for the air cadets, and
- responded to a number of queries regarding the killer whale and the fireworks 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 Special In-Camera Meeting of Council on Wednesday August 1, 2018, pursuant to the following sections of the Community Charter:

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

90(2)(b) The consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party.

(2018.217) -- CARRIED

Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:42 p.m.

CARRIED

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

MAYOR

CORPORATE OFFICER

**Minutes of a Public Hearing,
held in d'Esterre House on Wednesday, August 1, 2018**

Present: Mayor P. Ives
Councillors R. Arnott, K. Grant, M. Grant,
H. MacKinnon, B. Price, M. Swift

Absent: Nil

Call to Order:

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

There were approximately 10 members of the public in attendance.

PUBLIC HEARING STATEMENT

Mayor Ives 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 is affected by the proposed:

- 1. Rezoning Application RZ 18-4 Recreational Cannabis Regulation Step 2:**
 - a. Comox Zoning Amendment Bylaw 1890

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 bylaw, 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 sign 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.

1. Rezoning Application RZ 18-2 (Cannabis Regulation)

a) Comox Zoning Amendment Bylaw 1890

Application Summary:

In general terms, the purpose of Comox Zoning Amendment Bylaw 1890 is to:

- Define Recreational Cannabis Retail Store:
- Establish specific locations in the Town where recreational cannabis retail stores will be permitted; and
- Prohibit recreational cannabis retail stores within a certain distance of another recreational cannabis retail store.

The Application Summary was received for information.

Public Hearing Submissions

Mayor Ives 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 bylaw is now open for discussion.

John Paulin, 1825 Comox Avenue

Mr. Paulin inquired how allowing for retail recreational cannabis sales would impact the Legion?

Staff advised that stores authorized to sell recreational cannabis will be restricted to the sale of cannabis only and no other goods will be permitted.

There being no further speakers on the speaker's list, Mayor Ives 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 Agenda Item.

Before closing the Agenda Item, I am going to call three times for any further speakers on any of the matters contained in the proposed bylaw.

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

Mayor Ives then called for the second time, is there anyone who wishes to make any further representation?

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

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

2. Close of Public Hearing & Other Items

a) Rezoning Application RZ 18-4 (Recreational Cannabis Regulation Step 2)

1. *That Comox Zoning Amendment Bylaw 1890 be given Third Reading.*

(2018.201 -- CARRIED)

2. *That Comox Zoning Amendment Bylaw 1890 be Adopted.*

(2018.202 -- CARRIED)

b) Business Regulation Amendment Bylaw No. 1889, 2018

That Business Regulation Amendment Bylaw No. 1889, 2018 be Adopted.

(2018.203 -- CARRIED)

c) Comox Planning Procedures Amendment Bylaw No. 1891, 2018

That Comox Planning Procedures Amendment Bylaw 1891 be Adopted.

(2018.204 -- CARRIED)

d) Comox Zoning Bylaw 1850

That staff be directed to prepare for Council consideration an amendment to Comox Zoning Bylaw 1850 to allow a recreational cannabis retail store and liquor store at 215 Port Augusta Street provided that a recreational cannabis retail store is located a minimum of 50 meters from a liquor store as measured by the shortest distance between the outside of the perimeter walls of the recreational cannabis retail store and liquor store.

(2018.205 – CARRIED)

Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:10 pm

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

MAYOR

CORPORATE OFFICER

Certified fair and accurate pursuant to Section 465(6) of the Local Government Act.



DEPUTY CORPORATE ADMINISTRATOR

**TOWN OF COMOX – MANAGEMENT REPORT
September 5, 2018**

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	Pilot project extended until the end of 2018 Organics collection for 2017 overall climbed slightly by 3.5%. Residents on average diverted a total of 124 kg per capita during the year, compared to 119 kg 2016. As per Council's Strategic Plan, staff will be looking at the feasibility of increasing organics collection by reducing the frequency of garbage collection this year.
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 provided to 19 Wing Comox as an incentive to develop a training facility at CFB Comox.
3.	Jan 18, 2017	Northeast Comox Storm Water Management Plan	Completion of Northeast Comox Storm Water Management Plan	Stakeholder and public meeting held April 26. Awaiting final submission from consultant.
4.	Jan 18, 2017	Mack Laing Trust	That staff be directed to begin the process to modify, if necessary, the terms of the Trust.	Hearing held April 17 in Nanaimo. Next court date slated for October.
7.	August 2, 2017	Wayfinding Signage	Develop wayfinding signage standards, prototypes and implement Phase 1 signage	Presentation to Council at August 1 Council meeting. Project completion anticipated by mid-August.

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



TOWN OF COMOX
REGULAR COUNCIL MEETING

STAFF REPORT
 Meeting Date: Sep 5, 2018

TO: Mayor and Council	FILE: 0340-50
FROM: Shelly Russwurm, Deputy Corporate Administrator	DATE: Aug 29, 2018
SUBJECT: Traffic Calming Policies and Procedures	

Prepared by: Shelly Russwurm, DCA	Supervisor: _____	Financial Approved: _____	Report Approved: Richard Kanigan, CAO
		Clive Freundlich, Fin. Director	

Recommendation from the Chief Administrative Officer:

That the last sentence in section 5.1 of the Town of Comox Traffic Calming Policy & Procedures document, as included in the October 25, 2017 Committee of the Whole meeting agenda, be amended to read "To begin the traffic calming process, the resident(s) concern must be made in writing to the Town of Comox, to the attention of Mayor and Council."; and further,

That the "Town of Comox Traffic Calming Policy & Procedures No. CCL-051" be adopted.

Background

The draft Town of Comox Policy & Procedures document was submitted to Council's Committee of the Whole for adoption on October 25, 2017. The Committee passed the following recommendation at this meeting:

That the last sentence in section 5.1 of the Town of Comox Traffic Calming Policy & Procedures document, as included in the October 25, 2017 Committee of the Whole meeting agenda, be amended to read "To begin the traffic calming process, the resident(s) concern must be made in writing to the Town of Comox, to the attention of Mayor and Council."; and further,

That the "Town of Comox Traffic Calming Policy & Procedures No. CCL-051", as included in the October 25, 2017 Committee of the Whole Meeting agenda, be adopted.

Due to an administrative error in creating the subsequent Regular Council Meeting agenda (dated November 1, 2017), the Committee of the Whole recommendation was omitted from the agenda cover pages, and Council did not formally amend or adopt the policy.

The Town of Comox Traffic Calming Policy & Procedures No. CCL-051, including the amended Policy & Procedures document, is attached to this report.

ATTACHED: TOWN OF COMOX TRAFFIC CALMING POLICY & PROCEDURES No. CCL-051



TOWN OF COMOX

1809 Beaufort Avenue Ph. 250 339-2202
Comox BC V9M 1R9 Fx. 250 339-7110

POLICY MANUAL

SECTION 1 – COUNCIL POLICIES	POLICY NO: CCL – 051
ESTABLISHED:	LAST REVISED:
TITLE: TRAFFIC CALMING POLICY & PROCEDURES	

All requests for traffic calming within the Town of Comox shall be considered in accordance with the attached document, titled “Traffic Calming Policy & Procedures” – dated November 2017.



TOWN OF COMOX

1809 Beaufort Avenue Ph. 250 339-2202
Comox BC V9M 1R9 Fx. 250 339-7110

POLICY MANUAL

SECTION 1 – COUNCIL POLICIES	POLICY NO: CCL – 051
ESTABLISHED:	LAST REVISED:
TITLE: TRAFFIC CALMING POLICY	

All requests for traffic calming within the Town of Comox shall be considered in accordance with the attached document, titled “Traffic Calming Policy & Procedures” – dated November 2017.



TRAFFIC CALMING POLICY & PROCEDURES



November 2017

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1. Introduction

This document outlines the Town of Comox's Traffic Calming policy which utilizes the Transportation Association of Canada and Institute of Traffic Engineers' "*Canadian Guide to Neighbourhood Traffic Calming (1998)*".

1.1 Why a Policy?

The Town of Comox is receiving numerous requests within the community for traffic calming. As such there is a need to manage community traffic calming requests in an appropriate and equitable manner. The primary intent of the traffic calming policy is to establish the guidelines that would warrant traffic calming measures when requests are received. A traffic calming policy provides a transparent document for council, staff and the community on when and what will be reviewed in determining if traffic calming measures are warranted.

1.2 What is Traffic Calming?

Traffic calming can be described as "the combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users". It aims to encourage safer, more responsible driving and inherently reduce traffic flow. When used effectively, traffic calming supports the livability and vitality of residential and commercial areas.

A traffic calming policy will allow the Town to determine what areas of the community needs traffic calming and how to prioritize the needs.

2 Goals of Traffic Calming

The basic function of a street is to provide both movement and access, but in differing combinations depending on location, adjacent land use, and road classification. Traffic calming is used to ensure a street or street network retains its intended function. Traffic calming measures are put in place to achieve at least one of the following objectives:

- **Reduce vehicle travel speeds:**

Speeds and traffic volumes which are suitable for one type of road such as a major arterial road, may be considered excessive on a local road within a neighbourhood. Streets within the Town are classified to describe their role and functionality in the road network system.

For vehicle speeds, the 85th percentile speed is considered the speed at which 85% of the total traffic volume on a road is travelling at or below. In considering the need for traffic calming, the 85th percentile speed must exceed the posted speed limit by 10 km/hr.

Traffic calming measures which reduce vehicle speeds help to improve safety on neighbourhood streets for pedestrians, cyclists, motorists and other road users, and also help to improve the livability of a community by reducing noise and other negative impacts of traffic.

- **Discourage neighbourhood short-cutting:**

Neighbourhood streets are primarily intended for access to properties. Reducing through/short-cutting traffic helps to improve safety by reducing the potential for conflicts and encourages traffic to use the surrounding arterial road network. Reducing through traffic also reduces delays for local traffic, pedestrians, cyclists and other road users. This helps to

improve livability for the residents by reducing noise, pollution, congestion, and other negative impacts of traffic.

- **Minimize conflicts between vehicles and other street users:**
Local roads are intended to be shared between pedestrians, cyclists, motorists and other road users. Minimizing conflict points of road users, or enhance visibility or recognition between road users at existing conflict points. Reducing conflicts between road users helps to improve safety, as well as improve the livability of a community.
- **Improve the neighbourhood environment**
Reducing vehicle speeds, traffic volumes and conflicts helps to enhance the livability of a community by reducing the apparent dominance of traffic. This makes for healthier neighbourhoods and more livable community.

Each road classification is intended to provide a different function as part of the overall network. Therefore it is important each traffic calming application is planned in consideration of the impact it may have on the overall road network.

Traffic calming uses physical design and other measures to improve safety for motorists, pedestrians and cyclists. It aims to encourage safer, more responsible driving and livability of a neighbourhood.

3 Traffic Calming Principles

There is no single “best” solution when implementing traffic calming that can be applied based solely on objective criteria. A number of principles are common to the application of all traffic calming measures, regardless of problem, type of road or mitigation measure.

A combination of local knowledge, technical expertise and experience must be applied to determine the best measure or combination of measures. The following five principles are relevant to all traffic calming projects. Following them will help to create an effective plan and build community acceptance.

- **Identify and quantify the real problem** - Ensure that any traffic calming plan is based on real problems and not simply perceptions. Conducting vehicle volume and classification counts, documenting speeds, undertaking license plate traces and parking surveys and collecting collision statistics may be required to determine the type and extent of traffic problems.
- **Consider area wide solutions** - Traffic problems on a particular street may have raised the need for a study but those problems may be caused by deficiencies on other roads, or other roads in the area may face similar problems. Applying traffic calming measures on only one road may simply shift the problem to neighbouring streets.
- **Avoid restricting access** - Closures, diverters and other barriers may eliminate cut-through traffic, but they will raise opposition from residents, emergency service providers, transit and others in the community. They can also generate difficulties for large vehicles such as snow plows, garbage trucks and delivery vehicles.
- **Consider all potential impacts** - Measures implemented may negatively affect emergency vehicles, transit, bicycles, people who are visually impaired, maintenance, local access,

parking, street sweeping, snow plowing and police enforcement. It may be impossible to completely eliminate all negative impacts but proper planning can reduce these concerns.

- **Monitor and follow-up** - It is important to perform follow-up evaluations to determine effectiveness of traffic calming measures and public acceptance after implementation. Some traffic calming devices may require maintenance that need be added to maintenance schedules.

4 Approaches to Traffic Calming Measures

Traffic calming measures are implemented to address issues with vehicles speeding, excessive traffic volumes and neighbourhood safety. All traffic calming measures help to reduce the speed and volume of traffic to improve the safety and quality of life for residents. These measures can be classified by the following:

- a) **Horizontal Deflection**
Creates a horizontal deflection of vehicles which generally discourages short-cutting of vehicles. Examples are Bulb-out/curb extensions and traffic circles.
- b) **Vertical Deflection**
Raising a portion of a road surface can create discomfort for drivers travelling at high speeds. Both the height and steepness affect the severity of vehicle displacement. Examples are speed hump and raised crosswalk.
- c) **Obstruction**
Obstructing specific vehicle movements which are usually applied to traffic intersections. They discourage or eliminate short cutting or through traffic. Examples are semi-diverter/directional closure, diverters and right-in/right-out islands.
- d) **Signing**
Installing signage such as stop signs, slow down or maximum speed signs are not an effective traffic calming measure.

5 Process

The following process will be instituted upon receiving a traffic calming request. This ensures a consistent approach.

5.1 Step 1 – Initial Request for Traffic Calming

Requests for traffic calming and concerns are most often related to the speed of and/or the traffic volumes on a particular street in a neighbourhood.

To begin the traffic calming process, the resident(s) concern must be made in writing to the Town of Comox, to the attention of Mayor and Council.

5.2 Step 2 – Collection of Data

Traffic data collection is a vital part of the process to gain an understanding of the concerns raised by the residents. This information is part of an analysis to determine the most appropriate traffic calming measure. The traffic data to be collected is as follows:

- Collision data – data for all roadway links and intersections are sourced from ICBC on request from the Town
- Average daily traffic - volumes are normally collected using standard traffic counters which are non-intrusive and deployed on the side of the roadway

- 85th percentile speed - can be picked up alone or in combination with the traffic volume information

5.3 Step 3 – Initial Screening process

The initial screening process will consider the classification of the street(s) under consideration, grade, collision history, average daily traffic volume and the defined threshold limits in the 85th percentile speed. The specific considerations include:

- Grade – if the grade of the roadway being considered exceeds 8%, then traffic calming will not be considered any further. Implementing traffic calming measures on roadways with steep grades could result in safety related issues especially under inclement weather conditions.
- Collision History – The collision history of the roadway within the past 3 years involving vulnerable road users such as cyclists and pedestrians which could have potentially been avoided with the implementation of traffic calming measures. This would be cause to advance the street through the initial screening process regardless of the volume and speed criteria. For local streets, this threshold is set at 3 collisions over a 3 year timeframe. For collectors, this threshold is set at 6 collisions over a 3 year timeframe.
- Volume on Roadway– The thresholds used for volumes upon which traffic calming could be considered are as follows:
 - ∞ local road average weekday traffic volume is greater than 1,000 vehicles per day
 - ∞ collector road average weekday traffic volume is greater than 5,000 vehicles per day
 - ∞ arterial road average weekday traffic volume is greater than 12,000 vehicles per day
- Speed on roads - The 85th percentile speed is the speed that 85 percent of the vehicles are travelling at or below. Another way of looking at this is that only 15 percent of vehicles are traveling faster than the 85th percentile speed. The threshold for consideration for traffic calming is the speed of traffic at the 85th percentile speed plus 10 km/h over the posted speed limit.

Table 1 traffic calming matrix is made up of recommended traffic calming measures and assigned threshold volumes and speeds relative to the road classification. If the data for the particular road exceeds the thresholds, then the complaint would trigger a traffic calming study.

Traffic calming should not be located on cul-de-sac roads since there can be no short cutting or volume issued due to lack of network connectivity. If speeding is an issue on cul-de-sac or long dead end roads an education program is required to inform neighbours of the street as the issues can only be created by that set of neighbours. This education could be in the form of a neighbourhood meeting and/or educational brochures identifying that speed is an issue being created by residents speeding in their own neighbourhood.

5.4 Step 4 – Initial Concepts Plan

If it is clear that the thresholds have been met, then the town will select potential traffic calming measures. Also considering safety, access, preliminary cost and traffic conditions. Depending on the extent, effect on overall traffic network and nature of the traffic calming mechanism, this will be the bases for determining if the potential traffic calming study can be done in house with staff expertise or if a traffic engineer should be hired.

Table 1 – Traffic Calming Matrix

Measures *	Arterial Rd Threshold to Trigger Traffic Calming Study:		Collector Rd Threshold to Trigger Traffic Calming Study:		Local Rd Threshold to Trigger Traffic Calming Study:		Cost*
	Volume >12,000 veh/day	Op. Speed 85 th % ile > 10+ Km/h above posted	Volume >5,000 veh/day	Op. Speed 85 th % ile > 10+ Km/h above posted	Volume > 1,000 veh/day	Op. Speed 85 th % ile > 10+ Km/h above posted	
a) Traffic Circles					✓		2-50k
b) Intersection Channelization	✓		✓		✓		>3k
c) Diagonal Diverter					✓		50-100k
d) Raised Crosswalk					✓ (school & playground zones only)		20k
e) Speed Hump(s)					✓		1-5k
f) Speed Cushion				✓	✓		5k
g) Speed Table				✓	✓		5-7k
h) Curb Radius Reduction				✓	✓		>3k
i) Right in/Right out Island	✓		✓		✓		15-50k
j) Sidewalk Extension (at intersection)					✓		5-10k
k) Raised Median Island	✓		✓		✓		15-50k
l) Bulb-out/Curb Extension	✓		✓		✓		50-100k
m) Semi-diverter/Directional Closure					✓		15-50k
n) On Street Parking				✓	✓		1- 5k
o) Centreline Painting					✓		Varies
p) Street Closure					✓		50-100k

*Typically these measures require curb and gutter to be effective. On rural roads curb and gutter (and associated drainage upgrades) may be required when implementing traffic calming.

* Costs are based on a Class D estimates

5.5 Step 5 – Presentation to Stakeholders

In order for any traffic calming project to be successful, the community must support the process and be committed to the solution that is put in place to resolve the problems being experienced.

By way of a survey and letter or open house, staff will present the purpose, objectives and implementation process of traffic calming in general. Residents and stakeholders will have an opportunity to become involved in the process, learn more about the potential traffic calming measures and to provide feedback.

Surveys will contain:

- A brief description of traffic calming, including its advantages and disadvantages;
- A survey question asking if residents are in favour, opposed or neutral to the implementation of traffic calming measures in the identified location(s);
- The preferred traffic calming design; and
- A request for comments and feedback.

In order for the process to continue, staff requires the support of 75% of the residents and stakeholders who stand to be affected by the change. This reinforces that community support is vital for the ultimate success for traffic calming. Stakeholders shall include emergency services and transit.

5.6 Step 6 – Second Open House

Once the plan is completed a second open house may be held to present the plan. Residents and stakeholders will be asked if they support the plan presented. If necessary, consideration of modifying the plan to address additional problems or issues raised by the residents and stakeholders will be completed.

5.7 Step 7 – Council Approval

Based upon feedback from residents and stakeholders and in consideration of the evaluation exercise, staff will present the final plan to council for approval and funding.

The implementation of the plan is subject to budget approval and staff resources. Residents and stakeholders will be notified in writing of council decision and next steps.

5.8 Step 8 - Installation

The design of the various devices should be prepared according to the Transportation Association of Canada and Institute of Traffic Engineers' "*Canadian Guide to Neighbourhood Traffic Calming (1998)*".

A phased approach to installation may not be effectual, as traffic calming measures should be implemented all at once to ensure maximum safety, acceptance and compliance. Temporary or partially completed installations can create liability issues and/or maintenance problems. If funding is an issue, economical or more cost effective facilities can be utilised (e.g.: soft landscaping within the traffic circle) but the intention should be to install the measures as permanent fixtures rather than temporary.

The data that was collected on the subject area prior to initializing the traffic calming study represents the baseline information. Subsequent data results should be compared 6 months and 1 year respectively, after completion of the installation of the devices, to ensure the desired effect was achieved.

6 Conclusion

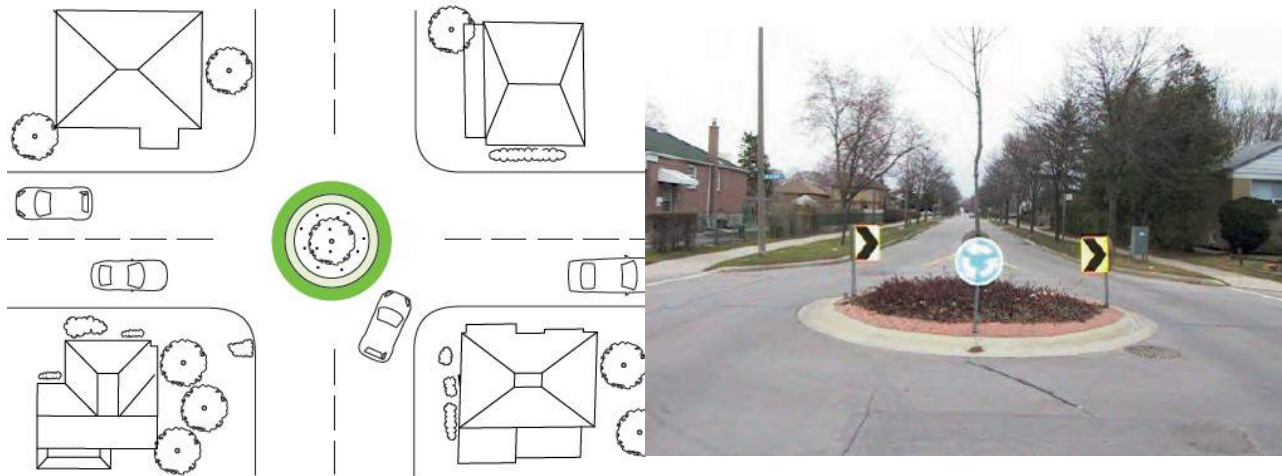
In order to streamline the decision making process for the Town of Comox, the aforementioned traffic calming steps should be followed when determining the necessity for enhanced safety measures. In order to maintain consistent and efficient process, these steps will ensure that the Town has the tools to implement a traffic calming measure where and when appropriate. As many individuals have their own perceptions regarding the need for traffic calming measure on a street, the previous steps will allow for the study to be based on the reality, as well as consider all potential impacts that these measures will have on all the road users.

Appendix A: Types of Traffic Calming

1 Traffic Calming Measures Considered

a) Traffic Circle

Traffic circle is a raised island located in center of intersection which requires vehicles to travel through the intersection in a counter clock wise direction.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Can reduce vehicle speed by 6-10 km/h in vicinity of circles (most effective in reducing speed when several are used in a series) • Reduces vehicle volume slightly (some jurisdictions have reported reductions of 10-20%) • Reduces number of conflict points at intersection by 82% • Enhances aesthetics with landscaping 	<ul style="list-style-type: none"> • Maybe inappropriate on major emergency response routes as delays emergency vehicles 5 to 8 sec. • Difficult for emergency vehicles and trucks to turn left • May require removal of some on-street parking (prohibiting parking for 9 m from intersection recommended) • Requires ongoing maintenance of landscaping

b) Intersection Channelization

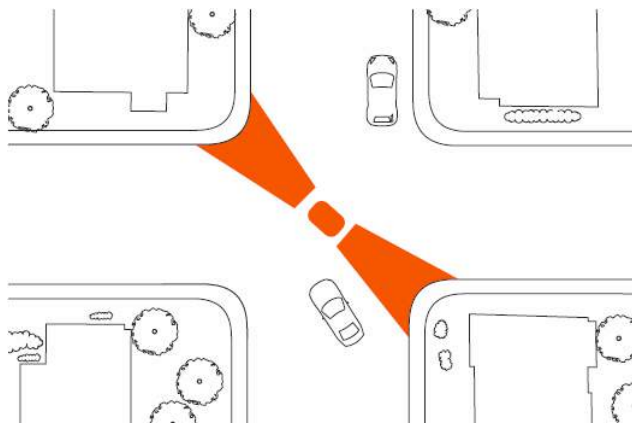
Intersection channelization is raised islands located at an intersection, which is designed to obstruct specific movements and direct traffic through an intersection. Must involve an assessment by a Traffic Engineer regarding effect to overall traffic network.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Creates pedestrian refuge which could increase pedestrian safety and shorten distance exposed vehicles • Treatment that is intended to reduce short-cutting 	<ul style="list-style-type: none"> • Restrictive for larger vehicles and emergency vehicles • Adversely affects snow removal and other maintenance programs • Good illumination levels are required

c) Diagonal Diverter

A divider is a physical raised barrier placed diagonally across 4-way intersection to create 2 unconnected intersections. The barrier forces traffic to turn and prevents traffic from proceeding straight through the intersection. Gaps can be incorporated in the design for pedestrians, wheelchairs and bicycles and can be mounted by emergency vehicles. Must involve an assessment by a Traffic Engineer regarding effect to overall traffic network.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Can reduce vehicle speed slightly within immediate vicinity of measure (approximately 61-91 m) • Can reduce vehicle volume by 20-70% (typically 35%) • Reduces crash potential by eliminating conflicting traffic movement • Lesser impact on traffic circulation in comparison to street closure • Enhances aesthetics with landscaping 	<ul style="list-style-type: none"> • Traffic may be diverted to surrounding neighborhood roadways • May inconvenience local residents in accessing their homes • Delays emergency service vehicles • Drainage and icing may prove a problem • Good illumination levels are required

d) Raised Crosswalk

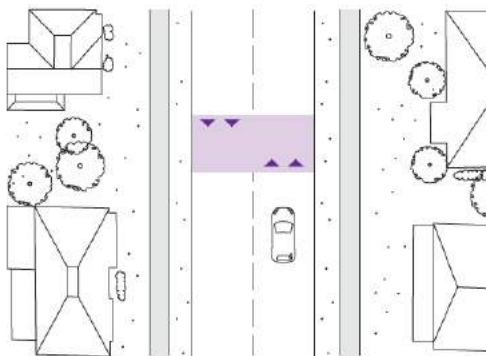
Marked pedestrian crossings elevated 7.6 to 15.2 cm above street grade at intersections or mid-block and can be at level with curb (about 15.2 cm above street). Raised crosswalks often have same profile as speed tables. Most effective with curb extensions

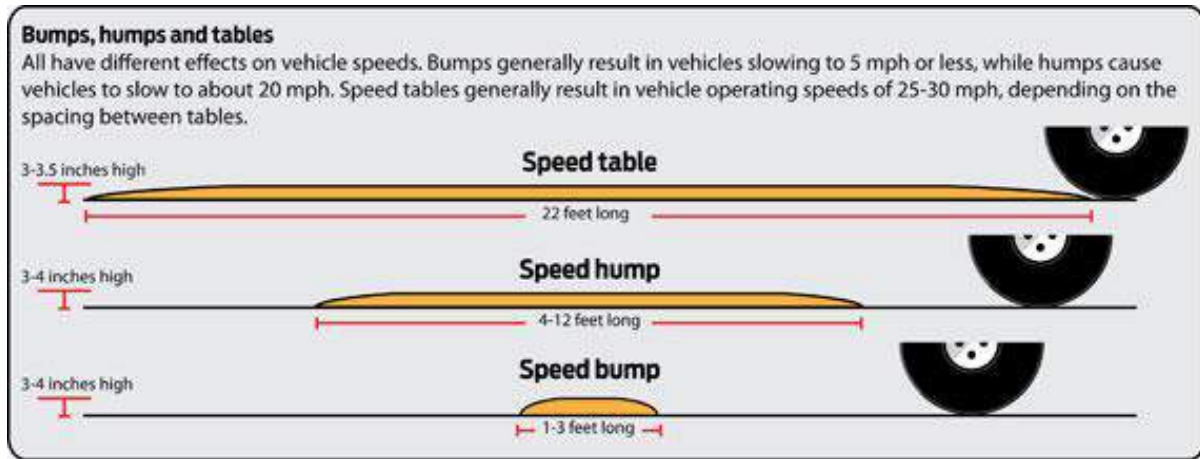


Advantages	Disadvantages
<ul style="list-style-type: none"> • Can reduce vehicle speed by about 10 km/h • Can reduce vehicle volume by about 12% • Improves visibility for pedestrians • Provides enhanced safety for pedestrians 	<ul style="list-style-type: none"> • Negative impact on emergency response services • Traffic may divert to surrounding neighborhood roadways • Requires more maintenance • Increased time and cost necessary for snow removal • Drainage may be a concern (catch basin should be installed on uphill side of raised crosswalk) • May produce noise concerns from adjacent residents due to braking and acceleration

e) Speed Hump:

Speed humps are rounded raised areas placed on the roadway. They are designed to discourage motor vehicle drivers from travelling at excessive speeds. The profile of a speed hump can be circular, parabolic, or sinusoidal. They typically are 7.6-10.2 cm high and 1.2-3.7 m long (speed bumps in contrast are 0.3-0.9 m long)





Advantages	Disadvantages
<ul style="list-style-type: none"> • Speed humps are relatively inexpensive • Relatively easy for bicycles to cross • Very effective in slowing travel speeds • Tapered at the curb on each end to allow for unimpeded drainage • Available in pre-constructed form 	<ul style="list-style-type: none"> • They cause a 'rough ride' for all drivers including cyclist • Negative impact on emergency response services • May cause increase noise

f) Speed Cushion:

A cushion is a series of 3-4 "humps" spaced across roadway that permits wide axle emergency vehicles to pass without slowing (typically 7.6 cm high, 1.82 m wide, and 2.1-4.3 m in length)



Advantages	Disadvantages
<ul style="list-style-type: none"> • Reduce vehicle speed • Can reduce vehicle volumes • No restrictions on on-street parking • Requires minimum maintenance • Does not restrict access to residents • Minimal impact to emergency response times 	<ul style="list-style-type: none"> • May divert traffic to parallel streets that do not have traffic calming measures • Increase in noise in the vicinity of the cushions

g) Speed Table:

A table is a raised hump in roadway with flat top and ramps on either end, typically 6.7m long. Are typically long enough for the entire wheelbase of a passenger car to rest on the flat section. Their long flat fields, plus ramps that are sometimes more gently sloped than speed humps, give speed tables higher design speeds than speed humps. Speed tables are easier to construct than speed humps and generally have higher neighborhood acceptance.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Relatively inexpensive to install and maintain (cost increases with size, therefore speed table is most expensive) • Reduces vehicle speed and volume 	<ul style="list-style-type: none"> • Increased time and cost necessary for snow removal • Noise from acceleration and deceleration • Traffic may divert to surrounding neighborhood roadways • Avoid on major transit routes • Drainage may be a concern • Should not be installed on grade exceeding 8% or curves unless radius is greater than approximately 91 m • Should not be placed within 76 m of a signalized intersection • Negative impact on emergency response services, snow and road maintenance

h) Curb Radius Reduction

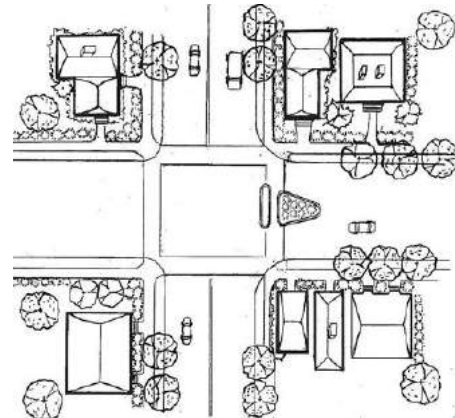
The reduction of the radii of street corners, typically 3.0 m to 5.0 m range. The radius of street corners affects traffic turning speeds as a tighter radius forces drivers to reduce speed.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Expand the intersection corner to reduce the crossing distance for pedestrians • Improve motorist visibility of pedestrians • Reduce the speeds of turning vehicles, which can reduce the likelihood and consequences of a collision with a pedestrian 	<ul style="list-style-type: none"> • Not recommended for primary emergency vehicles, truck or transit routes

i) Right-in/Right-out Island

A right-in/right-out island is a raised triangular island at an intersection approach which obstructs left turns and through movements to and from the intersection, street or driveway. They are usually used to direct traffic to the nearest collector of arterial instead of cutting through the neighbourhood. It can also create refuge for pedestrians using the crosswalks in these locations. Prior to implementation a Traffic Engineer is required to review the intersection to ensure there is no adverse effect on adjacent traffic patterns and road network.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Reduces through traffic on local street • Can improve pedestrian safety by reducing crossing distances and providing refuge areas 	<ul style="list-style-type: none"> • Little or no impact on vehicle speed • Does not reduce vehicle volume on major street • Restricts resident access • Traffic may be diverted to surrounding neighborhood roadways • Negative impact on emergency response services

j) Sidewalk Extension (at intersection)

A sidewalk extension is the continuation of the sidewalk across a local street intersection. A “raised” sidewalk extension continues at its original elevation, with the local roadway raised to the level of the sidewalk at the intersection. For an “un-raised” sidewalk extension the sidewalk is adjusted to the level of the road.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Favorable for intersections with substantial pedestrian activity 	<ul style="list-style-type: none"> • Can create surface drainage concerns • Maintenance issues for snow plowing • May hamper turning movements causing traffic “back-ups” and possible collisions

k) Raised Median Island (Pedestrian Refuge)

Narrow islands at mid-block or intersection between travel lanes with breaks in curbing/landscaping for pedestrians. Median islands should be 1.8-2.4 m wide to comfortably accommodate pedestrians, and at least about 3.7 m long (preferably about 6.1 m)

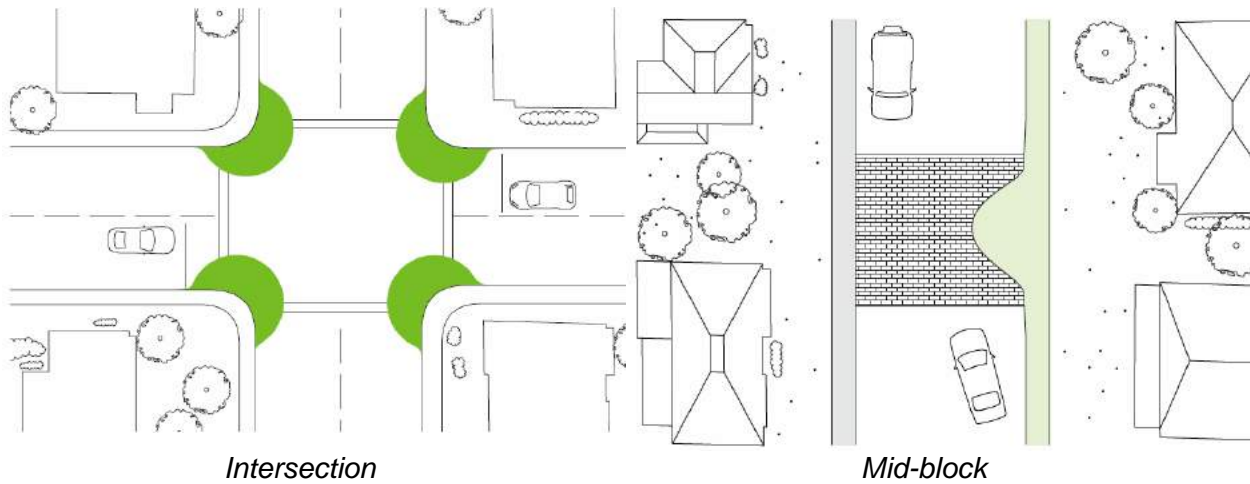


Advantages	Disadvantages
<ul style="list-style-type: none"> • Can reduce vehicle speed by 2-8 km/h (typically 3-5 km/h), especially when median islands result in roadway narrowing • Separate opposing vehicle travel lanes and prevent passing movements • Provide a safe in-between refuge for pedestrians as they make their way across the street, split up a lengthy curb-to-curb distance. • Can be used on curves to prevent vehicles from swinging wide at excessive speeds 	<ul style="list-style-type: none"> • May require removal of on-street parking to create room for median • May restrict access to driveways from one direction • May require curbing at road edges to confine vehicles to narrowed traffic lanes • Snow removal within pedestrian refuge areas may prove difficult and experience delays

l) Bulb-out/Curb Extension

A curb extension is a horizontal intrusion of expanded area of curbing that extend across parking lane and may narrow at travel lane (at intersection of mid-block) with the primary purpose of speed reduction.

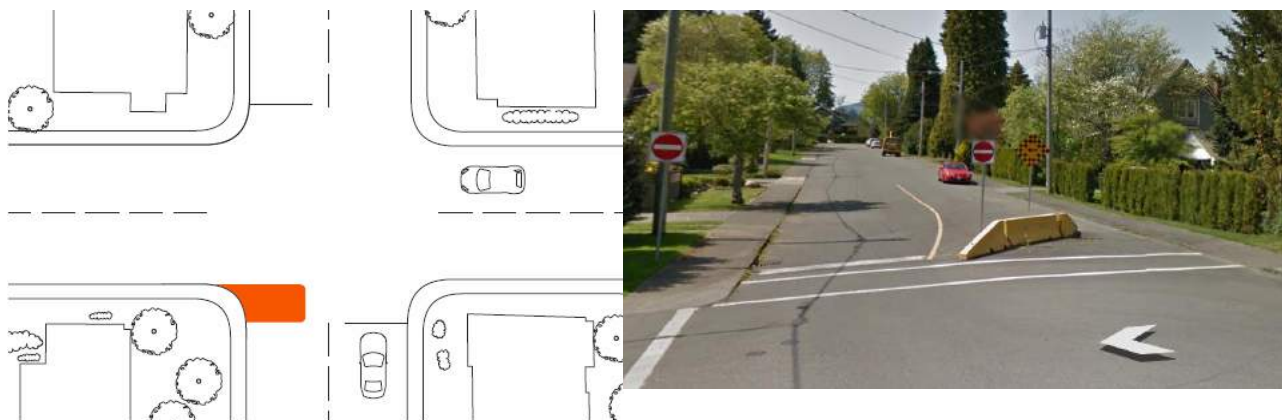




Advantages	Disadvantages
<ul style="list-style-type: none"> • Can reduce vehicle speed up to 2-3 km/h (and even up to 8 km/h when travel lanes are significantly reduced) • Improves pedestrian safety (reduces crossing distance) • prevents illegal parking close to intersections 	<ul style="list-style-type: none"> • Reduces on-street parking • May be difficult to accommodate full bicycle lanes • Drainage may be a concern • Negative impact on emergency response services

m) Semi-diverter/Directional Closure

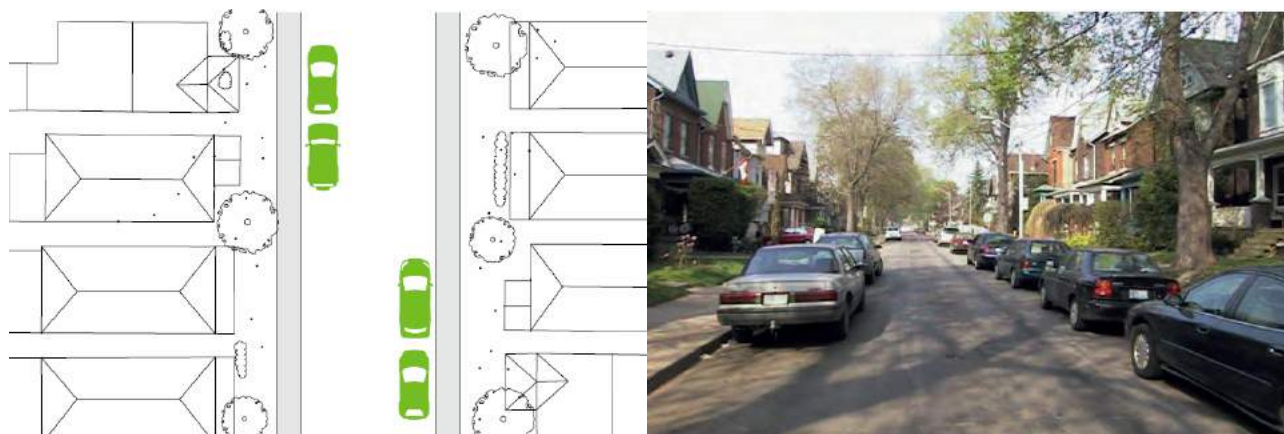
A physical barrier can be curb extension or vertical barrier that extends to proximately the centreline of a street, effectively obstructing one direction of traffic.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Can reduce vehicle speed by 3-8 km/h • Can reduce vehicle volume by 40-60% • Reduce cut-through traffic without restricting bicycle and pedestrian access • Enhances aesthetics with landscaping 	<ul style="list-style-type: none"> • Traffic may be diverted to surrounding roadways • Could be violated especially in late evening and on low-volume streets • Negative impact on emergency response services • Not on transit streets • Reduces access for residents

n) On-Street Parking

On- street parking is the reduction of the roadway width for vehicle movement by allowing vehicles to park adjacent and parallel to the curb.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Reduces vehicle speed if roadway is less than 9.0 m and effective width of roadway is reduced. If one half or more of block face is not parked out, on-street parking is unlikely to reduce speed • Parked vehicles provide buffer between traffic and pedestrians on sidewalks 	<ul style="list-style-type: none"> • May reduce visibility of pedestrians and vehicles to each other • Negative impact on emergency response services • Not to be applied to roads with ≤ 6.0 m paved width

o) Centreline Painting

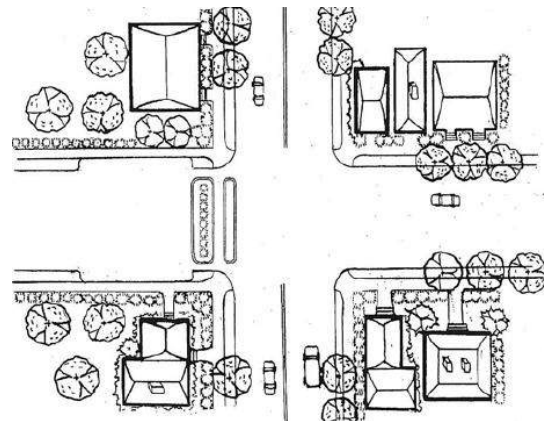
Painting a centreline can reduce the width of the travel portion of a lane. Usually used on roads 9.0 metre wide or less. Narrow lanes provide a feeling of constraint and encourage drivers to reduce their speed. Lanes can either be visually narrowed by adding a painted median, but these may be less effective than centre islands with raised curbs and landscaping, since vehicles can traverse a painted island.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Encourages drivers to slow down due to perception of the road narrowing • Delineates the traffic • Traffic lines do not slow emergency vehicles • Painted lines is relatively easy and low-cost to install and modify. 	<ul style="list-style-type: none"> • Painted lines are easy for drivers to cross and disobey • Roads without paint lines allow drivers to assume they can use the entire road, which results in higher speeds • Removal of pre-existing traffic lines in order to change the configuration may leave unsightly scars on the pavement surface

p) Street Closure

A closed roadway is a barrier extending the entire width, which obstructs all motor vehicle traffic movement from continuing along the roadway. Gaps can be provided for cyclists and they are typically passable by emergency vehicles.



Advantages	Disadvantages
<ul style="list-style-type: none"> • Eliminates all cut-through traffic • May reduce vehicle speeds (especially if dead-end street is less than 122 m in length) • May reduce vehicle volume • Enhances aesthetics with landscaping 	<ul style="list-style-type: none"> • Obstruct emergency service access • Restrict resident access • Adversely affects snow and road maintenance program • Creates issues regarding turn-around and may result in complaints due to repetitive use of private driveways for this purpose

2 Traffic Calming Measures Not Considered

a) Raised intersections

Raised intersections are not readily visible to motorists and other roadway users. Consequently, their effect on vehicle speeds and traffic volumes are minor. Expensive to retrofit raised intersections on existing roadways.

b) Rumble Strips

Rumble strips are effective when used to alert motorists to the presence of a stop sign, crosswalk, reduce speed zone or potentially hazardous situation. It is not a common traffic calming measure and creates additional noise for nearby residents.

c) Chicanes

Chicane is a series of curb extensions on alternating side of the roadway, which is to narrow the road and require drivers to steer in an "S" pattern from one side of the road to the other. One lane chicanes have been successful at reducing vehicle volumes and speeds. They have a higher operational and maintenance costs especially for snow clearing and street sweeping.

Appendix B – OCP Map 5 – Road Network Classifications



MAP 5
Road Network

February 2011

map created by the Arlington Group for the Town of Comox.

data provided by:
Town of Comox, Comox Valley Regional District,
Province of British Columbia,
Department of Natural Resources Canada® (All rights reserved),
WildS (Wildlife Free Stewardship Program) 2009,
BC Nature and Community Mapping Network.

MAP 5 - ROAD NETWORK



RECEIVED

AUG 20 2018

TOWN OF COMOX

2

August 20, 2018

217-1800 Comox Ave
Comox V9M3M8

2

I have no objection to this application # PR18-3 for 1825 Comox Ave liquor license change.

Yours very truly,

Dois E. Ellis

CON	REFER.	AGRI
18-216		Real
PLANNING	ACTION	Spt. 5 '18

or planning dept
again Mayor & Council
RR/SR/MLK/agenda



WE WANT TO HEAR FROM YOU



1809 Beaufort Ave
Comox, BC V9M 1R9

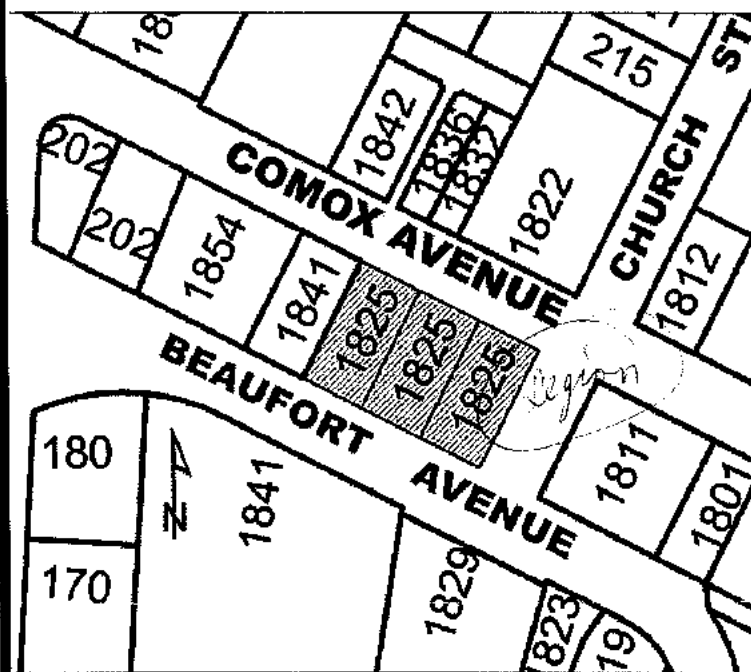


council@comox.ca

Transition Liquor Primary - Club Licence to Liquor Primary Licence 1825 Comox Avenue

NOTICE OF COUNCIL CONSIDERATION

5:30 pm, Wednesday
Sept. 5th, 2018
Council Chambers
1801b Beaufort Avenue, Comox



Highlights: The Town of Comox wishes to gather public input on an application for a Liquor Primary Licence with a 175 person capacity at 1825 Comox Avenue shown shaded on the map.

Details: Hours of operation would be between 11:00 a.m. and 1:00 a.m. Monday to Saturday and between 11:00 a.m. and midnight on Sunday. The application is for a change from a Liquor Primary-Club licence to a Liquor Primary license at 1825 Comox Ave. (Lots 6,7 & 8, Section 56, Comox District, Plan 3923).

Written Submissions

Send by mail, fax or e-mail; as long as the submission:

1. Is received before 4:00pm on Sept. 5, 2018;
2. Is addressed to Mayor and Council;
3. Identifies "1825 Comox Ave Liquor License" application in the subject line, and;
4. Includes the name and address of the person making the submission.

Each such person is solely responsible to ensure that their submission is received on time. The Town will not issue any acknowledgement of receipt of such submissions.

More Information

A copy of this liquor license application, as well as existing relevant reports and documents, will be available for inspection at Town Hall, 1809 Beaufort Avenue, Comox between the hours of 8:30 am – 4:30 pm Monday through Friday (except Statutory Holidays) commencing on August 13, 2018.

We're listening.

**Please submit your written
comments by 4:00 pm on**

Sept. 5, 2018.

RCM Agenda Sept 5, 2018

Twyla Slonski

From: Phyllis Baldwin <phbaldwin@shaw.ca>
Sent: August 21, 2018 9:43 PM
To: council
Subject: 1825 Comox Avenue Liquor Licence

RECEIVED

August 21, 2018

TOWN OF COMOX

Dear Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness, increased traffic and noise on Comox & Beaufort Avenues, increased traffic congestion, and ongoing disruption to the peace and quiet of nearby residents. This sole drinking establishment in Comox which accommodates up to 175 patrons up to 1:00 A.M., transforms peaceful Comox into a magnet destination for late-night carousers. Will the city provide extra police presence to monitor the new character of Comox Avenue as a week-long party destination?

Why are the current drinking hours at 1825 Comox Avenue not adequate? Why change if from a members' club to potentially wide open public access. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand.

The Royal Canadian Legion is supposed to be a dignified members' organization, not a public bar open to all.

I hope City Council rejects this application and all the possible attendant social issues and disruption that come with it.

Phyllis Baldwin and Helmut Mach
#202-1841 Beaufort Ave. Comox

LOG: 18-220	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: MR	

o ~ planning file
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Alisha Drinkwater <alisha.drinkwater@gmail.com>
Sent: August 23, 2018 10:33 AM
To: council
Subject: Transition Liquor Primary - Club Licence to Liquor Primary Licence 1825 Comox Ave

Hi there,

I wish to voice my support as a taxpayer and resident of Comox with the subject noted proposal.

Thank you.

Alisha Drinkwater
433 Ensign St
Comox

RECEIVED

AUG 23 2018

TOWN OF COMOX

Sent from my iPhone

18-223	Planning file	Sept. 5/18
--------	---------------	------------

or plan dept
copy ~ Mayor & Cncl
BR/SR/MK/agenda

Twyla Slonski

From: Enid Farmar <enidfarm@gmail.com>
Sent: August 22, 2018 8:52 PM
To: council
Subject: 1825 Comox Ave Liquor Licence

RECEIVED

AUG 23 2018

TOWN OF COMOX

The Mayor and Council:

I oppose the granting of a liquor licence to the premises at 1825 Comox Avenue.

There are already enough establishments for the consumption of alcoholic beverages, with more pending in the Comox Mall and on Church Street.

This is a residential area. Opening the Legion up to the general public is going to attract late night drinkers, rowdiness, and a lot of noise from drunks, car alarms, loud music, and more.

Please turn down this application. Do not allow it.

Respectfully submitted by Enid Farmar

103 - 1841 Beaufort Avenue

Comox, B.C.

V9M 1R9

LOG	REFR	AGENDA
18-225		RCM
FILE	ACTION	Sept. 5 '18
Planning	MR	

on plan dept
copy ~ Mayor & Council
RK/SR/MK/agenda

Twyla Slonski

From: Jeff Mathieson <tartanwindowcleaning@gmail.com>
Sent: August 22, 2018 6:37 PM
To: council
Subject: 1825 Comox Ave Liquor Licence Application

RECEIVED

AUG 23 2018

Attention Mayor and Council

I am fully in support of approving the liquor licence of the noted address.

TOWN OF COMOX

We need a greater variety of liquor establishments within proximity of our residences.

It also establishes vibrance in the downtown core, which for the most part is lacking in every aspect. Complimentary business will follow.

I am so used to coming into town on winter nights with not a single person on the street.

Sincerely,

Jeff Mathieson
806 Sand Pines Crescent
Comox BC V9M 3V2

LOG#	18-228	RECEIVED	ARRIVAL
FILE	Planning	ACTION	file
			Revd Sept. 5

cc - plan dept
copy - Mayor & Council
RK/SR/MK / agenda

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Comox Valley Marina Ltd.

P.O. Box 20019, Comox, B.C. V9M 4H3

Located at:

1805 Beaufort Ave., Comox, B.C. V9M 1B9

VHFA66A

Phone/Fax: 250-339-2930

August 24, 2018

RECEIVED

AUG 24 2018

TOWN OF COMOX

Mayor and Council
Town of Comox 1809 Beaufort Avenue
Comox

Dear Mayor and Councillors

Re - 1825 Comox Avenue Liquor Licence

Comox Valley Marina and Marina Park Development respectively lease and own lots 1805 and 1823 Beaufort Avenue.

We support RCL 160's application for a Liquor Primary Licence at 1825 Comox Avenue.

Yours truly

John Neville
President

LOG 18-233	REF-FILE	AGENDA RCL
FILE Plan Dept	ACTION file	Expt 5/17

on Planning
copy - Mayor & Council
KK/SR/RK/agenda



WE WANT TO HEAR FROM YOU



1809 Beaufort Ave
Comox, BC V9M 1R9

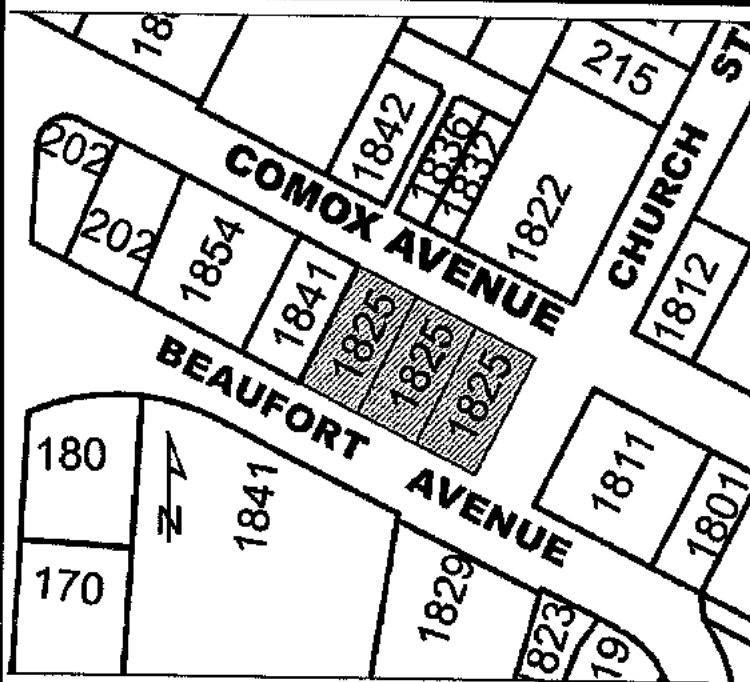


council@comox.ca

Transition Liquor Primary - Club Licence to Liquor Primary Licence 1825 Comox Avenue

NOTICE OF COUNCIL CONSIDERATION

5:30 pm, Wednesday
Sept. 5th, 2018
Council Chambers
1801b Beaufort Avenue, Comox



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2. Is addressed to Mayor and Council;
3. Identifies "1825 Comox Ave Liquor License" application in the subject line, and;
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**We're listening.
Please submit your written
comments by 4:00 pm on
Sept. 5, 2018.**

Ms. Kamenz, Municipal Planner

RCM Agenda Sept 5, 2018

Twyla Slonski

From: Courtney Bardonner <cwbard@telus.net>
Sent: August 26, 2018 8:57 AM
To: council
Subject: 1825 Comox Ave. Liquor Licence

RECEIVED

August 26, 2018

TOWN OF COMOX

Dear Mayor and Council:

I am in support of the liquor license application for 1825 Comox Ave. A public house would be a great addition to downtown Comox and would draw more people to this area and support all local businesses.

Kind regards,

Courtney Bardonner

Courtney Bardonner
2091 Noel Ave.
Comox, BC V9M 1Z1
250.339.5263
email: cwbard@telus.net

LOG: 18-241	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept
copy ~ Mayor & Council
RK / SR / MK / agenda

ROBERT M. MENDRIA
108-1841 BEAUFORT AVE
COMOX B.C. V9M 1R9

MAYOR AND COUNCIL
TOWN OF COMOX

RECEIVED

AUG 27 2018

RE: 1825 COMOX AVE LIQUOR LICENSE

TOWN OF COMOX

Dear Mayor and Council:

I am writing to express my opposition to the proposed changes to the liquor license at 1825 Comox Ave. The legion have been good neighbours but the change in license will allow others to take over the operation resulting in some of the same problems I observed at the Edgewater pub. That is 1. Fighting and screaming in the parking lot at 1 A.M. 2. Hourly rounds in the warm months by unmuffled large motorcycles as they attended to business in the parking lot. 3. Marked increase in loud cars. 4. Groups of teenagers hanging out in the parking lot. There were other issues of a similar nature that detracted from the peace and quiet of the neighbourhood.

Closing time of 11 P.M. is reasonable and later closing will increase the likelihood of the above noted problems.

Thank you for consideration of my position.

Yours very truly

R Mendria

LOG: 18-248	REFER:	AGENDA: RCM
FILE: Planning	ACTION: MR	Sept. 5 '18

on plan Dept.

copy ~ Mayor & Council
RK/SR/MK/ages

John/Colleen Caddy
#209 Beaufort Ave
Comox, BC, V9M 1R9

RECEIVED

AUG 29 2018

To: Mayor Paul Arnes
1809 Beaufort Ave
Comox, BC, V9M 1R9

TOWN OF COMOX

DOB: 18-267	REFER:	AGENDA: Rem
FILE: Pln	ACTION: NR	Sept. 5

Aug 29 2018

re: 1825 Comox Ave liquor license application
on file copy to Mayor & Council RCM/CM/ML/AG

Dear Mayor Arnes and Council,

We are writing to oppose this liquor license application. The avenue between us and this property is a busy road for local and marine traffic. Our concerns are regarding the challenges of parking for a 175 seat club. They have a 35 vehicle lot so when the lot is full they park on Beaufort Ave. When that is full we see vehicles attempting to park in our private lot.

Presently, the noise from activities at the club reduce late evening so extending that to 1 am would be disheartening as the rerouted marina traffic starts at 6 am.

As well, there are at least four other liquor establishments in our area so we don't see the need for another long hours club.

Thank you for taking our concerns into consideration

Sincerely, John & Colleen Caddy

Twyla Slonski

From: Valerie Best <vkoolbest@gmail.com>
Sent: August 29, 2018 2:23 PM
To: council
Subject: Liquor application

RECEIVED

AUG 29 2018

TOWN OF COMOX

Mayor and Council

Please consider this message as a submission in opposition to the proposed Liquor Primary Licence at 1825 Comox Ave.

My husband and I live in a seniors complex at 1841 Beaufort and are already disturbed by the noise coming from the Legion.

As well, strangers frequently look for parking spaces in our complex, causing consternation among those who live here.

As seniors, we are less equipped to deal with conflict. It is a time in our lives that we want peace and quiet.

Please take our comments into consideration.

We urge you to refuse this application.

Valerie and Lyndon Best

107-1841 Beaufort Ave .

Comox

LOG	REFERR	AGENDA
18-268		Rem
FILE	ACTION	
Pln	MR	Sept-5'18

on pln
copy - Mayor & Council
RK/ER/MR/agenda

RECEIVED

Twyla Slonski

From: Andrew Doheny <adoheny@telus.net>
Sent: August 29, 2018 11:35 AM
To: council
Subject: Legion Hall License Application

AUG 30 2018

TOWN OF COMOX

Dear Council,

As others have expressed, we have concerns about the change in license from Club to Primary for the Legion Hall at 1825 Comox Ave. The concerns boil down to increased noise, crime, frustration and costs.

Currently the Legion Hall has been a relatively good neighbour. They do have events that make noise but usually not too late and not continuously night after night. Daytime events are not an issue. However, much as the Legion would have us believe that this will not change, with the new license there will be more noise created more often and later in the evening. We have a number of strata units that sit directly behind the Legion Hall and the late times, reaching into 1 am will negatively impact their ability to sleep.

The bar activity is only part of the problem. It's unfortunate but there is always a subset of the population that looks for trouble outside of the bars. The later the bar is open, the more trouble is attracted. That leads to further noise, occasional street fights, nuisance damage to nearby properties and frightens some of the more vulnerable residents. One would expect police services to expand in the area but that is more hope than actuality. These are low priority issues in the eyes of the police who work with tight budgets that are unlikely to be adjusted enough to accommodate new bar activity.

There are also parking issues where overflow parking will end up on our strata property. Yes, we can do the leg work to find out who should not be parked there and try to call a tow truck, but this just puts extra burdens on the residents and potential arguments with offenders. Chasing people off is not a task anyone wants. Alternatively we can try a gate system at great cost to us and reduced access for our visitors.

We know the Legion is attempting to make up for dropping membership. If they succeed in obtaining the license but fail to improve revenues there is a chance that they would sell the property. It is unclear if the license would automatically transfer to new owners. But if so, those new owners will do whatever it takes to improve their chances of success, almost certainly increasing all of the aforementioned issues.

All of these concerns are underpinned with the observation that there is rarely any recourse. Once a license is issued, adjustments and changes to reduce problem areas are exceedingly difficult to obtain.

With no known benefits that this could bring to the atmosphere or quality of the downtown area, we firmly believe this is too great a risk to take, and oppose the application.

Thank You for allowing our input,

Andrew & Louise Doheny.

NO	REF REF	AGENDA
18269		Read
Plan	MR	Sept. 5'18

on pln Dept
copy - Mayor - Council
RR / SR / MR / agenda

WARD
AUG 21 2018
TOWN OF COMOX

DOC# 18-270	REFER#	AGENDA#
FILE#	ACTION#	

*explaining
copy to Mayor's Council
RK/ER/MK/agenda*

102-1841 Beaufort Avenue,
Comox,
B.C. V9M 1R9
26 August 2018

Mayor and Council,
1809 Beaufort Avenue,
Comox,
B.C. V9M 1R9

Re: 1825 Comox Avenue Liquor License

Dear Mr Mayor and Council Members.

I strongly oppose the proposed transition of the Liquor Primary-Club License to a Liquor Primary License at the Royal Canadian Legion in Comox. I also strongly oppose the extended hours that this will entail.

I have been a Legion member for almost forty years and I understand the problems the Legion faces in maintaining membership levels. But I feel very strongly that the Legion should remain a Club, with annual membership fees, even if non-military people are allowed to join.

To convert the Legion into a Public House for late night drinking, on the main thoroughfare in the centre of Comox, is not sensible from any point of view.

Apart from the usual problems associated with a late-night bar – noise, fighting, drunk driving, damage to Municipal and private property, etc., have the Council members considered the extra cost to Comox? Extra cleaning and repair crews, more policing, and (I'm guessing here) a big increase in 911 calls. There may even be law suits. I assume all these will have to be paid for by the Town.

Obviously any increased costs will be passed down to the ratepayers, and those ratepayers will not be happy citizens.

Yours sincerely,

K. McBeath

Kenneth J N McBeath

1825 Comox Avenue Liquor Licence

18-271

RECEIVED

NOV 27 2018

TOWN OF COMOX

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

If this proposed licence passes, the sole drinking establishment in Comox which is open until 1:00 A.M. would transform peaceful Comox into a magnet destination for late-night carousers. The increased traffic and noise on Comox & Beaufort Avenues would become an nightly disruption to the peace of nearby residents. This is a quiet, residential area and our hope is that it remains so.

The Royal Canadian Legion is supposed to be a dignified member' organization, not a public bar open to all.

If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. I hope City Council rejects this application and all possible attendant social issues and disruption that come with it.

Name - *Brenda Davis* (BRENDA SARVIS)

Address - # 105 1841 Beaufort Ave
Comox, BC V9M 1R9

Signature - *Brenda Davis*

1825 Comox Avenue Liquor Licence

RECEIVED

APR 19 2018

Mr. Mayor & Council Members:

TOWN OF COMOX

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

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If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. I hope City Council rejects this application and all possible attendant social issues and disruption that come with it.

Name - *Bette Jo Baird*

Address - *205-1841 Beaufort Ave Comox V9M 1R9*

Signature - *Bette Jo Baird*

1825 Comox Avenue Liquor Licence

18-271

RECEIVED

Mr. Mayor & Council Members:

NOV 27 2018

TOWN OF COMOX

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Name - *Brenda Davis* (BRENDA SARVIS)

Address - # 105 1841 Beaufort Ave
Comox, BC V9M 1R9

Signature - *Brenda Davis*

1825 Comox Avenue Liquor Licence

RECEIVED

APR 19 2018

Mr. Mayor & Council Members:

TOWN OF COMOX

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Name - *Bette Jo Baird*

Address - *205-1841 Beaufort Ave Comox V9M 1R9*

Signature - *Bette Jo Baird*

1825 Comox Avenue Liquor Licence

Handwritten signature

Handwritten date: 2018

TOWN OF COMOX

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

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Name - Michael William Blackstock

Address - #204 1841 BEAUFORT AVE.
COMOX BC V9M 1R9

Signature - M.W. Blackstock R.N.,

1825 Comox Avenue Liquor Licence

RECEIVED

SEP 3 2018

ROYAL CANADIAN LEGION

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

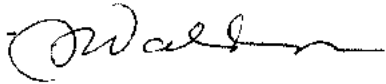
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Name - SHARON WALDMAN

Address - #110 1841 BEAUFORT AVE

Signature - 

1825 Comox Avenue Liquor Licence

RECEIVED

400 70 7500

TOWN OF COMOX

Mr. Mayor & Council Members:

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Name -

Louise & Andrew Doherty

Address -

#106 1841 BEAUFORT AVE COMOX
VANICOR

Signature -

Doherty

1825 Comox Avenue Liquor Licence

RECEIVED
JUN 27 2018
TOWN OF COMOX

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

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Name - TRAIT GLADYS L.

Address - 1841 Beaufort Ave Suite 207

Signature - G.L. Trait

1825 Comox Avenue Liquor Licence

RECEIVED

SEP 4 2018

TOWN OF COMOX

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

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Name -

ROB PTAK

Address -

170 ELLIS ST.
COMOX. V9M 1S1

Signature -

Rob Ptak

1825 Comox Avenue Liquor Licence

RECEIVED

July 16 2018

TOWN OF COMOX

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

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Name - M. R. SEALE

Address - 1883 BEAUFORT AVE.

Signature - M. R. Seale

RECEIVED

SEP 25 2018

TOWN OF COMOX

1825 Comox Avenue Liquor Licence

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

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Name -

JOHN BAVIN

Address -

1958 BEAUFORT AVE

Signature -



1825 Comox Avenue Liquor Licence

RECEIVED

APR 30 2018

TOWN OF COMOX

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

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Name - *Daniel Walden*

Address - *207 Ellis St*

Signature - *Daniel Walden*

RECEIVED

AUG 30 2018

TOWN OF COMOX

1825 Comox Avenue Liquor Licence

Mr. Mayor & Council Members:

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Name - M.F. McCOMBER
G.D. McCOMBER

Address - 160 ELLIS ST
COMOX

Signature - M.F. McComber
G.D. McComber

1825 Comox Avenue Liquor Licence

RECEIVED

SEP 10 2018

TOWN OF COMOX

Mr. Mayor & Council Members:

I am writing to voice my opposition to the proposed Liquor Primary Licence, 1825 Comox Avenue application. The late hours of operation extending to 1:00 A.M. during the week and midnight on Sundays create situations for possible late-night rowdiness. If there is such a demand for late-night drinking and its attendant social problems, 1825 Comox Avenue is certainly not the place to accommodate this demand. There have been recent attempts to revitalize the Marina Park. This has promoted increased use by young families as well as community groups. It would seem a contradiction in goals to create a public drinking establishment just down the block.

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Name - Joy Werrell

Address - #201 1841 Beaufort Ave.
Comox, B.C.

Signature - 

Twyla Slonski

From: Ken McBeath <zulu.racer@gmail.com>
Sent: August 30, 2018 12:20 PM
To: council
Subject: Liquor License, 1825 Comox Avenue

RECEIVED

August 30, 2018

TOWN OF COMOX

Mr Mayor and Council Members,

I oppose the transition of the Liquor Primary-Club License to a Liquor Primary License at the Royal Canadian Legion on Comox Avenue. I also oppose the extended hours requested.

To convert the Legion into a Public House for late night drinking, on the main thoroughfare in the centre of Comox, is not necessary, and will simply cause big-city problems in our quiet and pleasant community.

There are already late-night bars approved for Comox and area. A further late license right on the main thoroughfare is bound to increase the noise and nuisance to nearby residents -- e.g. car alarms sounding in the early hours of the morning, shouting and loud conversations, police sirens, etc. The parking lot of the Legion is on Beaufort Avenue, at present a quiet residential street. I fear it will not remain so if this License is approved.

Yours sincerely, Mrs May McBeath
102-1841 Beaufort Avenue,
Comox, B.C. V9M 1R9

LOG: 18-272	REFER:	AGENDA:
FILE: Planning	ACTION: MR	RCM - Sept. 5

o ~ planning


copy ~ Mayor & Council

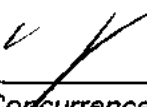
RK / SR / MK / agenda



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER GAIL ANDESTAD, PLANNER II
SUBJECT:	PLANNING REPORT PR 18-3 LIQUOR PRIMARY APPLICATION REVIEW 1825 COMOX AVE - COMOX LEGION
DATE:	RCM SEPT 5, 2018 ISSUANCE REPORT


Submitted by


Concurrence


Approval

Planner's recommendation:

Be it resolved that:

1. The Town of Comox Council's comments on the prescribed considerations regarding the request to transition from a Liquor Primary-Club licence to a Liquor Primary licence at 1825 Comox Avenue, Comox Legion Branch No. 160 (Lots 6, 7, & 8, Section 56, Comox District, Plan 3923) are as follows:

- a) **The location of the establishment:**
 - i) Downtown Comox has a mixture of commercial and residential uses. The subject property is on a commercially developed arterial street within Downtown Comox abutting commercial development to the west and, across streets, is surrounded by commercial development to the north and southeast, by mixed use multi-family above commercial to the east, and by multi-family development to the south and southwest. The Town has implemented a Downtown Vitalization Program and associated Planning Procedures Bylaw, Comox Building Bylaw, and Zoning Bylaw changes and Marina Enhancement initiatives to attract more businesses and residential density to the downtown core.
- b) **The person capacity and hours of liquor service of the establishment:**
 - i) The subject property is zoned C4.1 Core Commercial. Permitted uses include Pub and Assembly uses.

The Town's Zoning Bylaw 1850 limits the maximum seating capacity of a pub to 175, including outdoor seating. The proposed capacity of this Liquor Primary licence is 175 persons. The application proposes a reduction in licensed capacity from 200 persons on the upper floor plus 211 persons on the lower floor of the Legion building to a total licensed capacity of 175 persons.

- ii) The proposed hours of liquor service from 11:00 AM to 1:00 AM Monday to Saturday and 11:00 AM to midnight on Sunday are unchanged from the hours of operation currently permitted with the Legion's Liquor Primary-Club licence.
- iii) Historically, the Legion has not operated a pub as late as their liquor licence would enable. While the Legion pub's actual closing time has ranged from 6 PM on Sundays to 11 PM on Saturdays or for special events, it is recognized that the Legion pub may choose stay open longer if operating under a Liquor Primary licence.
- iv) The Comox Legion's Liquor Primary-Club licence enables liquor service to a later time on more days of the week than the existing Black Fin Pub at 132 Port Augusta Street or the approved-in-principle Taphouse at 215 Church Street Liquor Primary licences, or the proposed New Tradition Brewing Company's proposed Lounge Endorsement to a Manufacturer's Liquor Licence to be located in the Comox Centre Mall at 215 Port Augusta Street.

Additionally, while the Legion pub is located in a mixed use area, a multi-family development is located across the road at 1841 Beaufort Avenue. Therefore, a decrease to midnight from the proposed 1:00 AM end time of liquor service on Monday through Thursday is recommended.

c) The impact of noise on nearby residents:

- i) There is a multi-family development to the south and southwest of the subject property across the road at 1841 Beaufort Avenue where the dwelling units are setback from the adjacent road by a single lane surface parking area and most units are oriented to the far, waterfront side of the buildings.
- ii) Twelve apartment units above ground floor commercial, across Church Street to the east at 1811 Comox Avenue, are exposed to busy traffic noise during the day as well as existing pub traffic in the evening.
- iii) There are currently no plans for changes to the Legion building which has operated at this location for many years.
- iv) The Town has not received any written complaints and does not have any outstanding enforcement issues related to the operation of the Legion as a pub in the last 5 years.
- v) The RCMP referral response on this application expressed no concerns.

- d) **The impact on the community if the application is approved:**
- i) If the application is approved, the impact is expected to be generally positive in that it will support the growth in tourism and offer a social venue for a wider cross-section residents when it will not be necessary to be a Legion member to use the services of the pub.
 - ii) In accordance with Comox Zoning Bylaw 1850, with the change to a Liquor Primary use, the Legion is required to provide a minimum of:
 - a. 8 Class I (unprotected bike rack); and
 - b. 4 Class II (bicycle room or locker) bicycle parking spaces.
 - iii) The provision of Class I and Class II bicycle parking is a positive impact for the community by providing infrastructure to support alternative transportation choices.
- e) **The method the Town used to gather the views of the residents:**
- i) A notice, as contained in **Attachment 5** of the September 5, 2018 Planning Report PR 18-3 for 1825 Comox Ave, was:
 - a. posted on the Town's website and Town Hall notice board;
 - b. published in two consecutive editions of the Comox Valley Record newspaper (August 23, 2018 and August 28, 2018);
 - c. mailed or otherwise delivered to owners and tenants within 75 metres of the subject property.
 - ii) A sign advertising the Liquor License application was installed on both the north and south street frontages of the subject property.
 - iii) Written submissions from the public were provided to Council for Council's consideration of this application, copies of which shall be forwarded to the General Manager of the Liquor and Cannabis Regulation Branch with this resolution.
- f) **The Town of Comox Council recommends the that a Liquor Primary License be issued to the Comox Legion Branch #160, located at 1825 Comox Ave., having a maximum seating capacity, including outdoor seating, of 175 subject to:**
- i) the provision of bicycle parking spaces in accordance with Resolution item 1(d)(ii) above; and
 - ii) subject to the hours of liquor service permitted in the License being:
 - a. from 11:00 AM daily; and
 - b. to 12:00 Midnight from Sunday to Thursday; and
 - c. past Midnight on Friday to 1:00 AM on Saturday; and
 - d. past Midnight on Saturday to 1:00 AM on Sunday.

Proposal

The license application is for the transition from a Liquor Primary-Club licence to a Liquor Primary licence for the Comox Legion's pub at 1825 Comox Ave. The proposal is for a total capacity of 175 persons, including outdoor seating. Proposed hours of liquor sales are: 11:00 AM to 1:00 AM Monday to Saturday; 11:00 AM to midnight Sunday.

An Application Summary is contained in **Attachment 1**. Information the Applicant has submitted for the Town's Liquor License Review application, previously published in the August 1, 2018 Planning Report on PR 18-3 is contained in **Attachment 3**.

Background

See **Attachment 2** for proposed Processing Steps for providing a referral response to Liquor and Cannabis Regulation Branch.

At the August 1, 2018 Regular Council Meeting, Council resolved that staff be directed to gather the views of residents in the Town of Comox on the transition of the Liquor Primary-Club to Liquor Primary application PR 18-3.

Public submissions received prior to the September 5, 2018 Council meeting will be distributed to Council.

Discussion:

The subject property is designated Downtown Comox land use in the OCP and is zoned C4.1 Core Commercial which permits the existing pub and assembly uses.

The Legion's existing liquor licence enables a later closing time from Monday to Thursday than other existing or proposed pubs or lounges in the Town as summarized in **Table 1** contained in **Attachment 4** comparing liquor licence hours.

In regard to operational hours, the Legion has historically closed earlier than their licence permits, however, with a new Liquor Primary licence, the Legion pub may choose to stay open later than it has in the past.

The Legion's existing Liquor Primary-Club licence cannot be transferred to another operator, however, upon transition to a Liquor Primary licence, it would be possible for this licence to be transferred to another operator at the Legion's present location¹.

Even though the Legion has a long history of operation without issues and proposes to continue operation in the existing location, it is recommended that the closing time for liquor service for this licence not exceed that of other licences approved in the Town.

While the Legion pub is located in a mixed use area, it abuts a multi-family residential use. Therefore, a decrease to 12:00 Midnight from the proposed 1:00 AM end time of liquor service on Monday through Thursday is recommended.

¹ The Town would not be consulted on the transfer of a Liquor Primary licence unless the licence was transferred to a different location within the Town.

While the Legion pub is located in a mixed use area, it abuts a multi-family residential use. Therefore, a decrease to 12:00 Midnight from the proposed 1:00 AM end time of liquor service on Monday through Thursday is recommended.

The Legion's existing liquor licence enables a higher capacity of liquor service by the Legion's pub than the current zoning permits.

The application under review for transition to a Liquor Primary licence includes a reduction from a total liquor service capacity of 411 persons in the Legion building to a maximum of 175 person capacity, which is in accordance with the current Zoning Bylaw 1850. The upper floor the Legion building is currently being occasionally used as an assembly centre for the hosting of special events (meetings, receptions, etc.). The Legion wishes to retain this option to use the upper floor as an assembly centre.

In accordance with the Town's Zoning Bylaw, Pubs and Restaurants in the Downtown area are not required to provide on-site parking. The rationale for this is that during the day, pub and restaurant patrons are likely to be coming Downtown for other purposes, including work, and consequently are likely to occupy parking associated with those other purposes. In the evening there is generally abundant on-street parking available in Comox.

While no on-site parking is required for the Legion's pub use, a minimum of 19 vehicle parking spaces onsite are required for the upper floor assembly centre use. The subject property currently has 35 vehicle parking spaces and an area for motorcycles or scooters.

In accordance with Comox Zoning Bylaw 1850 with the change to a Liquor Primary use the Legion is required to provide² a minimum of:

- 8 Class I (unprotected bike rack): and
- 4 Class II (bicycle room or locker) bicycle parking.

As part of the Town's standard practise, the Liquor License application was referred to the RCMP who have expressed no concerns.

MK/GA

Attachments:

1. Application Summary
2. Application Process Steps
3. Information submitted by the Applicant in relation to Town of Comox Liquor License Review.
4. Liquor Licence Hours and Operational Hours of existing and proposed pubs and restaurant-lounges in Comox.
5. Copy of Notice of Liquor License Application Review

Applicant: John Paulin, President, Comox Legion Branch No. 160
1825 Beaufort Ave. Comox, V9M 3M3

² Note: The bicycle parking requirements have changed since the August 1, 2018 Planning Report to Council as the requirements in that report were miscalculated.

ATTACHMENT 2

Application Process Steps for LCRB Referral Response

1. Staff prepares a Report to Council seeking a resolution from Council on the LCRB regulatory criteria.
2. Council's recommendation on the Liquor-Primary License application, in accordance with the regulatory criteria, plus copies of public submissions, and a copy of the September 5, 2018 staff report on PR 18-3 is submitted to the Liquor and Cannabis Regulation Branch General Manager.

ATTACHMENT 3

**This Attachment was previously published in the August 1, 2018 RCM
Planning Report to Council and reprinted here for convenience**

Information submitted in regard to the Town's
Liquor License Review Application

Includes:

Rationale
LCRB Application

Floor Plans – Number of Occupants = 175

1. Introduction

Royal Canadian Legion Branch #160 Comox is applying for a transition of the existing Liquor Primary – Club License to a Liquor Primary License.

The proposed transition will maintain a 'member only' section and will also allow for a general public section.

The hours of licensing will be maintained at Monday to Saturday 11 am – 1:00 am; and Sunday 11 am – 12 midnight.

2. Business Case
Community Demographics/Target Market

COMMUNITY DEMOGRAPHICS

Name of community:	Comox
Population 2016:	14,028
Population 2011:	13,627
Percentage change 2011-2016:	2.9%
Total private dwellings:	6,410
Population density per sq. Km.:	838
Land area in sq. Km.:	16.74
Average age:	48
65 & older:	4,080
Drinking age:	11,275

TARGET MARKET

The target market for this venue will be local residents, businesses and Legion Members. The Liquor Primary license will allow the Legion to include the general public in its many functions and provides an additional venue for community events, fundraisers and special events. It will also provide a venue for local musicians to perform and therefore support local artists.

AREA LICENSEES INCLUDING SEATING IN COMOX:

COMOX LICENSEES

There is (1) one Primary Licensed and (1) one Approval in Principal Primary License facility in the Town of Comox: The Blackfin Pub with approximate seating of 100+. The number of licensed facilities in the Town is down from (4) four Primary Licensed Pubs to just the (2) two within the last decade or so.

The removal of the club endorsement from the Comox Legion, Branch 160, will negate the requirement to sign in guests and should not result in any increase in the noise factor in the community. This facility has been operating at this location with a Liquor Primary License - Club since the '60s with no recollection of a noise complaint. The adjacent neighbours are mainly businesses with residential on two sides, across Church Street and across Beaufort Avenue.

Approval in Principal	215 Church Street	Comox	Liquor Primary	?
Black Fin Pub	132 Port Augusta St	Comox	Liquor Primary	110
Comox Golf Course	1718 Balmoral Ave.	Comox	Food/Liquor Primary	?
Royal Canadian Legion No. 160	1825 Comox Ave.	Comox	Liquor Primary Club	200
19 Wing Comox	Pritchard/Ryan Rd.	Comox	Liquor Primary Club	1999
19 Wing Sailing Club	Goose Spit	Comox	Liquor Primary Club	118
888 Wing RCAFA		Comox	Liquor Primary Club	?

Organizational Detail

ii. Membership Recruitment and Retention

The Royal Canadian Legion, BC/Yukon Command, Branch #160 Comox has been in operation since 1939 in the community of Comox. There were 936 members in 2017.

MISSION STATEMENT: Our mission is to serve veterans, which includes serving military and RCMP members and their families, to promote remembrance, and to serve our communities and our country.

MEMBERSHIP RECRUITMENT & RETENTION:

First and foremost, the goal of Legion Branch #160 will be to increase membership. Proposed methods to accomplish this are:

1. Two-tiered drink pricing.
2. Two-tiered event pricing.
3. Member first tickets to events.
4. Members only events.
5. Member discount for banquet facilities
6. Increase awareness of the Legion Mission Statement
7. Increase feeling of belonging to a worthwhile non-profit society
8. Members only benefits i.e. Belairdirect home & auto insurance.
9. Monthly members newsletter.

At a Special General Meeting held on September 21, 2017 and the following motion was approved:

"That the Executive be authorized to pursue and submit an application to transition our existing Liquor Primary I Club License to a Liquor Primary License" (See Minutes enclosed.)

It is with the above strategy, that Branch #160 of The Royal Canadian Legion, BC/Yukon Command seeks the approval to transition to a Liquor Primary License.

Over the past 5 years, Branch #160 has seen a declining trend in sales. Net profits have reached a point where the Branch is now facing a break-even point within the foreseeable future.

As the second largest licensee in Comox, Branch #160 is restricted in utilizing their facility to the fullest extent by its Liquor Primary Club license. With 200 licensed seats, restricted to members and guests, the potential to even fill half the seats is slim.

Veterans today want to be part of the larger community - socializing with friends, families, neighbours, and the general public. They do not want to be segmented as a veteran or military person. There would be a far greater propensity for military personnel to join a Legion as part of a public facility, not for access to the establishment but to support the Legion Mission Statement.

An effort to re-orient the Legions into a profitable model that is relevant to their communities and customers will involve a re-education of the public in their conception of Legions as beer halls for old people. The removal of the Club endorsement on the liquor license will permit the public to freely come into the Legion and will give the Branch the opportunity to show these new customers and potential members just what Legions do in the community, the Province and the Country. The fact that membership is in a Not-For-Profit society and not just a lounge will go a long way in convincing people to take out new memberships.

In order to survive the current trend in reduced alcohol consumption per person, there are two ways that a Legion can grow:

1. Increase the customer base/ sales.
2. Add additional revenue streams.

Method #1 involves getting more people in the seats. The only way of accomplishing this is to open the doors to a larger group of people i.e. the public.

Method #2 would be food sales. However, in order to profit from food sales, it requires volume, hence, open the doors to the public.

iii. Organizations Supported by Branch 160 In 2017

Each year the Branch and the Ladies Auxiliary donate approximately \$40,000.00 - \$50,000.00 to a number of local community charitable organizations:

Branch 160

Adaptive Snow Sports
 ALS Society of B.C.
 Alzheimer Society
 Anderton Therapeutic Gardens
 Boomers Legacy
 Citizens on Patrol
 Comox Bay Care Centre
 CV Child Development
 CV Diabetics
 CV Food Bank
 CV Hospice Society
 CV SPCA
 CV Therapeutic Riding
 CV Transition Society
 Eureka Society
 Girl Guides of Canada
 Help Fill a Dream
 Kids Help Phone Line
 Legion Foundation
 Legion Foundation – Compassion Dogs
 Marine Rescue
 MFRC
 Navy League
 RCMP Youth Camp
 Salvation Army
 Santa's Workshop
 Scouts Canada
 Sonshine Lunch Club
 Special Olympics
 Wheels for Wellness
 YANA

Ladies Auxiliary Branch 160

CV Child Development Assoc.
 RCL Branch 160 Poppy Fund
 Cockrell House
 CV Food Bank
 Sonshine Lunch Club
 Comox Fire Fighters Assoc – Smoke Detectors
 Salvation Army
 Santa's Workshop
 Today N Tomorrow Learning Society
 CV Pipe Band Society
 Special Needs Sewing
 Therapeutic Riding Society
 CV Healthcare Foundation
 Christmas Spirit Hamper Program
 Legion Foundation Track Suit Program
 L'Arche
 Head Injury Society
 CV Hospice Society
 YANA
 Cancer Van
 Wheels for Wellness Society
 Courtenay Elementary PAC
 Bursaries
 Special Needs Bowling
 Comox MFRC
 Transition Society
 Comox Bay Care Society Care A Van
 CV Lifeline Society
 Alzheimer Society
 VISAS – Soldier On Program
 Veterans Dinner
 Canadian Red Cross
 Wounded Warrior Run BC
 Habitat for Humanity

Addendum:

1. LCLB Letter of Intent

INTRODUCTION

This letter of intent is provided in support of the application submitted to the Liquor Control & Licensing Branch by the Royal Canadian Legion, BC/Yukon Command, Branch #160 Comox for a transition of the existing Liquor Primary - Club License to a Liquor Primary License. The proposed conversion to a Public House will maintain a member only section and will also allow for a general public section.

The Liquor Primary License will provide an added amenity for liquor service to the public and a wide variety of events and entertainment such as Fundraisers, Seasonal Parties (i.e. Christmas Parties, Halloween Parties) Corporate Meetings, Receptions, Functions, Ceremonies, Sporting Events, Celebrations of Life, Music Events, Karaoke, Card Games, and Dine & Dance afternoons. The license will also provide a section for customers to play darts, pool, and cards.

Food service is and will be available during open hours in the form of light meals such as hotdogs, hot sandwiches, French Fries, pork rib-lets, etc. there is a variety of bagged snacks potato chips, chesses and an assortment of nuts plus the regular Special Steak Nights and Burger Nights will continue.

The hours of licensing will be maintained at Monday to Saturday 11 am – 1:00 am; and Sunday 11 am – 12 midnight.

The Comox Branch offers:

- A bright, friendly atmosphere;
- the lounge area is 3 separate memorabilia filled rooms (Army, Air Force and Navy);
- A range of BC Lotteries games (Keno, Pacific Hold'em, and Pull Tabs);
- A games room with a pool table and four dartboards, a variety of dart leagues gather in the fall, winter and spring months.;
- Organized card games including euchre, cribbage etc.
- Meat Draws and 50/50 Draws on Fridays and Saturdays starting at 2:00 and 3:00 PM;
- A refurbished Upper Hall ideal for weddings, community meetings, banquets and sport tournaments;

- Special Events including steak nights, lobster nights, New Year's Eve New Year's Day Levée, Mother's Day, Father's Day, Veterans dinner, Boomer's Legacy, drop in darts, Dine and Dances, BBQ burger nights, annual picnic, members night, Remembrance Day eve Candlelight Service, Remembrance Day Parade and open house, Tour de Rock, Victoria Day, July 1st and Nautical Days parades, etc.;
- Various sporting events, golf, darts, pool, cribbage and euchre leagues.

Summary of Factors

The applicant also submits the following additional factors for consideration:

- A Liquor Primary License would be of great benefit to Legion Branch #160 and the community. It is expected that full time employment within will increase, the amount is yet to be determined. A gathering facility for the public, charitable organizations, including, meetings, fund raising rallying start point, lectures, events, banquets, weddings, celebration of life and other celebrations with far less restrictions and permit requirements.
- The maximum licensed capacity of this facility will not be increased.
- There is a need for this type of space within the community.
- There will be food service available. There is a full and complete kitchen on site.
- The applicant wishes to retain their Family Food Services endorsement.
- The applicant wishes to retain their Off Premises Sales endorsement.
- There should be no notable noise increase.
- This Legion Branch will continue to provide space for the many charitable organizations plus Not-For-Profits, e.g. Cadets, Minor Sports, and fitness groups from the community.
- This Legion Branch and the Ladies Auxiliary has contributed over \$46,000 to Veterans, seniors, and local organizations in 2017.
- The adjacent neighbours are mainly commercial businesses with residential on two sides, across Church Street, above the Scotia Bank and across Beaufort Avenue.
- This facility has been operating at this location with a Liquor Primary Licence - Club since the sixties with no recollection of a noise complaint. We see no reason that this would change if our facility is open to the public.



Liquor Control and Licensing Branch
 4th Floor, 3350 Douglas St, Victoria, BC V8W 6J8
 Mail: PO Box 8292 Stn Provincial Govt, Victoria, BC V8W 6J8
 Phone: 1 866 209-2111 Fax: 250-982-7068

**LIQUOR PRIMARY CLUB LICENCE:
 APPLICATION TO TRANSITION TO
 LIQUOR PRIMARY LICENCE**
 Liquor Control and Licensing Form LCLB129

Instructions:
 Using the attached guide, complete this application form and assemble all required documents. Once complete, follow instructions for submitting your application package to local government/first nation (LG/FN) and the Liquor Control and Licensing Branch.

Transition Liquor Primary Club to Liquor Primary (LP)

Fee: \$330

Part 1: Establishment

For Office Use Only

Licensee/Applicant:

Job # (C3) _____

Establishment Name:

LP Club Licence #:

Proposed Establishment Name:

Establishment Address:

Parcel Identifier (PID): 928

If a zoning change is required, please indicate the status of your application:

Phone number: E-mail:

Mailing Address:

Part 2: Contact Person

Name: Position:

Telephone: E-mail:

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Part 3: Change to Hours of Liquor Service

For Office Use Only

- Request change to hours of liquor service within the hours currently approved **Fee: \$220**
- Request change to hours of liquor service outside of the hours currently approved* **Fee: \$330**
 *a resolution from LG/FN is required - LG/FN must complete part 6 of this form.

Job # _____
 C4, No Cap ChVC3, Cap Ch

Complete the table below, indicating the proposed hours of liquor service:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	<input type="text" value="11:00am"/>	<input type="text" value="11:00am"/>	<input type="text" value="11:00am"/>	<input type="text" value="11:00am"/>	<input type="text" value="11:00am"/>	<input type="text" value="11:00am"/>	<input type="text" value="11:00am"/>
Closed	<input type="text" value="1:00am"/>	<input type="text" value="1:00am"/>	<input type="text" value="1:00am"/>	<input type="text" value="1:00am"/>	<input type="text" value="1:00am"/>	<input type="text" value="1:00am"/>	<input type="text" value="Midnight"/>

Part 4: Structural Change to Licensed Service Area(s)

- Change(s) to existing licensed service area(s) **Fee: \$400**
- Addition of new patio* **Fee: \$440**

Office Use Only
Job # _____
C4 No Cap Ch/C3 Cap Ch

Describe the proposed changes to your licensed service area(s):

The proposed alterations will result in the total overall occupant load of your establishment:

- Increasing* to: persons
- Decreasing to: persons
- Remaining the same: persons *DNZ*

*A resolution from your LG/FN is required if there is an increase in the total occupant load and/or if there is an addition of a new patio. LG/FN must complete Part 6 of this form.

Part 5: Checklist

- Letter of Intent. See Appendix I (page 5 of the guide) for information required in letter.
- Proposed Signage, if proposing an establishment name change (see page of 3 guide)
- Provide two copies of floor plans showing the existing licensed and proposed changes (if applying for a structural change) service area(s); one 8.5' x 11" and one 11" x 17". Plans must be stamped with an occupant load by local government building or fire authorities.

*See Appendix II (page 7 of the guide) for floor plan and occupant load requirements.

If applying for a structural change to add a patio also provide the following:

- Provide the height and composition of the patio perimeter or bounding that is designed to control patron entry/exit (i.e. railings, fencing, planters, hedging, etc.):

- Describe the location of the patio in relationship to the licensed interior. The patio should be immediately adjacent or contiguous to the interior licensed service area.

- Describe how staff will manage and control the patio from the interior licensed service area.

- Will the patio have a fixed or portable liquor service bar or will liquor be served from the interior service bar?

- Do servers have to carry liquor through any unlicensed areas to get to the patio? Explain:

Note: Patios on grass, earth or gravel require a permit from the local Health Authority. Sidewalk patios require a permit from LG/FN.


Part 6: Local Government / First Nation (LG/FN) Confirm Receipt of Application

This section is to be filled out by the LG/FN prior to submitting this application to the Branch.

Local government/First Nation (name): **TOWN OF COMOX**

Name of Official: **RICHARD KANIGAN** Title/Position: **CHIEF ADMINISTRATIVE OFFICER**
(last / first / middle)

Email: **rkanigan@comox.ca** Phone: **250-339-2202**

Signature of Official:  Date Received: **16 / 5 / 2018**
(Day/Month/Year)

Check here if LG/FN will not be providing comment: Yes, opting out of comment

Note: The LG/FN cannot provide comment for their own application.

Is this establishment on Treaty First Nation land? Yes No

Instructions for Local Government/First Nation (LG/FN)

This serves as notice that an application to transition a LP Club to a LP liquor licence is being made within your community. The Branch requests that you consider this application (application form, letter of intent, and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed application form and floor plan to LG/FN.
- If there are any major issues (e.g. bylaws), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign above and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.

To provide a resolution or comment:

- Gather public input for the community in the immediate vicinity of the proposed endorsement service area(s).
- Consider these factors which must be taken into account when providing resolution/comment:
 - The location of the establishment.
 - The person capacity and hours of liquor service of the establishment.
- Provide a resolution/comment with comments on:
 - The impact of noise on nearby residents.
 - The impact on the community if the application is approved.
 - The view of residents and a description of the method used to gather views.
 - The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111.



Comox Branch 160
The Royal Canadian Legion, BC/Yukon Command
1825 Comox Avenue, Comox BC, V9M 3M3
Phone/FAX 250 339 2022
branch160office@comoxlegion.ca
Web <http://www.comoxlegion.ca>

8 May 2018

Town of Comox
1809 Beaufort Avenue
Comox BC B9M 1R9

Attention: Gail Andestad, MA (Plan) MCIP Planner II

Subject: Application Form, Liquor Licensing Review

Gail:

7. Written Application Rationale:

The present and proposed land uses of the site,

Present land use; Liquor Primary Licence - Club, Administration, Branch (including Ladies Auxiliary) Events & Activities, Public & Charity Groups Meetings/Events/Activities

Proposed land use; Liquor Primary Licence, Administration, Branch (including Ladies Auxiliary) Events & Activities, Public & Charity Groups Meetings/Events/Activities

Location of the establishment;

The Royal Canadian Legion, BC/Yukon Command, Branch 160 Comox is located at Topographic Plan of, Lots 6, 7 & 8, Section 56, Comox District, Plan 3923 or 1825 Comox Avenue, Comox BC V9M 3M3

Comment on the regulatory Criteria, Person capacity and hours of liquor service;

Person Capacity (BC Fire Code), 394 lower level and 288 upper level.

Hours of service, Monday to Saturday – 11:00 AM to 1:00 AM and Sunday 11:00 AM to Midnight

Impact of noise on the community in the immediate vicinity of the establishment;

This facility has been operating at this location with a Liquor Primary Licence - Club since the sixties with no recollection of a noise complaint. We see no reason that this would change if our facility is open to the public. The adjacent neighbours are mainly businesses with residential on two sides, across Church Street, above the Scotia Bank and across Beaufort Avenue.

Any benefits to the community:

It is expected that full time employment within will increase, the amount is yet to be determined. A gathering facility for the public, charitable organizations, including, meetings, rallying start point, lectures, events, banquets, weddings, and other celebrations with far less restrictions and permit requirements.

Impact on the community if the application is approved;

The public will have an increased choice of socializing, meeting, facilities to choose from and as the Legion is a distinct Military style atmosphere and most likely draw patrons to the downtown core of Comox. Increase in employment to the community of the Comox Valley.

Service before self.

John C Paulin
President

5. Copy of Existing Liquor License



Liquor Control and Licensing Branch
Liquor Primary Licence - Club #037114
 Expires on October 31, 2018

Establishment Name: ROYAL CANADIAN LEGION, BRANCH NO. 160
 Licence Name: ROYAL CANADIAN LEGION, BRANCH NO. 160
 Location Address: 1825 COMOX AVE
 COMOX, BC V9M 3M3
 Issued to: R.C.L. # 160

TERMS AND CONDITIONS
HOURS OF SALE

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	Midnight

CAPACITY

Patron02	200	Person01	211
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Off premises sales permitted

- The terms and conditions to which this licence is subject include the terms and conditions contained in the licensee Terms and Conditions Handbook, which is available on the Liquor Control and Licensing Branch website. The Terms and Conditions Handbook is amended from time to time.
- Liquor may only be sold, served and consumed within the service areas outlined on the official plan, unless otherwise endorsed or approved by the LCLB.
- Subject to terms and conditions specified in the restriction or approval letter(s). A copy of restriction or approval letter (s) to be kept with current liquor licence.
- Sale of packaged coolers containing not greater than 7% alcohol, beer, cider and wine for off-premises consumption is only permitted before 11:00 p.m. during the hours of sale as shown on the licence.
- Extension permitted in the areas outlined in green on the official plan.
- Family Foodservice term and condition permits minors accompanied by a parent or guardian in all service areas until 10 PM when meal service is available.
- Unaccompanied minors are permitted when liquor is being served on Remembrance Day.

YOUR CURRENT VALID LICENCE MUST BE PROMINENTLY DISPLAYED AT ALL TIMES. TAMPERING, ALTERING OR DEFACING THIS LICENCE IN ANY MANNER MAY RESULT IN THE LICENCE BEING CANCELLED.

October 20, 2017

DATE

[Signature]
 GENERAL MANAGER
 LIQUOR CONTROL AND LICENSING BRANCH

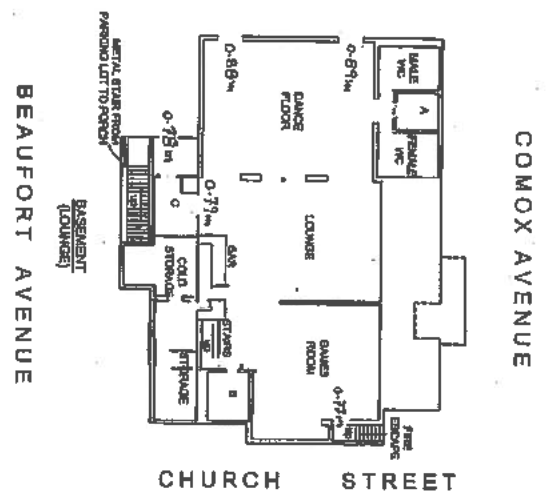
6. Copy of Floor Plan:

The Assistant Fire Chief has confirmed a maximum capacity in the upper floor (Main Floor) of 288 people and 394 people for the lower floor (Basement Lounge)

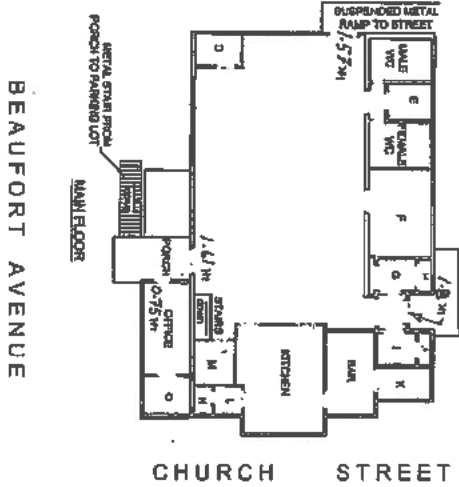
- a. 11 X 17 ea (2), 8 ½ X 11 ea (2)
- b. Expanded View, (1) upper and (1) lower floor for your additional information

**FLOOR PLANS OF:
LOTS 6, 7 & 8, SECTION 56, COMOX DISTRICT,
PLAN 3923.**

CADD ADDRESS: 1825 COMOX AVENUE
COMOX, BC
PH: 250-392-4444, 250-392-4444, 250-392-4444



- LEGEND**
- A- STORAGE / UTILITY
 - B- READING ROOM
 - C- ENTRANCE
 - D- STORAGE
 - E- STORAGE
 - F- POPPY ROOM / ARTIFACT STORAGE
 - G- OFFICE
 - H- STORAGE
 - I- CLOAK ROOM
 - J- STORAGE
 - K- POT WASH
 - L- ELECTRICAL ROOM
 - N- STAFF W/C
 - O- OFFICE



Occupied Land
GASBY ON THE
B.C. FIRE CODE
FOR THE MAIN
FLOOR IS A
MAXIMUM OF
250 PEOPLE
COMOX FIRE DEPARTMENT
Sik Landmark
Resistant Fire Chief
250-392-2432
2018-03-17

L.E. ANDERSON & ASSOCIATES
SURVEYORS - ENGINEERS
4-1128 Cedar Street
Campbell River, BC, V9W 3A6
Tel: 250-392-4444 Fax: 250-392-4444
Ph: 1-800-959-7222 Fax: 250-392-4444

CONTEXT IMAGES



Dance floor lower



Upper Hall



LOW HAMMOND ROWE ARCHITECTS



9. Parking Spaces and Layout

ATTACHMENT 4


Table 1. Liquor License Hours and Operational Hours of Existing and Proposed Pubs and Restaurant-Lounges in Comox³

Venue		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	Capacity
Black Fin 132 Port Augusta									
Liquor Primary License	Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	Indoor & Outdoor – 110 seat capacity
	Close	Midnight	Midnight	Midnight	Midnight	1:00 AM	1:00 AM	Midnight	
Actual Operation	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	
	Close	10:00PM	10:00PM	10:00 PM	10:00 PM	11:00PM	11:00 PM	10:00PM	
Legion 1825 Comox Ave.									
Liquor License (Liquor Primary-Club and proposed Liquor Primary)	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	Ground floor (pub) – 211 Second floor – 200 permissible by license; New Proposed Capacity 175
	Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	Midnight	
Actual Operation	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	Pub operates ~110 seats
	Close	Variable closing time responding to events, typically ranging from 9:30 to 11:00 PM at the discretion of the bar tender. Going forward closing hours subject to change within limits of licence.						Typically 6:00 PM	
New Tradition Brewing 215 Port Augusta St.									
Proposed Brew Pub	Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	Capacity 110
	Close	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	
Taphouse 215 Church St.									
Approved in Principal Liquor Primary License**	Open	10:00AM	10:00AM	10:00 AM	10:00 AM	10:00AM	10:00 AM	10:00AM	Capacity 175
	Close	Midnight	Midnight	Midnight	Midnight	1:00 AM	1:00 AM	Midnight	
NOT DOWNTOWN									
Land & Sea 2040 Guthrie Rd									
Proposed Brewery & Restaurant	Open	Noon	Noon	Noon	Noon	Noon	Noon	Noon	Capacity 99
	Close	10:00PM	10:00PM	10:00PM	11:00PM	11:00PM	11:00PM	10:00PM	



³ Lorne Liquor Primary Licence Cancelled March 1/18

Copy of Public Notice

ATTACHMENT 5



WE WANT TO HEAR FROM YOU



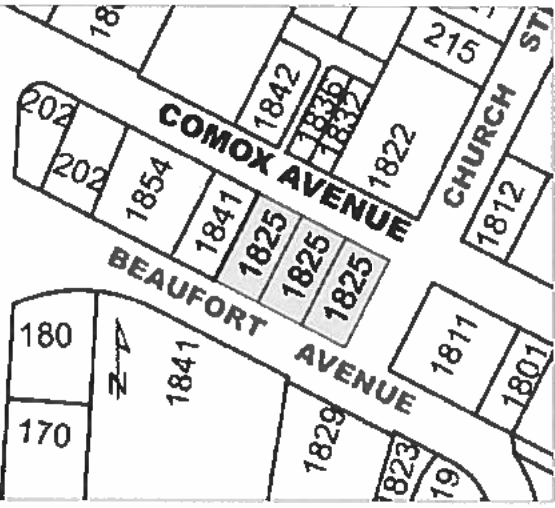
1809 Beaufort Ave
Comox, BC V9M 1R9

council@comox.ca

Transition Liquor Primary - Club Licence to Liquor Primary Licence 1825 Comox Avenue

NOTICE OF COUNCIL CONSIDERATION

**5:30 pm, Wednesday
Sept. 5th, 2018**
Council Chambers
1801b Beaufort Avenue, Comox



Highlights: The Town of Comox wishes to gather public input on an application for a Liquor Primary Licence with a 175 person capacity at 1825 Comox Avenue shown shaded on the map.

Details: Hours of operation would be between 11:00 a.m. and 1:00 a.m. Monday to Saturday and between 11:00 a.m. and midnight on Sunday. The application is for a change from a Liquor Primary-Club licence to a Liquor Primary license at 1825 Comox Ave. (Lots 6,7 & 8, Section 56, Comox District, Plan 3923).

More Information

A copy of this liquor license application, as well as existing relevant reports and documents, will be available for inspection at Town Hall, 1809 Beaufort Avenue, Comox between the hours of 8:30 am – 4:30 pm Monday through Friday (except Statutory Holidays) commencing on August 13, 2018.

We're listening.
Please submit your written comments by 4:00 pm on Sept. 5, 2018.

M. Kamenz, Municipal Planner

Written Submissions

Send by mail, fax or e-mail, as long as the submission:

1. Is received before 4:00pm on Sept. 5, 2018;
2. Is addressed to Mayor and Council;
3. Identifies "1825 Comox Ave Liquor License" application in the subject line, and;
4. Includes the name and address of the person making the submission.

Each such person is solely responsible to ensure that their submission is received on time. The Town will not issue any acknowledgement of receipt of such submissions.

Page 10 of 10

U:\Dev App\2018\PR\PR 18-3 Legion Liquor Licence Review\Report\2 RCM 5 Sep 2018-Liquor Primary Issuance Rpt.docx

RCM Agenda Sept 5, 2018

Page 120

RECEIVED

AUG 21 2018

TOWN OF COMOX

August 17, 2018

Mayor and Council
Town Hall
1809 Beaufort Avenue
Comox, BC
V9M 1R9

LOG#	REFER.	AGENDA
18-210		Reg
FILE	ACTION	Sept 5 '18
Planning	RR	

Re: 2040 Guthrie Rd. Liquor License

Dear Mayor and Council:

*on planning
copy to Mayor & Council
RR/SR/WR/agenda*

We live in Windsor Court, 677 Bunting Place. Our unit is directly behind 2040 Guthrie.

It appears that the new business proposed at 2040 Guthrie may be some kind of micro brewery. If this is the case, our main concern is the large garbage container directly behind our unit that may contain higher than normal levels of waste products. This in turn attract rats. We already have a large rat population that we believe has increased from the winery that is also behind our Strata Buildings. In addition, there may be a stench, especially in hot weather. It is our hope that their intention is to have waste composted which would solve the problem..

To a lesser degree, we have concerns regarding noise in the parking lot, however, we are hopeful the owners will do their best to keep that under control.

Thank you for considering our concerns.

Sincerely,

Lynn and Edward Spouse
22-677 Bunting Place
Comox, BC
V9M 3S1

250-339-4443
s5616@telus.net

c.c Windsor Court Strata 2804
Annette Friis, President

Twyla Slonski

RECEIVED
RECEIVED

From: Rod Verchere <rod_pat@shaw.ca>
Sent: August 20, 2018 12:06 PM
To: council
Subject: Lounge Endorsement

AUG 21 2018

TOWN OF COMOX

Dear Mayor and Council,

I live at 17-677 Bunting Place and am at present constantly bombarded with both noise and light pollution from the Gas Bar and Car Wash on Guthrie directly behind my residence. There fore I am totally against any move to open a Bar in that area as it will only increase the amount of noise a light that my family will have to put up with.

For your consideration, I remain.

Roderick Verchere
17-677 Bunting Place
Comox V9M 3S1
@50 339 5829

LCN	18-212	AGENDA
FILE	Planning	RM
		Sept. 5 '18

on planning dept
copy - Mayor & Council
RK/SR/MK/Agenda

Twyla Slonski

From: earlenecameron@yahoo.ca
Sent: August 17, 2018 1:21 PM
To: council
Subject: 2040 Guthrie Road Liquor Licence

RECEIVED

AUG 21 2018

My name is Earlene Cameron, an owner at
205-840 Shamock Place
Comox, B.C.
V9M 4G4

TOWN OF COMOX

I am strongly opposed to this lounge endorsement as this area is already a race track for loud vehicles and speeders until very late at night. We also have an abundance of very noisy transport trucks coming and going to all of the commercial properties in the area. We truly do not need anymore.

Thank you for allowing me to voice my opinion.

Sincerely
Earlene Cameron
250-713-8482

LOG:	REF:	AGENDA:
18-213		RCM
FILE:	MR	Sept 5 '18
Planning		

on planning dept
copy to Mayor & Council
RK/SR/MK/agenda

Twyla Slonski

From: Alisha Drinkwater <alisha.drinkwater@gmail.com>
Sent: August 23, 2018 10:30 AM
To: council
Subject: Lounge Endorsement to a (Brewery) Liquor Manufacturing Licence - 2040 Guthrie Rd.

Hi there,

I wish to voice my support as a taxpayer and resident of Comox with the subject noted proposal.

Thank you.

Alisha Drinkwater
433 Ensign St
Comox

Sent from my iPhone

RECEIVED
AUG 23 2018
TOWN OF COMOX

LOC	DEPT	AGENDA
18-224		Real
FILE	ACTION	
Planning	file	Sept. 5 '18

on plan dept
copy - Mayor & Cncl
RK/SR/nk/agenda

LOG: 18-226	RETR: NR	AGENDA: Rcm
FILE: Planning	ACTION: NR	Sept. 5th

RECEIVED

loricame@shaw.ca

From: <loricame@shaw.ca>
 Date: Saturday, August 18, 2018 12:03 PM
 To: "L. Cameron" <loricame@shaw.ca>
 Subject: 2040 Guthrie Road

copy - Mayor & Cnd
 AUG 23 2018
 2040 Guthrie Road
 TOWN OF COMOX

Dear Mayor and Council,

We are located close behind 2040 Guthrie at 677 Bunting Place.

We have heightened concerns of a lounge endorsement to a brewery liquor manufacturing licence at this address as we already have ongoing problems from Signature Wines that is located next door to 2040.

Our concerns are mainly rats that are in our area that the exterminator pointed out to us is associated with Signature Wines. Some rats have been caught in traps and a couple that were caught in a garage that caused some damage. Another liquor establishment can only add to the current problem.

With a 99 person capacity establishment, there would be much increased noise with patrons leaving, hooting and hollering and the like, as we had already experienced when the Leeward Pub was operational at the other end of our complex.

Hopefully this licence will not be granted.

Sincerely,

[Signature]
 Lori & Brad Cameron
 21-677 Bunting Place
 Comox, B.C.
 V9M3S1

250-339-4046

Verlie Mason
 #26 - 677 Bunting Pl.
 Comox

Majorie Wake
 #9 - 677 Bunting Pl
 Comox B.C.
 V9M3S1
 250-339-1196

Norma Barwell
 #39 - 677 Bunting Pl.

Nancy Bennett
 #30 - 677 Bunting Place.

[Signature]
 #23 - 677 Bunting Place

Alma Jais
 #13 - 677 Bunting Pl.

Gloria Dall
 #12 - 677 Bunting Pl.

Carol E. Flowers
 #18 - 677 Bunting Pl.

[Signature]
 #14 - 677 Bunting Pl.

Nicole Grant
 #29 - 677 Bunting Place

Aug. 18/18

Mayor & Council
Town of Comox
TOWN OF COMOX

AUG 23 2018

Re: The Reverse of this letter.

I live at Windsor Court, directly behind
2040 Guthrie Rd.

Be advised that I am completely against having
business behind us.

We have had to deal with rats associated
with Signature Wines by getting an exterminator
who did associate the rats with Signature Wines.
They have caused damage in some garages.

With this proposed new liquor outlet there will
be more rats.

The business will increase noise from patrons
as the Leeward pub did.

I would not hesitate calling 911 for any
disturbances to do with noise, rats or anything
else.

We already put up with a great deal of noise
from the car wash and the gas station.

Windsor Court is a residence for older people
who now want peace and quiet and absolutely
no rats. Our property tax should afford us
some consideration and respect. Please do not
allow this licence any approval.

Sincerely

K.D. Tourdan, 20-677 Bunting Place .359-2296

Dianne →

LOG: 18-229	REFER:	AGENDA: RCM Sept. 5th
FILE: Planning	ACTION: MR	

on plan dept
copy ~ Mayor & Council
RKY/SP/MK/agenda



WE WANT TO HEAR FROM YOU



1809 Beaufort Ave
Comox, BC V9M 1R9



council@comox.ca

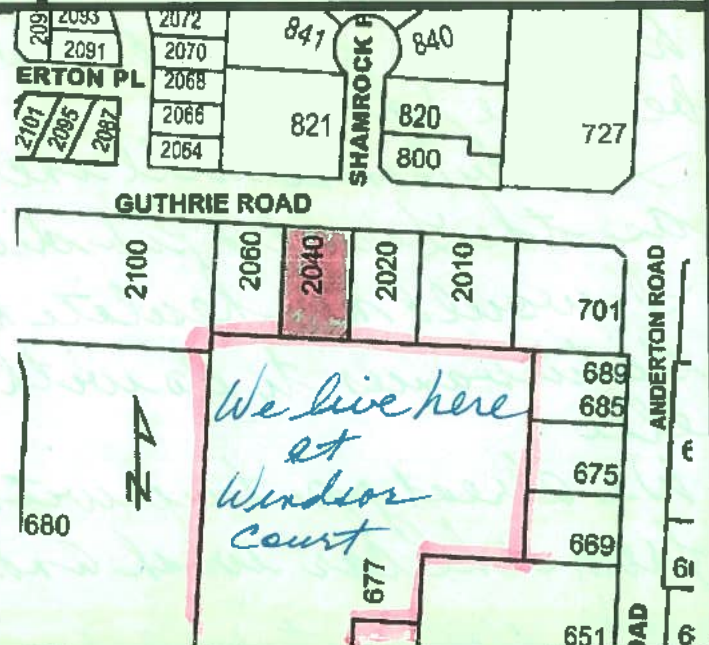
Lounge Endorsement to a (Brewery) Liquor Manufacturing Licence 2040 Guthrie Road

NOTICE OF COUNCIL CONSIDERATION

5:30 pm, Wednesday
Sept. 5th, 2018
Council Chambers
1801b Beaufort Avenue, Comox

Highlights: The Town of Comox wishes to gather public input on an application for a Lounge Endorsement to a liquor Manufacturing Licence with a capacity of 99 persons at 2040 Guthrie Rd. shown shaded on the map.

Details: Hours of operation would be between 12:00 noon and 10:00 p.m. Sunday to Wednesday; and between 12:00 noon and 11:00 p.m. Thursday to Saturday. The application is for a Lounge Endorsement Licence at 2040 Guthrie Rd. (Lot 2, Section 70, Comox District, Plan VIP52533).



More Information

A copy of this liquor licence application, as well as existing relevant reports and documents, will be available for inspection at Town Hall, 1809 Beaufort Avenue, Comox between the hours of 8:30 am – 4:30 pm Monday through Friday (except Statutory Holidays) commencing on August 13, 2018.

We're listening.

**Please submit your written
comments by 4:00 pm on
Sept. 5, 2018.**

Written Submissions

Send by mail, fax or e-mail, as long as the submission:

1. Is received before 4:00pm on Sept. 5, 2018;
2. Is addressed to Mayor and Council;
3. Identifies "2040 Guthrie Rd. Liquor Licence" application in the subject line, and;
4. Includes the name and address of the person making the submission.

Each such person is solely responsible to ensure that their submission is received on time. The Town will not issue any acknowledgement of receipt of such submissions.

677 Bunting Place
Comox, B.C.
V9M-3S1
August 22, 2018

RECEIVED

AUG 23 2018

TOWN OF COMOX

To: Comox Mayor and Council
From: Windsor Court Strata Owners

We the owners of units in Windsor Court are very concerned by the proposal of an expansion to a Lounge Endorsement from the existing Manufacturing License related to the property on Guthrie Road.

We have moved to this complex for the quiet, residential neighbourhood atmosphere that presently exists. Problems we could face if the expansion goes through include:

- Parking problems - we cannot see enough room for parking for 99 people plus the working staff
- If music is allowed, the noise for us living behind the lounge will be increased significantly. There would need to be a soundproof wall or fence
- Rodent problems - in the past we have had to call an exterminator several times at our own expense to eradicate the rats. We now seem to have this problem under control. We fear the waste from the brewery and kitchen will bring the rodents back to our area

We sincerely hope you take our concerns seriously before considering an approval of the Lounge application.

Sincerely,

Annette Friis

Annette Friis

15-677 BUNTING PL 1
COMOX

LOG 18-230	REFER	AGENDA RCM
FILE Planning	ACTION MK	Sept. 5th

on plan dept
copy - Mayor & Council
RK/SR/MK/agenda

Twyla Slonski

From: Ian Zaharko <ianzaharko@gmail.com>
Sent: August 23, 2018 3:47 PM
To: council
Subject: 2040 Guthrie Road Liquor Licence Application

RECEIVED

August 23, 2018

To Mayor & Council
Town of Comox
1809 Beaufort Avenue
Comox, BC, V9M 1R9

TOWN OF COMOX

LOG: 18-231	REFER:	AGENDA: RCM - Sept. 5
FILE: Planning	ACTION: File	

Re: 2040 Guthrie Road Liquor Licence Application

If we wish to take steps to create neighbourhood communities, lessen drinking and driving, reduce vehicular traffic, create a sustainable community, and a culture of walking, we need to encourage zoning for neighbourhood pubs and breweries such as this in our community.

I, Ian W. Zaharko, owner of Strata Lot 15 Section 70 Comox District Plan VIS2307 PID: 017-740-193, located at 2020 Guthrie Road, **am writing to indicate fully my support for the above Liquor Licence Application.**

Thank you for your time and consideration in reviewing this response.

Kind regards

Ian Zaharko
839 Foskett Road
Comox, B.C.
V9M 3T9

o ~ Plan Dept
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Trev <gneiss9@gmail.com>
Sent: August 23, 2018 5:33 PM
To: council
Subject: Proposed Brewery on Guthrie

RECEIVED

August 23, 2018

TOWN OF COMOX

Dear Comox council,

I am writing in support of the proposed lounge and brewery at 2040 Guthrie Road. Comox is in need of more social gathering and evening establishments that have been missing ever since the town lost The Edgewater and the Lorne Hotel.

I truly hope that this application is granted as well as due consideration is given to similar future developments. I especially look forward to other similar type establishments being developed along/among our marina and downtown core.

Sincerely,

Trevor Reynolds
Comox
250-941-2929
gneiss9@gmail.com

LOG: 18-232	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning department
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Jon De Roo <Jon.DeRoo@jpbj.ca>
Sent: August 24, 2018 9:45 AM
To: council
Subject: Land + Sea Brewing

RECEIVED

August 24, 2018

TOWN OF COMOX

Would love to see them open up shop! Thanks for your time.



Jon De Roo
News Reporter
97.3 THE EAGLE - CKLR
A Division Of Jim Pattison Broadcast Group
Work (250) 703-0199
Cell (306) 717-0609

LOG: 18-234	REFER:	AGENDA: RCM Sept. 5
FILE: Plan Dept	ACTION: File	

o ~ Planning
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Stephanie Keys <stephaniemfinlay@gmail.com>
Sent: August 24, 2018 11:43 AM
To: council
Subject: 2040 Guthrie Rd Liquor License

RECEIVED

August 24, 2018

TOWN OF COMOX

Dear Comox Mayor and Council,

I am writing in support of the Land and Sea Brewing Company establishment who is currently awaiting approval on Sept 5th

I am a Courtenay resident, not Comox, and I feel like this establishment will help create more sense of community in that area and will attract people from all over the Valley and elsewhere.

Regards,

Stephanie Keys
1056 Galloway Crescent
Courtenay, BC
V9N 8X3

LOG: 18-235	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning
copy ~ Mayor & Council
RK / SR / MK / agenda

Sent from my iPhone

Twyla Slonski

From: Jennifer Fisher <jennf@telus.net>
Sent: August 26, 2018 9:15 PM
To: council
Subject: 2040 Guthrie Rd, Liquor license

RECEIVED

August 26, 2018

TOWN OF COMOX

To the Mayor & Council

My name is Jennifer Fisher, I live on 689 Woodland Drive in Comox.

I'm writing to let you know that I believe you should approve the Land & Sea Brewing company's application for a lounge endorsement. I work on 5th street in Courtenay and I see the amount of people who go to Gladstone, it has become a destination for people in the Valley, and Comox needs to get in on that. We have the reputation of an old boring community with nothing to do and for the most part that is correct. The opening of Land & Sea will give local residents an opportunity to bike to an establishment for an enjoyable evening with friends, to keep our money in our community and not have to go to Courtenay or Cumberland.

The Land & Sea Brewing Company will be a great addition to the Comox community and our council should support this new business as much as possible.

Thank you,
Jennifer Fisher

LOG: 18-237	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Tamara C. Bishop <tam.c@shaw.ca>
Sent: August 26, 2018 11:59 AM
To: council
Subject: 2040 Guthrie Road Liquor License

RECEIVED

August 26, 2018

TOWN OF COMOX

To Mayor and Council,

I am writing to express my concerns for approving the application for a liquor Manufacturing Licence for 2040 Guthrie Road. My name is Tamara Bishop and I live at 214-680 Murrelet Drive and am concerned the noise and activity generated from such an establishment would make a very negative impact on myself and neighbours of this area. My Townhouse complex will most definitely be impacted by a place like this. This area is primarily a residential area and although I encourage gathering places for our community, this is a large residential area of Comox. Things like this belong in our town centre not our residential areas. My wish is for you do decline this request for a liquor license.

I hope my concerns will be heard by the Mayor and Council.

Sincerely,
Tamara Bishop
214-680 Murrelet Drive
Comox, BC

LOG: 18-238	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: MR	

o ~ planning dept.
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Matthew Macdonald <m.macdonald59@gmail.com>
Sent: August 26, 2018 8:59 AM
To: council
Subject: 2040 Guthrie Rd. Liquor Licence

RECEIVED

August 26, 2018

TOWN OF COMOX

Dear Mayor and Council:

I am in support of the liquor license application for 2040 Guthrie Rd. A brewery and public house would be a great addition to Comox and would draw more people to this area and support all local businesses.

Sincerely,

Matt Macdonald
2091 Noel Ave.
Comox, BC V9M 1Z1

LOG: 18-240	REFER:	AGENDA:
FILE: Planning	ACTION: File	RCM Sept. 5

o ~ planning dept.

copy ~ Mayor & Council

RK / SR / MK / agenda

Twyla Slonski

From: Courtney Bardonner <cwbard@telus.net>
Sent: August 26, 2018 8:51 AM
To: council
Subject: 2040 Guthrie Rd. Liquor Licence

RECEIVED

August 26, 2018

TOWN OF COMOX

Dear Mayor and Council:

I am in support of the liquor license application for 2040 Guthrie Rd. A brewery and public house would be a great addition to Comox and would draw more people to this area and support all local businesses.

Kind regards,

Courtney Bardonner

Courtney Bardonner
2091 Noel Ave.
Comox, BC V9M 1Z1
250.339.5263
email: cwbard@telus.net

LOG: 18-243	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Elaine Allen <meallen13@telus.net>
Sent: August 24, 2018 8:48 PM
To: council
Subject: 2040 Guthrie Rd. Liquor Licence

RECEIVED

August 24, 2018

TOWN OF COMOX

I support this application

Elaine Allen
526 Deerwood Place
Comox
V9M 4G3

LOG: 18-245	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept.
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Telus <josh.alison@telus.net>
Sent: August 24, 2018 1:23 PM
To: council
Subject: 2040 Guthrie Rd Liquor Licence

RECEIVED

August 24, 2018

TOWN OF COMOX

Mayor and Council,

I would like to express my strong support for Land and Sea brewing company and their liquor licence application. We are really looking forward to having this establishment in Comox as it is close to our home.

Thank you,

Alison Ghory
529 Spitfire Dr
Comox
V9M 0A1

Sent from my iPad

LOG: 18-246	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning department
copy ~ Mayor & Council
RK / SR / MK / agenda

DUANE GEE, CFP
EXECUTIVE FINANCIAL CONSULTANT

AUG 27 2018

August 27th 2018

TOWN OF COMOX

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

CO	REFR	AGENDA
18-249		RCM
FILE	ACTION	
Planning	UR	Sept. 5'18

Duane Gee C/O
Gee & Associates Private Wealth Management
#104-2100 Guthrie Road
Comox BC V9M 3P6

*on planning dept
copy Mayor & Council
RR/ER/UR/agenda*

RE: 2040 Guthrie Road Liquor Licence

Dear Mayor and Council

Regarding lounge endorsement and liquor licence for new business opening at 2040 Guthrie Road and concerns I have as a strata owner and business operating at 2100 Guthrie Road. The parking spots at our building site are already at full capacity many times during the work day with Panago Pizza and Dr Lawrence's business taking up many of the spots. These business are part of our strata building and entitled to parking spots on the premises. There are many times I have seen customers for Signature Wines parking in front of our office who are not patrons of any of the businesses in our strata site on the day they visit Signature Wines, yet I have had this discussion with Signature Wines as we work around it.

My concern is in regards to parking as there appears to be very few parking spaces available for patrons of a 99 person capacity lounge and liquor manufacturing business at the listed address. What stipulations are in place for parking for this many people proposed on the application and how will it be enforced? I was told there will be parking across Guthrie Road for the new business opening up but there is no cross walk in the immediate vicinity other than the lights at Guthrie and Anderton Road.

What plans are in place for parking and if what I was told is correct regarding parking across the street from the new business, what plans are in place to make it safe for patrons to cross a very busy Guthrie Road? I am not opposed to new businesses being opened in our area but am definitely opposed if there is a safety issue or conflict with already existing businesses when it comes to accessing their premises.

I look forward to your response.

Sincerely



Duane Gee

Twyla Slonski

From: KC Kostuik <kckostuik@gmail.com>
Sent: August 27, 2018 2:18 PM
To: council
Subject: 2040 Guthrie Rd Liquor License

RECEIVED

August 27, 2018

TOWN OF COMOX

Dear Mayor Ives and Council:

This note is to voice our support for the Lounge Endorsement to a (Brewery) Liquor Manufacturing Licence at 'Land And Sea Brewing Company' at 2040 Guthrie Road in Comox.

We welcome this proposed family friendly food and beverage establishment to the community as we are not aware of any such establishment in Comox let alone within walking distance of our home. Our family, children included, currently enjoy establishments such as Courtenay's The White Whale and Gladstone Brewing and Cumberland's Riders Pizza and Cumberland Brewing. The Blackfin Pub is the closest similar establishment in Comox downtown; but we choose not to go there because they follow a business model that does not allow children inside and instead choose to go to the aforementioned family friendly Courtenay and Cumberland businesses instead. The Church Street Bakery deserves much recognition for expanding their business model to include evening pizza and beer service for the family crowd; it's been a great addition to Comox downtown.

We eagerly await 'Land And Sea Brewing Company' becoming a Comox community social hub and contributor to the Comox business community revitalization.

Sincerely,

Carla & Kelly Kostuik
Owners & Residents - 295 Church Street

LOG: 18-250	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept.
copy ~ Mayor & Council
RK / SR / MK / agenda

TOW
Town of Comox

REC'D

AUG 28 2018

TOWN OF COMOX

We do not want the smell
the rats - the noise, the traffic

My Wife has epilepsy had trouble
with seizures
from the smell

TOW
manufacturing licence
2040 Guffy rd.

CC#	REF#	AGENDA
18-254		Recd
FILE	ACTION	Sept. 5 '18
Planning	NR	

Bert & Bonnie Moore

2076 Stadacon place
Comox.

on planning dept
copy - Mayor + Council
RR/ER/NR/gend

Twyla Slonski

RECEIVED

From: Nick Redway <nwredway@gmail.com>
Sent: August 29, 2018 9:42 AM
To: council
Subject: 2040 Guthrie Rd. Liquor License

AUG 30 2018

TOWN OF COMOX

Dear Mayor and Council,

We Amy and Nick Redway of 260 Alpine Street, Comox, V9M 1G2 would like to express our strong support for the Lounge Endorsement at the above address. We need more diversity of business in Comox and especially those that will serve and appeal to a younger demographic such as this!!

Many Thanks
Nick and Amy

FILE	REFER	AGENDA
18-258		Ren
Phw	file	Sept. 5

on phw
copy. Mayor & Council
RK/SR/MLK/agenda

Twyla Slonski

From: Andrena Koch-Schulte <andrena@andrena.ca>
Sent: August 29, 2018 9:42 AM
To: council
Subject: Support of Liquor licences in Comox - 2040 Guthrie Road Liquor Licence

RECEIVED

AUG 30 2018

Hello Mr. Mayor and Council,

TOWN OF COMOX

I saw the three notices of liquor license applications for the Town of Comox in the local newspaper.

Excellent news! I am 100% in support of more activity and business in the Town of Comox. As a local Realtor and 8 year resident of Comox I will personally enjoy these businesses and I will promote to my real estate clients. I remember when this town had more pubs and frankly it was great! Friendly historical reminder - The Edgewater at the marina burned down...the Lorne hotel downtown burned down...The Leeward Pub at Anderton converted to a restaurant, then stopped operation.

Let's encourage more business to choose Comox for their investment. Residents will have some local social activities and won't be forced to drive to Courtenay to socialize.

I will continue to call Comox - Go Mox!! Please keep moving forward with encouraging business to make Comox their first choice.

Take good care, Andrena Koch-Schulte

692 Colby Road, Comox
Tel. 250-897-2289

LOG: 18-259	REFER:	AGENDA: Kern
FILE: Plan	ACTION: file	Sept. 5/18

copy
copy. Mayor/Council
KK/OK/MK/agenda

Twyla Slonski

From: Kerra <hoysethk@gmail.com>
Sent: August 29, 2018 9:31 AM
To: council
Subject: 2040 Guthrie Road Liquor licence

RECEIVED

AUG 30 2018

TOWN OF COMOX

> Dear Mayor and Council -
>
> Emailing my support for the proposed Land and Sea brewery and the associated liquor licence required.
>
> I've lived in Comox for 12 years and looking forward to this addition to our neighbourhood. The location will not bother the community and the owners are absolutely wonderful people. I'm confident they will do a great job; respecting the people who live here and creating a friendly place to gather. They are also a young family who live in the Valley and understand what people are looking for.

>
> Thank you,
> Kerra Shaw
> Resident of 2152 Downey Ave, Comox
>

LOG: 18-260	REFER:	AGENDA: Kerr
FILE: Plan	ACTION: file	Sept. 5

o-plan
copy Mayor & Council
RR/SR/WR/aj.

Twyla Slonski

From: Rhonda Snook <rsnook@shaw.ca>
Sent: August 28, 2018 5:12 PM
To: council
Subject: 2040 Guthrie Rd liquor license

RECEIVED

AUG 30 2018

TOWN OF COMOX

Mayor and Council,
I support this application.
Thank you
Rhonda Snook
2118 Plover Court
Comox

DOC 18-261	REFER:	AGENDA
FILE Plan	ACTION: file	RCM Sept. 5/18

o-pln
copy - Mayor + Council
RR/ER/MK/agenda

Twyla Slonski

From: G S <Jerry99@shaw.ca>
Sent: August 28, 2018 4:56 PM
To: council
Subject: 2040 Guthrie Rd. Liquor licence

Mayor and Council,

I'm writing to support this business.

Thank you

Jerry Snook
2118 Plover Crt
Comox, BC
V9M 3P5

Sent from my LG Mobile

RECEIVED

AUG 30 2018

TOWN OF COMOX

LC#	REFER	AGENDA
18-262		Resol
FILE	TITLE	
Plan	file	Sept. 5 '18

copy to Mayor + Council
NR/CF/MK/ajundha

Twyla Slonski

From: Alexandra Bissinger <alexandrabissinger@gmail.com>
Sent: August 30, 2018 7:13 AM
To: council
Subject: 2040 Guthrie Rd. Liquor Licence application

RECEIVED

AUG 30 2018

Mayor and Council,

TOWN OF COMOX

I am Alexandra Bissinger of 1999 Robb ave Comox BC V9M2E3 and I am in support of the Lounge Endorsement licence to the brewery at 2040 Guthrie road. It will be a great addition to the community by creating a space that will gather residents of all ages and be another great destination for tourists.

Thank you,

Alex

FILE	PAPER	AGENDA
18-263		Ken
Plan	file	Sept 5

copy - Mayor - Council
RR/SO/MLK/Agenda

Twyla Slonski

From: Sean Fisher <chillwinston4@gmail.com>
Sent: August 29, 2018 10:50 PM
To: council
Subject: 2040 Guthrie Rd, Liquor licence

RECEIVED

AUG 30 2018

TOWN OF COMOX

To: Mayor and Council

The Town of Comox wishes to gather public input on an application for a Lounge Endorsement to a liquor Manufacturing Licence with a capacity of 99 persons at 2040 Guthrie Rd.

I am in favor of the application.

Sean Fisher
689 Woodland Drive
Comox

TOE 18-264	PREPARED Date	AGENDA Room 410.3
---------------	------------------	-------------------------

cc plan
copy - Mayor's Council
KR/SK/MK/agenda

Twyla Slonski

From: Lauren Clark <lolaclark@gmail.com>
Sent: August 29, 2018 9:14 PM
To: council
Subject: 2040 Guthrie Rd Liquor Licence

RECEIVED

AUG 30 2018

To Mayor and Town of Comox Council,

TOWN OF COMOX

We are pleased to express support for the Land and Sea Brewing Company. The Town of Comox and it's constituents will greatly benefit from this establishment both as a place to obtain liquor products as well as a gathering place to socialize and enjoy an evening. We hope you will move forward with this proposal and support this business venture in our growing community.

Many thanks,
Lauren & Aaron Clark
1908 Beaufort Avenue
Comox, BC
V9M1R1

FOR	REFER	AGENDA
18-265		COM
FILE	ATTN	Sept 5/18
Plan	file	

copy
copy Mayor + Council
RR/CR/MLK/agenda

Twyla Slonski

From: J. Steven Jeffrey <jsjeff@shaw.ca>
Sent: August 29, 2018 2:50 PM
To: council
Subject: 2040 Guthrie Rd. Liquor licence

RECEIVED
AUG 29 2018
TOWN OF COMOX

Dear Mayor and Council;

Please go ahead and permit the licence application of this unnamed lounge at 2040 Guthrie Rd. I believe that Comox needs a brewhouse. There are few (one) places in Comox where I can go and enjoy a cool alcoholic beverage without the feeling that I need to buy a meal. This location will also be within my walking range, which makes it very desirable to me.

Thank you

John Steven Jeffrey
838 Highwood Drive
Comox, V9M 1B1

NO.	REF.	TAGENO.
18-266		KOM
FILE	ACTION	Sept 18
Pin	file	

on pin
copy - Mayor & Council
RK/SR/MK/agenda

Twyla Slonski

From: thomas roundhill <ttroundhill@gmail.com>
Sent: August 30, 2018 9:33 PM
To: council
Subject: 2040 Guthrie Rd. Liquor Licence

RECEIVED

August 30, 2018

Thomas Roundhill
384 Vine Street
Comox, BC, V9M 2C3

TOWN OF COMOX

August 30th, 2018

LOG: 18-276	REFER:	AGENDA: RCM - Sept. 5
FILE: Planning	ACTION: File	

Re: 2040 Guthrie Road Liquor Licence

o ~ planning dept
copy ~ Mayor & Council
RK / SR / MK / Agenda

Dear Mayor and Council,

I am writing in support of the application for a Lounge Endorsement for Land & Sea Brewing Company at 2040 Guthrie Road. In the time I have lived in Comox, I have been encouraged by the increasingly vibrant and progressive community that seems to be transforming the Comox Valley. The renovations to the Comox mall, and the increasing variety in restaurants and retail options are welcome advancements to the community. However, there are few establishments in the Comox Valley that offer social hubs for adults beyond a 9:30 pm shutdown. The inclusion of a social venue in Comox that permits liquor sales until 10 or 11 pm will create a central gathering place for friends and family, will foster community growth, and will increase the options for social opportunities and business networking. Furthermore, the location at 2040 Guthrie road, in a business district, is ideally situated to minimize noise concerns to neighboring residents.

Please consider the approval of a Lounge Endorsement for Land & Sea Brewing Company.

Sincerely,

--

Thomas Roundhill BSc (PT), CGIMS, MCPA
Registered Physical Therapist
Clinical Director / Owner
HOLLYBURN COUNTRY CLUB PHYSIOTHERAPY
West Vancouver BC
Tel: 604 913-4563 (156)
E: Physio@hollyburn.org

Twyla Slonski

From: Louisa Pulfrey <louisapulfrey@gmail.com>
Sent: August 30, 2018 8:27 PM
To: council
Subject: 2040 Guthrie Road Liquor License Application

RECEIVED

August 30, 2018

TOWN OF COMOX

LOG: 18-277	REFER:	AGENDA: RCM - Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept
copy ~ Mayor & Council
RK / SR / MK / agenda

Louisa Pulfrey
384 Vine Street
Comox, B.C., V9M 2C3

August 30, 2018

RE: 2040 Guthrie Road Liquor Licence

Dear Mayor and Council of the Town of Comox,

I would like to express my complete support of the proposal for a lounge endorsement to the liquor manufacturing licence of 2040 Guthrie Road.

As a resident in the nearby area, I am really looking forward to having an establishment close to my home where I can go to socialize with friends and colleagues. It would be a welcome addition to the Comox Valley to have a local gathering place open until either 10 or 11:00pm in the evenings. I have been disappointed in other Comox locations when I have been pushed out the door in order for the staff to be able to close at what I felt was an early hour. I believe that the addition of a lounge with the capacity to hold 99 people would be a step in the right direction towards helping Comox develop into a desirable and enjoyable place in which to live.

Thank you for your time. I hope this letter assists you in the decision of approving the lounge endorsement for the Brewery at 2040 Guthrie.

Sincerely,




Louisa Pulfrey


--
Louisa Pulfrey, BScP.T, MEd
604 928 0719



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER GAIL ANDESTAD, PLANNER II
SUBJECT:	PLANNING REPORT PR 18-8 LOUNGE ENDORSEMENT APPLICATION REVIEW LAND AND SEA BREWING COMPANY 2040 GUTHRIE ROAD
DATE:	RCM Sept 5, 2018


Submitted by


Concurrence


Approval

Planner's recommendation:

Be it resolved that:

1. The Town of Comox Council's comments on the prescribed considerations regarding the request for a Lounge Endorsement to a Manufacturer's Licence for the Land and Sea Brewing Company at 2040 Guthrie Road, Comox (Lot 2, Section 70, Comox District, Plan VIP52533) are as follows:
 - a) **The location of the establishment:**
 - i) The subject property is located on Guthrie Road, an arterial in the Town's northwest commercial node. Surrounding uses include abutting multi-family residential to the south, commercial development to the west, light industrial to the east and, across the street to the north, a mixture of commercial, light industrial and residential uses.
 - b) **The person capacity and hours of liquor service of the establishment:**
 - i) The subject property is zoned C3.2 Commercial Industrial. The development is proposed under the following C3.2 permitted uses:
 - a. restaurant-lounges;
 - b. processing or packaging of food or beverage products (e.g. brewery); and
 - c. as an accessory use, the retail sale of beverage products produced or packaged onsite.

U:\Dev App\2018\PR\PR 18-8 Guthrie 2040-Liquor Licence Review\Report\2 RCM 5 Sep 2018-Lounge Endorse-Land Sea_Issuance.docx

The proposed liquor licence for Lounge Endorsement capacity of 99 persons (indoor and outdoor) is significantly less than the Zoning Bylaw 175 seat (indoor and outdoor) maximum for brew pubs which is also an allowed use in the C3.2 zone.

- ii) The proposed hours of liquor service from 12:00 noon daily and closing at 10:00 PM from Sunday to Wednesday and closing at 11:00 PM on Thursday to Saturday are shorter than other existing or proposed Liquor Primary or Lounge Endorsement licences for commercially zoned land.

c) The impact of noise on nearby residents:

- i) The leased area of the proposed development is limited to the ground floor of an existing 2 storey, commercial building and extends from the front (north) to the rear (south) wall of the building. Indoor liquor serving areas are in the centre and northern part of the commercial unit and the future patio on the north side of the building is screened by the two stories of the commercial building from the multi-family development to the south.
- ii) The proposed development is separated from the abutting Multi-Family parcel to the south by a 7.5 m building setback and an approximately 1.8 m high fence.
- iii) Residents in a mixed use development to the west are separated from the subject property by a commercially developed parcel.
- iv) Residents to the north across Guthrie Road are separated by a 2 to 4 lane arterial road and other commercial development.
- v) No concerns were raised by the RCMP regarding this new liquor licence application.

d) The impact on the community if the application is approved:

- i) If the application is approved, the impact is expected to be generally positive in that it will support:
 - a. the growth in tourism and offer a social venue on a section of an arterial road that is primarily focused on retail, services and light industrial development; and
 - b. will support local beverage manufacturing.
- ii) In accordance with Comox Zoning Bylaw 1850, with the addition of a restaurant-lounge use, the subject property is required to add bicycle parking as follows:
 - a. a minimum of 4 additional Class I (unprotected bicycle rack); and
 - b. a minimum of 4 additional Class II (bicycle room or locker) bicycle parking spaces.

- iii) The provision of Class I and Class II bicycle parking is a positive impact for the community by providing infrastructure to support alternative transportation choices.
- e) **The method the Town used to gather the views of the residents:**
 - i) A notice, as contained in **Attachment 5** of the September 5, 2018 Report to Mayor and Council, Planning Report PR 18-8 Lounge Endorsement to a Manufacturer's Licence Review, was:
 - a. posted on the Town's website and Town Hall notice board;
 - b. published in two consecutive editions of the Comox Valley Record newspaper (August 23, 2018 and August 28, 2018); and
 - c. mailed or otherwise delivered to owners and tenants within 75 metres of the subject property.
 - ii) A sign advertising the Liquor License application was installed on the subject property.
 - iii) Written submissions from the public were provided to Council for Council's consideration of this application, copies of which will be forwarded to the General Manager of the Liquor and Cannabis Regulation Branch with this resolution.
- f) **The Town of Comox Council** recommends the that a Lounge Endorsement to a Manufacturer's Licence be issued for the Land and Sea Brewing Company, located at 2040 Guthrie Road in Comox having a maximum person capacity, including outdoor seating, of 99 on the condition of meeting Comox Zoning Bylaw 1850 definition of a "restaurant-lounge" and the limitation of outdoor seating to the area between the north building face and the north lot line.

Proposal

The licence application is for a proposed 99 person capacity restaurant-lounge and a proposed brewery with accessory retail sale of products brewed on-site at 2040 Guthrie Road. Proposed hours of liquor service are 12:00 noon to 10:00 PM Sunday to Wednesday and 12:00 noon to 11:00 PM Thursday to Saturday.

An Application Summary is contained in **Attachment 1**. Information the Applicant has submitted for the Town's Liquor License Review application, previously published in the August 1, 2018 Planning Report on PR 18-8, is contained in **Attachment 3**.

Background

See **Attachment 2** for proposed Processing Steps for providing a referral response to the Liquor Control and Cannabis Regulation Branch.

At the August 1, 2018 Regular Council Meeting Council resolved that staff be directed to gather the views of residents in the Town of Comox on the Lounge Endorsement application PR 18-8. Public submissions received prior to the September 5, 2018 Council meeting will be distributed to Council.

Discussion:

An existing, two-storey commercial building is located on the subject property. The proposed development would occupy the majority of the ground floor, extending from the front (north) to the rear (south) walls of the building. Also located on the ground floor is an office in the south east corner of the building. A dwelling unit occupies the entire second storey.

The subject property is designated in the OCP as Commercial: Neighbourhood. This land use designation is intended to accommodate neighbourhood restaurants, service stations, retail, office and service commercial uses that primarily service the day to day convenience needs of local residents.

The subject property is zoned C3.2 Commercial-Industrial. The development is proposed under the following C3.2 zone permitted uses:

- a. restaurant-lounges;
- b. processing or packaging of food or beverage products (e.g. brewery); and
- c. as an accessory use, the retail sale of beverage products produced or packaged onsite.

As a restaurant-lounge, liquor service without food is secondary to the service of food with or without liquor.¹ In contrast, a brew pub, which is also a permitted use in the C3.2 zone, is defined as providing primarily alcoholic beverage service.²

Conversion to a brew pub would be problematic, as a brew pub outside of the Downtown has a higher vehicle parking requirement at 1 per 4 seats (including outdoor seating) with a two vehicle space reduction if both Class I and Class II bicycle parking is provided.

A total of 11 onsite vehicle parking spaces are proposed. With the provision of the proposed Class I and Class II bicycle parking facilities, the minimum vehicle parking requirement for the proposed development including the existing office and dwelling unit is 4 spaces. In contrast, the vehicle parking requirement just for a 90 seat brew pub is 21 vehicle spaces³.

¹ The Zoning Bylaw definition of a "Restaurant-Lounge" is "A restaurant where, as a secondary use, liquor may be served without food"; and

The Zoning Bylaw definition of a "Restaurant" is "A parcel, building or part thereof wherein food with or without liquor service is offered for sale to the public..."

² The Zoning Bylaw definition of a "Brew Pub" is "An establishment licensed by the Liquor Control and Licensing Branch that provides primarily alcoholic beverage service, has a maximum seating capacity including outdoor seating of 175, and manufactures and sells beer for consumption on premises; the provision of live entertainment is limited to music or comedy."

³ For 90 seat brew pub outside of Downtown Area, 1 vehicle space/ 4 pub seats results in 22.5-2 (if minimum bicycle parking provided) = 20.5 rounds to 21 vehicle parking space.

The proposed Lounge Endorsement liquor licence is for a maximum capacity of 99 persons (indoor and outdoor). The area of the restaurant is approximately 150 square metres and shows at least 32 indoor seats on plan with an outdoor patio proposed in the future along Guthrie Road for the area between the north building wall and north lot line. The 99 person maximum capacity is significantly less than the Zoning Bylaw 175 seat maximum for brew pubs.

The proposed hours of liquor service for this application are shorter than other existing or proposed Liquor Primary and Lounge Endorsement licences in the Town. (See **Table 1** contained in **Attachment 4** for comparison of hours.)

In accordance with Comox Zoning Bylaw 1850, with the addition of a restaurant-lounge use, the subject property is required to add bicycle parking as follows:

- a. a minimum of 4 additional Class I (unprotected bicycle rack); and
- b. a minimum of 4 additional Class II (bicycle room or locker) bicycle parking spaces.⁴

Six bicycle parking spaces are proposed for both Class I and Class II bicycle parking, two more spaces in each class than are required by bylaw.

As published in the August 1, 2018 Planning Report on PR 18-8, Public Works advises that wastewater discharged from breweries may be disruptive to the municipal and regional sewer treatment facilities and it remains the property owner's responsibility to comply with Comox Sanitary Sewer Use, Extension and Connection Bylaw 1983, Bylaw No. 713⁵.

As part of the Town's standard practise, the PR 18-8 application was referred to the RCMP who have not provided comment on this new licence application. The referral notes that no response will be interpreted as no concern.

MK/GA

Attachments:

1. Application Summary
2. Application Process Steps
3. Information submitted by the Applicant in relation to Town of Comox Liquor License Review.
4. Liquor Licence Hours and Operational Hours of existing and proposed pubs and restaurant-lounges in Comox
5. Copy of Notice of Liquor Licence Application Review

Applicant: Jason Walker, Director, Land and Sea Brewing Company Ltd.
2040 Guthrie Road, Comox, BC V9M 3P6

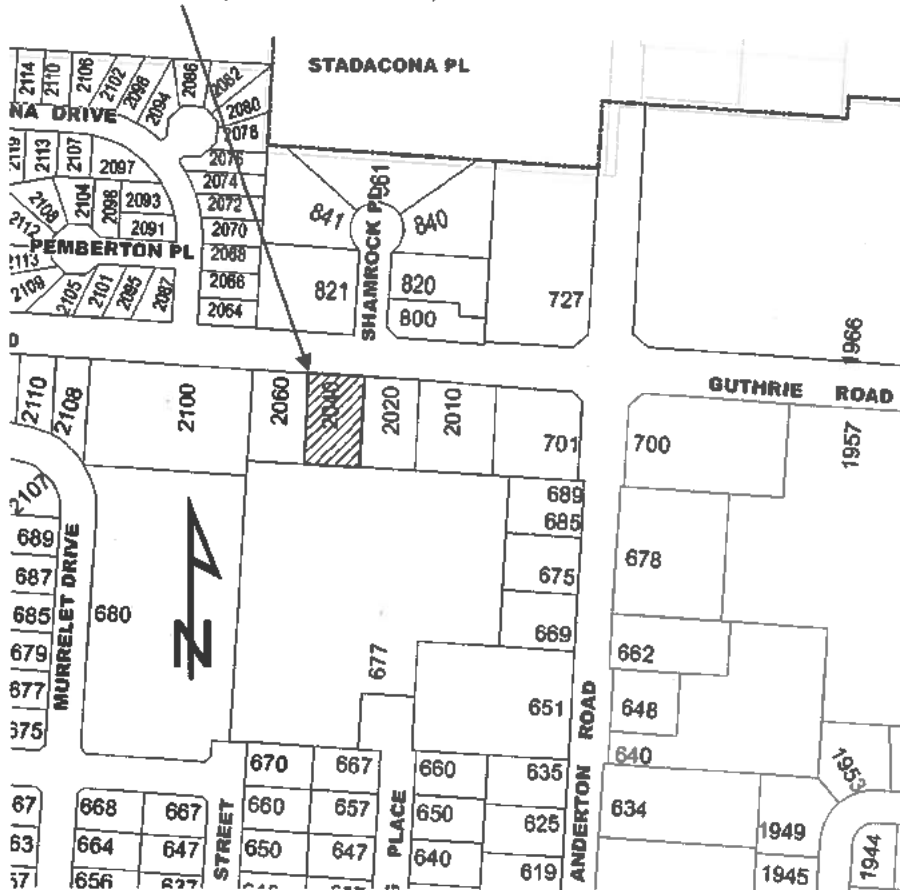
⁴ Note: The bicycle parking requirements have changed since the August 1, 2018 Planning Report to Council as the requirements in that report were miscalculated.

⁵ A copy of Bylaw No. 713, which pertains to the acceptable limits and characteristics of sewage intended for discharge to the Town's municipal sanitary system, and by extension the Regional sewage treatment plant, has been provided to the applicant by email.

Subject Property Map

ATTACHMENT 1

2040 Guthrie Rd.
 Lot 2 Section 70, Comox District, Plan VIP 52533



Proposal: The licence application is for a proposed 99 person capacity restaurant-lounge and a proposed brewery with accessory retail sale of products brewed on-site at 2040 Guthrie Road. Proposed hours of liquor service are 12:00 noon to 10:00 PM Sunday to Wednesday and 12:00 noon to 11:00 PM Thursday to Saturday.

Legal Description: Lot 2, Section 70, Comox District, VIP Plan 52533

Civic Addresses: 2040 Guthrie Rd

OCP:
 Land Use Designation: Commercial: Neighbourhood
 Dev. Permit Area CPA #5 Commercial: Neighbourhood and Tourist

PR 18-8 2040 Guthrie Rd
Lounge Endorsement to a Manufacturing License Review
Land and Sea Brewing Company RCM Sept 5, 2018

Zoning: C3.2 Commercial-Industrial

Permitted Uses Include: A range of commercial and light industrial uses including Brew Pubs (maximum 175 seats), Dwelling unit as an accessory use limited to one unit; Offices, Processing or packaging of food or beverage products (e.g. brewery), Restaurant-Lounges and as an accessory use, the retail sale of products brewed on-site.

Parking Requirements: Motor Vehicle parking spaces:

For the proposed brewery and restaurant-lounge = 2 vehicle spaces including 1 space reduction for provision of a minimum 4 Class I and 4 Class II bicycle parking spaces.

For other uses on subject property = 1 for Office
1 for Apartment over commercial

Total vehicle parking required = 4 spaces

Total parking provided = 11 spaces

Class I Bicycle=1 per 125 m2 (min. 4) required; 6 provided
Class II Bicycle=1 per 125 m2 (min. 4) required; 6 provided

Surrounding Uses: Commercial, Light Industrial and Multi-Family Residential

ATTACHMENT 2

Application Process Steps for LCRB Referral Response

1. Staff prepares a Report to Council seeking a resolution from Council on the LCRB regulatory criteria.
2. Council's recommendation on the Lounge Endorsement to a Manufacturer's License application, in accordance with the regulatory criteria, plus copies of public submissions, and a copy of the September 5, 2018 staff report on PR 18-8 is submitted to the Liquor and Cannabis Regulation Branch General Manager.

ATTACHMENT 3

Information submitted by the Applicant in regard to the Town's
Liquor License Review Application

previously published in the August 1, 2018 RCM Planning Report to
Council and reprinted here for convenience.



Liquor Control and Licensing Branch
 4th Floor, 3350 Douglas St, Victoria, BC V8W 9J8
 Mail PO Box 9282 Stn Provincial Govt, Victoria, BC V8W 9J8
 Phone: 1 800 209-2111 Fax: 250-962-7066

LOUNGE AND SPECIAL EVENT AREA APPLICATION

Liquor Control and Licensing Form LCLB049A

Instructions:

Using the attached guide, complete this application form and assemble all required documents. Once complete, follow instructions for submitting your application package to local government/first nation and the Liquor Control and Licensing Branch.

Part 1: Type of Application

Lounge Endorsement

Special Event Area Endorsement

office use only

Job No:

Note: Do not apply for special event area if it will occupy same footprint as the lounge.

Are you submitting an application for a manufacturing licence with this application? No Yes

Are you submitting an application to transfer the location of the manufacturing facility with this application? No Yes

Part 2: Applicant

Manufacturer Licence Number (if licensed):

Applicant/Licensee Name: Jason Walker

Mailing Address:

396 Vine St.

Street

Comox

City

BC

Province

V9M 2C3

Postal Code

Phone number: 250-792-4031

E-mail address: jason@landandseabrewing.ca

Note: An authorized signing authority of a licensee can appoint a representative to interact with the branch on their behalf by completing form LCLB101 Add. Change or Remove Licensee Representative

Part 3: Application Contact Person

Name: Jason Walker

Phone number: 250-792-4031

Position: Director

E-mail address: jason@landandseabrewing.ca

Note: The applicant authorizes the person above to be the primary contact for the duration of the application process only

Part 4: Establishment

Establishment Name: Land & Sea Brewing Company Ltd.

Manufacturer Address:

2040 Guthrie Rd.

Street

Comox

City

BC

Province

V9M 3P6

Postal Code

4a. Parcel Identifier (PID): 017-384-729

4b. Local Government/First Nation: Town of Comox

Local Police: RCMP

4c. Is this location zoned for liquor service? No Yes

4d. Is this manufacturing site part of the Agricultural Land Reserve (ALR)? No Yes

4e. If the proposed site is on ALR land, have you reviewed the ALR policies regarding a lounge and/or special event area? No Yes

Part 5: Lounge Proposal

This section requires several supporting documents to be submitted with your application. Please see the checklist on page 3 below for more information regarding letter of intent, floor plan and site map.

5a. Proposed Service Areas:

Complete the following based on your establishment floor plan and occupant load (see page 5 of guide):

Area No.	Floor Level (e.g. Basement, Main, 2nd)	Indoor	Patio	Occupant Load
1.	Assembly Use (lounge)	72.5	-	72.5
2.	Manufacturing	24.35	-	24.35
3.	Kitchen	1.72	-	1.72
4.	Office	1.07	-	1.07
5.	Retail	8.92	-	8.92
Total Occupant Load (of all licensed areas): 109.10 = 99				

5b. Hours of Liquor Service:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	12	12	12	12	12	12	12
Close	10	10	10	10	11	11	11

Part 6: Special Event Area Proposal

This section requires several supporting documents to be submitted with your application. Please see the checklist on page 3 below for more information regarding letter of intent, floor plan and site plan.

6a. Proposed Service Areas:

Complete the following chart based on your establishment floor plan. Occupant load is required for indoor and patio areas (see page 5 of guide). If you want an outdoor area that is not a patio see 6b:

Area No.	Floor Level (e.g. Main, Mezzanine)	Indoor	Patio	Occupant Load
1.				
2.				
3.				
4.				
Total Occupant Load (of all licensed areas):				

6b. Complete the following chart if you will have an outdoor event area (not a patio). Outdoor areas require a person capacity not occupant load (see page 5 of guide):

Area No.	Outdoor Area Identify by location or name	Capacity
1.		
2.		
3.		
4.		
Total Person Capacity for all Outdoor Areas:		

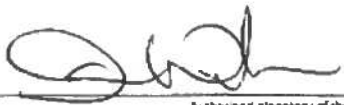
6c. Hours of Liquor Service

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open							
Closed							

Part 7: Declaration of Signing Authority

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature: 
Authorized signatory of the licensee

Name: Position: Date:
(last / first / middle) (if not an individual) (Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign the declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the Societies Act)

If an authorized signatory has completed the Add, Change or Remove Licensee Representative form (CLB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature

Part 8: Checklist

Your application package must include the following documents. An incomplete application will delay the licensing process.

- Completed Lounge & Special Event Area Application (this form).
- Letter of Intent for each type of endorsement (page 5 of the guide).
- Lounge Floor Plan (2 copies) preferably with occupant load (page 5 & 6 of the guide).
- Special Event Area Floor Plan (2 copies) preferably with occupant load (page 5 & 6 of the guide).
- Site plan for any outdoor endorsement area (see page 6 of guide).
- Patio(s) (see Appendix 1 on page 8 of the guide).
- Any additional information (labelled per question number on application form) if there is not sufficient space to answer a question on the application form.
- Take your application package to Local Government/First Nation (Part 9 below). Note: This step is not required if you are applying for this endorsement(s) on a second manufacturing licence located at the same site (see # 3 on page 2 of guide).
- After Part 9 is completed, submit your application package to the Branch (Parts 10 and 11 below).


Part 9: Local Government/First Nation (LG/FN) Confirmation of Receipt of Application

This is to be filled out by your local government/First Nation office prior to submitting this application to the branch.

Local government/First Nation (name): **TOWN OF COMOX**

Name of official: **SHELLEY ASHFIELD** Title/Position: **ACTING CAO**

Email: **TOWN@COMOX.CA** Phone: **250-389-2202**

Signature of Official:  Date Received: **JULY 4, 2018**

Check here if the LG/FN will not be providing comment: Yes, opting out of comment.

Note: The LG/FN cannot provide comment for their own application.

Is the manufacturing site located on Treaty First Nation land? No Yes

Instructions for Local Government/First Nation (LG/FN)

This serves as notice that an application for a lounge and/or special event area endorsement is being made within your community. The Branch requests that you consider this application (application form, letter of intent, and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed application form, photo appendix (if applicable), letter of intent, floor plan and site map (for outdoor areas) to LG/FN.
- If there are any major issues (e.g. zoning), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign Part 9 of the application form and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.
- Branch staff will contact LG/FN to confirm receipt of the application and identify the Branch staff responsible for processing the application.
- Branch staff and LG/FN staff will advise each other if there are any concerns with the proposed application.

To provide a resolution or comment:

- Gather public input for the community within the immediate vicinity of the establishment.
- Consider these factors which must be taken into account when providing resolution/comment:
 - The location of the establishment.
 - The person capacity and hours of liquor service of the establishment.

Provide a resolution/comment with comments on:

- The impact of noise on nearby residents.
- The impact on the community if the application is approved.
- The view of residents and a description of the method used to gather views.
- The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111 to speak to the Senior Licensing Analyst.

Part 10: Submit Application Package

Once signed by local government/First Nation, submit your complete application package to:

Liquor Control and Licensing Branch
Courier: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1
Mail: PO Box 8292 Stn Prov Govt Victoria, BC V8W 9J8
E-mail: liquor.licensing@gov.bc.ca

If you have any questions, contact us toll-free at 866-209-2111 and ask to speak to the Senior Licensing Analyst for your geographic area. Or email us at liquor.licensing@gov.bc.ca or visit our website for more information: www.gov.bc.ca/liquorregulationandlicensing

Part 11: Application Fees (non-refundable)

Lounge Application Fee \$330.00 (non-refundable)
Special Event Area Application Fee \$330.00 (no lounge) or \$110.00 (if you already have a lounge or are applying in conjunction with a lounge)

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check) one:

- Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- Money order, payable to Minister of Finance
- Credit card: VISA MasterCard AMEX
- I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
- I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

The information requested on this form is collected by the Liquor Control and Licensing Branch under Section 26 (a) and (c) of the Freedom of Information and Protection of Privacy Act and will be used for the purposes of liquor licensing and compliance and enforcement matters in accordance with the Liquor Control and Licensing Act. Should you have any questions about the collection, use or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 3232 STN PROV GOVT, Victoria, BC V8W 9J6 or by phone toll free at 1-866-209-2111.

LCLB09A

5 of 5

Lounge and Special Event Area Application

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number: Expiry date: /
(Month) (Year)

Signature: _____

Land & Sea Brewing Company Ltd.
Rationale for Town of Comox Liquor License Review

Brand Vision:

The primary purpose of the Land & Sea Brewing Company is to provide our local community with a place to gather and share conversation and ideas while enjoying delicious, fresh, locally produced beer, food and other beverages. We want to provide our community, and visitors to our community, a place to celebrate where we live and the bounty the Comox Valley provides. As a community member, we will work hard to partner with local growers and businesses to bring this bounty to our customers, along with exceptional customer experiences.

Market Perspective:

Local breweries and craft beer have experienced a global renaissance in recent years, reminiscent of times past when every small town had a brewer, baker and butcher offering its goods. In tune with this movement, BC Liquor Control and Licensing has done a fantastic job of creating a safe, family friendly framework that allows communities to benefit from the casual food and beverage experiences local breweries can offer. Casual, family friendly, food and beverage options are limited in the Town of Comox and we are one the few communities that does not yet have a micro-brewery. At this time, residents seeking this type of establishment are required to cross the bridge and visit Courtenay or Cumberland to enjoy this type experience. Moreover, we want to represent Comox on the Vancouver Island North Ale Trail (<https://bcaletrail.ca/ale-trails/nanaimo-comox-valley/>) and attract people to our lovely sea side community and local businesses. We believe there is room in our market for several other casual dining options and look forward to creating one unique option for community members and visitors.

If approved Land & Sea Brewing Company will have a positive economic impact on the community as we expect to create jobs (10 FTEs), promote business growth within our community through partnerships with local businesses and suppliers, and attracting visitors to the community. We also plan to be active in the community and sponsor events like Snow to Surf, BC Seafood Festival, and Comox Nautical Days among others.

Our "West Comox" location under lease at 2040 Guthrie Rd. was previously a manufacturing facility operated by Modern Windows and Doors. The location is appropriately zoned for all three activities under consideration for Land & Sea Brewing Company (manufacturing, retail sales, and restaurant). 2040 Guthrie Rd. is convenient for many community residents that live in either biking or walking distance as well as those already visiting one of the many successful businesses in the Anderton and Guthrie area.

The immediate neighbourhood is a mix of commercial, retail, industrial and residential. There are no schools in the area.

Target Consumer:

- Our target market will be adults ages 30+.
- The décor will be modern and represent the brand tenets.
- Everyone will be welcome at Land & Sea; we expect to attract members of Comox and East Courtenay community, which skews married, higher income and education.

Operational Details:

- Our architect has deemed capacity at 99 individuals, including staff.
- Our proposed hours of operation are:
 - o 12PM to 10PM Sunday – Wednesday; and
 - o 12PM to 11PM Thursday, Friday and Saturday.

The closing hours are no later than several the other businesses at the Guthrie and Anderton area.

Impact of noise on the community:

Land & Sea Brewing Company faces Guthrie Road, which is a very busy and noisy thoroughfare.

There will be music. Any live music will be acoustic only, provided only on the weekends and will end by 9PM. There would be no live music at any time from Monday to Friday.

As a proud community member, we are 100% committed to operating within municipal by-laws. While there are residential/patio homes immediately behind 2040 Guthrie we do not expect noise to be a problem as the establishment's seating and entrance is at the front of the building, facing busy Guthrie Rd. If there was a noise complaint made directly to our establishment or through the Town of Comox we would address it immediately.

Parking:

Land & Sea Brewing Company meet the Town of Comox Parking requirements, and will provide 8 guest parking spots at 2040 Guthrie Rd. We expect and encourage our guests to walk or bike from their nearby neighbourhoods. We plan to exceed the required class 1 & 2 bicycle parking.

Finally:

The Managing Director and majority owner of Land & Sea Brewing Company is Jason Walker. Jason is a Comox resident and proud Robb Road father. Jason will oversee all day-to-day operations.



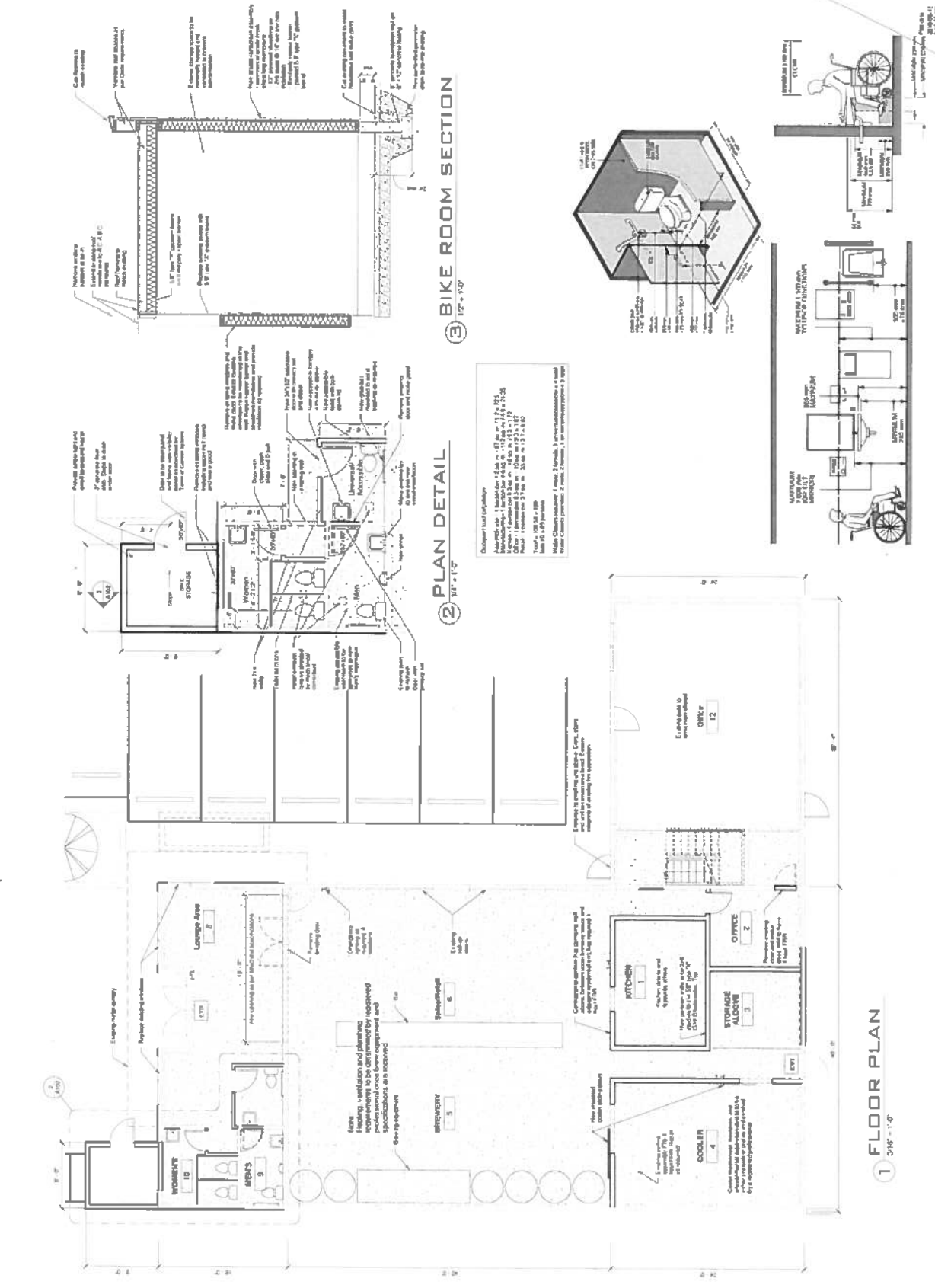
Philbin Alwood Architects
 5 Leno Lane Way
 2000
 2000
 philbin@alwoodarchitects.com

JAMES MATTHEW DESIGN LTD.
 2000
 2000
 james@jmatthewdesign.com

Building Code Summary
 Project Location: Toronto, Ontario, Canada
 Building Code: Ontario Building Code (OBC) 1997, as amended
 Building Department: City of Toronto
 Project Name: Land & Sea Brewing Company
 Project No: 18-000-0000-0000-0000
 Project Address: 100 King Street West, Toronto, ON M5X 1C5
 Project Start Date: 2018-08-01
 Project Completion Date: 2019-03-31
 Project Status: In Progress
 Project Manager: James Matthews
 Project Architect: Philbin Alwood Architects
 Project Engineer: James Matthews
 Project Designer: Philbin Alwood Architects
 Project Contractor: [Redacted]
 Project Subcontractor: [Redacted]
 Project Consultant: [Redacted]
 Project Specialist: [Redacted]
 Project Advisor: [Redacted]
 Project Reviewer: [Redacted]
 Project Approver: [Redacted]

No.	Description	Date
1	Issue for Review	2018-08-01
2	Issue for Review	2018-08-15
3	Issue for Review	2018-08-29
4	Issue for Review	2018-09-12
5	Issue for Review	2018-09-26
6	Issue for Review	2018-10-10
7	Issue for Review	2018-10-24
8	Issue for Review	2018-11-07
9	Issue for Review	2018-11-21
10	Issue for Review	2018-12-05
11	Issue for Review	2018-12-19
12	Issue for Review	2019-01-02
13	Issue for Review	2019-01-16
14	Issue for Review	2019-01-30
15	Issue for Review	2019-02-13
16	Issue for Review	2019-02-27
17	Issue for Review	2019-03-13
18	Issue for Review	2019-03-27
19	Issue for Review	2019-04-10
20	Issue for Review	2019-04-24
21	Issue for Review	2019-05-08
22	Issue for Review	2019-05-22
23	Issue for Review	2019-06-05
24	Issue for Review	2019-06-19
25	Issue for Review	2019-07-03
26	Issue for Review	2019-07-17
27	Issue for Review	2019-07-31
28	Issue for Review	2019-08-14
29	Issue for Review	2019-08-28
30	Issue for Review	2019-09-11
31	Issue for Review	2019-09-25
32	Issue for Review	2019-10-09
33	Issue for Review	2019-10-23
34	Issue for Review	2019-11-06
35	Issue for Review	2019-11-20
36	Issue for Review	2019-12-04
37	Issue for Review	2019-12-18
38	Issue for Review	2020-01-01
39	Issue for Review	2020-01-15
40	Issue for Review	2020-01-29
41	Issue for Review	2020-02-12
42	Issue for Review	2020-02-26
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49	Issue for Review	2020-06-04
50	Issue for Review	2020-06-18
51	Issue for Review	2020-07-02
52	Issue for Review	2020-07-16
53	Issue for Review	2020-07-30
54	Issue for Review	2020-08-13
55	Issue for Review	2020-08-27
56	Issue for Review	2020-09-10
57	Issue for Review	2020-09-24
58	Issue for Review	2020-10-08
59	Issue for Review	2020-10-22
60	Issue for Review	2020-11-05
61	Issue for Review	2020-11-19
62	Issue for Review	2020-12-03
63	Issue for Review	2020-12-17
64	Issue for Review	2021-01-01
65	Issue for Review	2021-01-15
66	Issue for Review	2021-01-29
67	Issue for Review	2021-02-12
68	Issue for Review	2021-02-26
69	Issue for Review	2021-03-12
70	Issue for Review	2021-03-26
71	Issue for Review	2021-04-09
72	Issue for Review	2021-04-23
73	Issue for Review	2021-05-07
74	Issue for Review	2021-05-21
75	Issue for Review	2021-06-04
76	Issue for Review	2021-06-18
77	Issue for Review	2021-07-02
78	Issue for Review	2021-07-16
79	Issue for Review	2021-07-30
80	Issue for Review	2021-08-13
81	Issue for Review	2021-08-27
82	Issue for Review	2021-09-10
83	Issue for Review	2021-09-24
84	Issue for Review	2021-10-08
85	Issue for Review	2021-10-22
86	Issue for Review	2021-11-05
87	Issue for Review	2021-11-19
88	Issue for Review	2021-12-03
89	Issue for Review	2021-12-17
90	Issue for Review	2022-01-01
91	Issue for Review	2022-01-15
92	Issue for Review	2022-01-29
93	Issue for Review	2022-02-12
94	Issue for Review	2022-02-26
95	Issue for Review	2022-03-12
96	Issue for Review	2022-03-26
97	Issue for Review	2022-04-09
98	Issue for Review	2022-04-23
99	Issue for Review	2022-05-07
100	Issue for Review	2022-05-21

LAND & SEA BREWING COMPANY
FLOOR PLAN
 Drawing No: A102
 Drawing Date: 2018-08-01
 Drawing Scale: As Shown
 Drawing Status: For Review



Gail Andestad

From: Jason Walker <jwalk7@gmail.com>
Sent: July-23-18 2:42 PM
To: Gail Andestad
Subject: Amendment to 2040 Guthrie Rd. site plan

Hi Gail,

As discussed, we will be amending the site plan for 2040 Guthrie Rd to include at least 6 Class 1 bicycle parking spots and 6 Class 2 bicycle parking spots, not 4 each as written in the submitted document.

Thank you.

Jason

250-792-4031


ATTACHMENT 4

Table 1. Liquor License Hours and Operational Hours of Existing and Proposed Pubs in Comox⁶

Venue									Capacity	
Black Fin 132 Port Augusta			Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Liquor Primary License	Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	Indoor & Outdoor – 110 seat capacity
	Close	Midnight	Midnight	Midnight	Midnight	1:00 AM	1:00 AM	Midnight		
Actual Operation	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	11:00AM	
	Close	10:00PM	10:00PM	10:00 PM	10:00 PM	11:00PM	11:00 PM	10:00PM		
Legion 1825 Comox Ave.			Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Liquor License (Liquor Primary-Club and proposed Liquor Primary)	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	11:00AM	Ground floor (pub) – 211 Second floor – 200 permissible by license; New Proposed Capacity 175
	Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	Midnight		
Actual Operation	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	11:00AM	Pub operates ~110 seats
	Close	Variable closing time responding to events, typically ranging from 9:30 to 11:00 PM at the discretion of the bar tender. Going forward closing hours subject to change within limits of licence.							Typically 6:00 PM	
New Tradition Brewing 215 Port Augusta St.			Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Proposed Brew Pub	Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	Capacity 110
	Close	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	
Taphouse 215 Church St.			Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Approved in Principal Liquor Primary License**	Open	10:00AM	10:00AM	10:00 AM	10:00 AM	10:00AM	10:00 AM	10:00AM	10:00AM	Capacity 175
	Close	Midnight	Midnight	Midnight	Midnight	1:00 AM	1:00 AM	Midnight		
NOT DOWNTOWN Land & Sea 2040 Guthrie Rd			Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Proposed Brewery & Restaurant	Open	Noon	Noon	Noon	Noon	Noon	Noon	Noon	Noon	Capacity 99
	Close	10:00PM	10:00PM	10:00PM	11:00PM	11:00PM	11:00PM	10:00PM		


⁶ Lorne Liquor Primary Licence Cancelled March 1/18

ATTACHMENT 5



TOWN OF COMOX

WE WANT TO HEAR FROM YOU



1809 Beaufort Ave
Comox, BC V9M 1R9

@

council@comox.ca

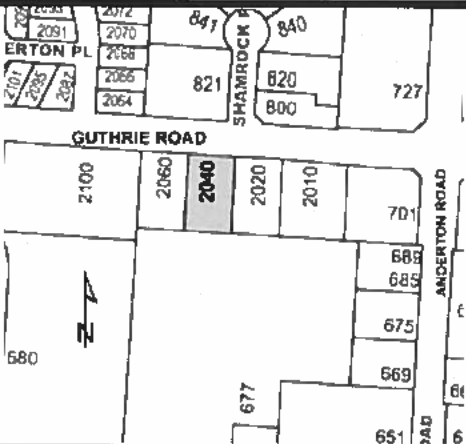
**Lounge Endorsement to a
(Brewery) Liquor
Manufacturing Licence
2040 Guthrie Road**

**NOTICE OF COUNCIL
CONSIDERATION**

**5:30 pm, Wednesday
Sept. 5th, 2018
Council Chambers
1801b Beaufort Avenue, Comox**

Highlights: The Town of Comox wishes to gather public input on an application for a Lounge Endorsement to a liquor Manufacturing Licence with a capacity of 99 persons at 2040 Guthrie Rd. shown shaded on the map.

Details: Hours of operation would be between 12:00 noon and 10:00 p.m. Sunday to Wednesday; and between 12:00 noon and 11:00 p.m. Thursday to Saturday. The application is for a Lounge Endorsement Licence at 2040 Guthrie Rd. (Lot 2, Section 70, Comox District, Plan V1P52533).



More Information

A copy of this liquor licence application, as well as existing relevant reports and documents, will be available for inspection at Town Hall, 1809 Beaufort Avenue, Comox between the hours of 8:30 am – 4:30 pm Monday through Friday (except Statutory Holidays) commencing on August 13, 2018.

**We're listening.
Please submit your written
comments by 4:00 pm on
Sept. 5, 2018.**

M. Kamenz, Municipal Planner

Written Submissions

Send by mail, fax or e-mail, as long as the submission:

1. Is received before 4:00pm on Sept. 5, 2018;
2. Is addressed to Mayor and Council;
3. Identifies "2040 Guthrie Rd. Liquor Licence" application in the subject line, and;
4. Includes the name and address of the person making the submission.

Each such person is solely responsible to ensure that their submission is received on time. The Town will not issue any acknowledgement of receipt of such submissions.

U:\Dev App\2018\PR\PR 18-8 Guthrie 2040-Liquor Licence Review\Report\2 RCM 5 Sep 2018-Lounge Endorse-Land Sea_Issuance.docx

Page 11 of 11

RCM Agenda Sept 5, 2018

Page 173

Twyla Slonski

From: Bruce McPhee <wbmcphee@shaw.ca>
Sent: August 20, 2018 11:54 AM
To: council
Subject: Liquor Manufacturing Licence

RECEIVED

AUG 21 2018

Good Morning,

TOWN OF COMOX

My name is Bruce McPhee and I reside at 1720 Beaufort Avenue.

I am in full agreement with this new licence. Firstly, there is adequate parking, no family residents nearby, and will provide some activity to Comox Avenue after 5pm. I am in full accord with this concept.

Thank you,

Bruce McPhee

LOG	REFER	DATE
18-211		Sept 5 th 18
FILE	ACTION	
Planning		

on planning dept
copy Mayor & Council
RR/SR/CR/agenda

Twyla Slonski

From: Harry <harrymhs51@gmail.com>
Sent: August 20, 2018 2:11 PM
To: council
Subject: 215 Port Augusta St. Liquor Licence

RECEIVED

AUG 21 2018

Mayor and Council

TOWN OF COMOX

Please approve the licence for 215 Port Augusta St.!

Harold E. Koivisto
551 – 1700 Comox Ave
Comox BC V9M 4H4
20 Aug 2018

LOC 18-214	PREP'D	AGENDA Roll Sept 5'18
FILE Planning	APPROVAL -	

on planning
copy - Mayor & Council
RK/SR/NK/agenda.

Twyla Slonski

From: Alisha Drinkwater <alisha.drinkwater@gmail.com>
Sent: August 23, 2018 10:34 AM
To: council
Subject: Lounge Endorsement to a (Brewery) Liquor Manufacturing Licence - 215 Port Augusta Str.

> Hi there,
>
> I wish to voice my support as a taxpayer and resident of Comox with the subject noted proposal.
>
> Thank you.
>
> Alisha Drinkwater
> 433 Ensign St
> Comox
>
> Sent from my iPhone

RECEIVED

AUG 23 2018

TOWN OF COMOX

LOG	REF REF	AGENDA
18-222		Rem
FILE	ACTION	Sept 5
Planning	file	

or plan dept
copy ~ Mayor & Cncl
RK/SR/MK / agenda

Twyla Slonski

From: Matthew Macdonald <m.macdonald59@gmail.com>
Sent: August 26, 2018 9:00 AM
To: council
Subject: 215 Port Augusta St. Liquor Licence

RECEIVED

August 26, 2018

TOWN OF COMOX

Dear Mayor and Council:

I am in support of the liquor license application for 215 Port Augusta Street. A brewery and public house would be a great addition to Comox and would draw more people to this area and support all local businesses.

Sincerely,

18-239

Matt Macdonald
2091 Noel Ave.
Comox, BC V9M 1Z1

LOG:	REFER:	AGENDA:
FILE: Planning	ACTION: File	RCM Sept. 5

o ~ planning dept.
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: Courtney Bardonner <cwbard@telus.net>
Sent: August 26, 2018 8:54 AM
To: council
Subject: 215 Port Augusta St. Liquor Licence

RECEIVED

August 26, 2018

TOWN OF COMOX

Dear Mayor and Council:

I am in support of the liquor license application for 215 Port Augusta Street. A brewery and public house would be a great addition to Comox and would draw more people to this area and support all local businesses.

Kind regards,

Courtney Bardonner

Courtney Bardonner
2091 Noel Ave.
Comox, BC V9M 1Z1
250.339.5263
email: cwbard@telus.net

LOG: 18-242	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept.
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: mcaplan <mcaplan@telusplanet.net>
Sent: August 26, 2018 8:44 AM
To: council
Subject: 215 Port Augusta St. Liquor License

RECEIVED

August 26, 2018

TOWN OF COMOX

To: Mayor and Council

I am in favour of this Lounge Endorsement.

Murray Caplan
202, 1695 Comox Ave
Comox BC

LOG: 18-244	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: doreenam@shaw.ca
Sent: August 24, 2018 12:10 PM
To: council
Subject: 215 Port Augusta Comox St.Liquor Licence

RECEIVED

August 24, 2018

TOWN OF COMOX

I agree to the granting of a liquor licence to the mall at 215 Port Augusta St. Comox B.C.

Doreen Melsness

#305 1683 Balmoral Av. Comox B.C.

doreenam@shaw.ca

LOG: 18-247	REFER:	AGENDA: RCM Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept
copy ~ Mayor & Council
RK / SR / MK / agenda

Twyla Slonski

From: KC Kostuik <kckostuik@gmail.com>
Sent: August 27, 2018 4:04 PM
To: council
Subject: 215 Port Augusta St. Liquor Licence

RECEIVED

August 27, 2018

TOWN OF COMOX

Dear Mayor Ives and Council:

This note is to voice our support for the Lounge Endorsement to a (Brewery) Liquor Manufacturing Licence at 'New Tradition Brewing Company' at 215 Port Augusta Street in Comox.

We welcome this proposed family friendly food and beverage establishment to the community as we are not aware of any such establishment in Comox let alone within walking distance of our home. Our family, children included, currently enjoy establishments such as Courtenay's The White Whale and Gladstone Brewing and Cumberland's Riders Pizza and Cumberland Brewing. The Blackfin Pub is the closest similar establishment in Comox downtown; but we choose not to go there because they follow a business model that does not allow children inside and instead choose to go to the aforementioned family friendly Courtenay and Cumberland businesses instead. The Church Street Bakery deserves much recognition for expanding their business model to include evening pizza and beer service for the family crowd; it's been a great addition to Comox downtown.

We eagerly await 'New Tradition Brewing Company' becoming a Comox community social hub and contributor to the Comox downtown revitalization.

Sincerely,

Carla & Kelly Kostuik
Owners & Residents - 295 Church Street

LOG: 18-252	REFER:	AGENDA: RCM - Sept. 5
FILE: Planning	ACTION: File	

o ~ planning dept.
copy ~ Mayor & Council
RK / SR / MK / agenda

To the Town of Comox Mayor and Council
1809 Beaufort Avenue, Comox, BC

In reference to 215 Port Augusta St. Liquor Licence Application

I believe there needs to be rules, regulations, and/or stipulations attached to the licence before the licence endorsement is given.

- 1) No Music or loud noise outside after 10 pm, whether live, speakers, TV or Video. It must be contained inside the facility, with doors closed.
- 2) No outside service after 10 pm on any night.
- 3) No beverages of any kind served in cans or glass bottles.
- 4) Hours on Sundays should not commence before 12 Noon and closing should be by 10 pm.
- 5) All litter to be picked up and properly discarded each night by employees before leaving.
- 6) No extended hours permitted.

Whether this is in or outside a small mall it is beside a residential area where quiet time is observed. Sound carries far especially music. This should not be a hardship and easily controlled by management, shut it down, turn it off. Customers want to listen, go inside with doors closed.

I believe this is to be on the second floor of the mall overlooking other stores and parking lot. Cans and glass bottles thrown whether broken or not is a hazzard to customers and animals. (Just look at the grounds around Whistle Stop in Courtenay the next day. Covered with cans, bottles and litter.) Bottles tossed off the second floor cause an even more dangerous situation for customers with possible broken glass shards in the area and bushes, let alone someone or animal being hit by a can or bottle. (Woofy's and others downstairs).

I request the above be taken under serious consideration.

As Mayor and Council members you can have stipulations added to the endorsement/licence with the right to close down the facility if not adhered to. The rights of neighbors and local residents should be seriously considered, not pushed aside as unimportant. It's harder to add these to a licence once it has been established and permits given.

EB Covington
1686 Balmoral Avenue, Comox V9M2N1

LOG: 18-273	REFER:	AGENDA: RCM - Sept. 5
FILE: Planning	ACTION: MR	

o ~ Planning Department
copy ~ Mayor & Council
RK / SR / MK / agenda

RECEIVED

AUG 30 2018

TOWN OF COMOX

August 30, 2018

To Mayor & Council,

Regarding 215 Port Augusta St Liquor Licence, I Marcus Aartsen with Martine's Bistro at 1754 Beaufort Ave, Comox BC, hereby support this application. I think it will be a great benefit to the Town bringing more people to the area and making the Town more vibrant.

Sincerely,



Marcus Aartsen


LOG	REFER	AGENDA
18-275		Item
FILE	ACTION	Sept. 5 '18
Planning	file	

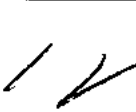
on planning dept
copy ~ Mayor & Council
RK/SR/MK/agenda



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER GAIL ANDESTAD, PLANNER II
SUBJECT:	PLANNING REPORT PR 18-10 LOUNGE ENDORSEMENT LIQUOR LICENCE APPLICATION REVIEW NEW TRADITION BREWING COMPANY 215 PORT AUGUSTA ST. – COMOX MALL
DATE:	RCM Sept 5, 2018


Submitted by


Concurrence


Approval

Planner's recommendation:

Be it resolved that:

1. The Town of Comox Council's comments on the prescribed considerations regarding the request for a Lounge Endorsement to a Manufacturer's Licence for the New Tradition Brewing Company at 215 Port Augusta St., Comox (Lot A, Section 56, Comox District, Plan VIP75741) are as follows:

- a) **The location of the establishment:**
 - i) The subject property is located within Comox Centre Mall at the corner of Comox Avenue, an arterial road, and Port Augusta St. in downtown Comox. Surrounding uses include Comox Golf Course to the west and northwest, multi-family residential to the north across Balmoral Avenue, adjacent multi-family (congregate care) to the east, and commercial development to the east and south.

- b) **The person capacity and hours of liquor service of the establishment:**
 - i) The subject property is zoned C4.1 Core Commercial. Permitted uses include:
 - a. a maximum 175 seat brew pub, including outdoor seating; and
 - b. as an accessory use, retail sale of products brewed on site.

U:\Dev App\2018\PR\PR 18-10 215 Pt Augusta-New Trad Brewery\Report\2 RCM 5 Sep 2018-Lounge Endorse-New Trad_issuance.docx

The proposed liquor licence for Lounge Endorsement capacity of 110 person is less than the Zoning Bylaw would permit for a pub use. The indoor area of pub seating is approximately 91 square metres and 81 indoor seats and 28 outdoor seats are proposed.

- ii) The proposed daily hours of liquor service from 9:00 AM and closing at 12:00 Midnight are earlier opening hours than other existing or proposed Liquor Primary or Lounge Endorsement licences for commercially zoned land.
- c) The impact of noise on nearby residents:**
- i) The commercial unit within Comox Centre Mall where the brew pub is proposed to be located is approximately 75 m across an existing surface parking lot from the property line shared by the subject property and the adjacent residential uses to the east. The pub's proposed outdoor seating is partially screened from the multi-family development the east by an existing commercial building at 1710 Comox Avenue.
 - ii) No concerns were raised by the RCMP regarding this new liquor licence application.
- d) The impact on the community if the application is approved:**
- i) If the application is approved, the impact is expected to be generally positive in that it will support:
 - a. the growth in tourism and offer an additional social venue in Downtown Comox; and
 - b. will support local beverage manufacturing.
 - ii) In accordance with Comox Zoning Bylaw 1850, with the addition of a brew pub use, the subject property is required to add bicycle parking as follows:
 - a. a minimum of 4 additional Class I (unprotected bicycle rack); and
 - b. a minimum of 2 additional Class II (bicycle room or locker) bicycle parking spaces.
 - iii) The provision of Class I and Class II bicycle parking is a positive impact for the community by providing infrastructure to support alternative transportation choices.
- e) The method the Town used to gather the views of the residents:**
- i) A notice, as contained in **Attachment 5** of the September 5, 2018 Planning Report PR 18-10 for 215 Port Augusta Street was:
 - a. posted on the Town's website and Town Hall notice board;
 - b. published in two consecutive editions of the Comox Valley Record newspaper (August 23, 2018 and August 28, 2018); and
 - c. mailed or otherwise delivered to owners and tenants within 75 metres of the subject property.
 - ii) A sign advertising the Liquor License application was installed on each of the three abutting street frontages of the subject property.

- iii) Written submissions from the public were provided to Council, for Council's consideration of this application, copies of which will be forwarded to the General Manager of the Liquor and Cannabis Regulation Branch with this resolution.

- f) **The Town of Comox Council** recommends that a Lounge Endorsement to a Manufacturer's Licence be issued for the New Tradition Brewing Company, located at 215 Port Augusta Street having a maximum person capacity, including outdoor seating and staff, of 110 subject to:
 - i) the provision of bicycle parking spaces in accordance with Resolution item 1(d)(ii) above.

Proposal

The licence application is for a proposed 110 person capacity, including outdoor seating, brew pub and the accessory retail sale of products brewed on-site at 215 Port Augusta Street, the location of the Comox Centre Mall. Proposed daily hours of liquor service are 9:00 AM to 12:00 Midnight.

An Application Summary is contained in **Attachment 1**. Information the Applicant has submitted for the Town's Liquor License Review application, previously published in the August 1, 2018 Planning Report on PR 18-10, is contained in **Attachment 3**.

Background

See **Attachment 2** for proposed Processing Steps for providing a referral response to the Liquor Control and Cannabis Regulation Branch.

At the August 1, 2018 Regular Council Meeting, Council resolved that staff be directed to gather the views of residents in the Town of Comox on Lounge Endorsement application PR 18-10.

Public submissions received prior to the September 5, 2018 Council meeting will be distributed to Council.

Discussion:

The subject property is designated Downtown Comox land use in the OCP and is zoned C4.1 Core Commercial which permits brew pubs and the accessory retail sales of products brewed on-site.

The proposed daily hours of liquor service from 9:00 AM and closing at 12:00 Midnight are earlier opening hours than other existing or proposed Liquor Primary or Lounge Endorsement licences for commercially zoned land. (See **Attachment 4 Table 1** comparing liquor licence hours.)

The proposed liquor licence for Lounge Endorsement capacity of 110 person is less than the Zoning Bylaw would permit for a brew pub use.

The indoor area of pub seating is approximately 91 square metres in area and 81 indoor seats and 28 outdoor seats are proposed.¹

In accordance with the Town's Zoning Bylaw, Pubs, Brew Pubs and Restaurants in the Downtown Area are not required to provide on-site motor vehicle parking. The rationale for this is that during the day, pub and restaurant patrons are likely to be coming Downtown for other purposes, including work, and consequently are likely to occupy parking associated with those other purposes. In the evening there is generally abundant on-street parking available in Comox.

In accordance with Comox Zoning Bylaw 1850, with the addition of a brew pub use, the subject property is required to provide additional² bicycle parking as follows:

- a minimum of 4 Class I (unprotected bike rack); and
- a minimum of 2 Class II (bicycle room or locker) bicycle parking spaces.

As published in the August 1, 2018 Planning Report on PR 18-10, Public Works advises that wastewater discharged from breweries may be disruptive to the municipal and regional sewer treatment facilities and it remains the property owner's responsibility to comply with Comox Sanitary Sewer Use, Extension and Connection Bylaw 1983, Bylaw No. 713³.

As part of the Town's standard practise, the PR 18-10 application was referred to the RCMP who have not provided comment on this new licence application. The referral notes that no response will be interpreted as no concern.

MK/GA

Attachments:

1. Application Summary
2. Application Process Steps
3. Information submitted in relation to Town of Comox Liquor License Review.
4. Liquor Licence Hours and Operational Hours of existing and proposed pubs and restaurant-lounges in Comox
5. Copy of Notice of Liquor Licence Application Review

Applicant: Patrick Savard, New Tradition Brewing Company
1935 Beaufort Ave., Comox V9M 1S4

¹ It is also proposed that when the outdoor seating is full, three seats would be reduced indoors to accommodate 4 staff members on the premises within the maximum 110 person capacity of the proposed licence.

² As at July 2018, 18 Class I (bike rack only) bicycle parking spaces are available on the subject property with 4 more Class I bicycle spaces and 3 Class II bike lockers to be provided prior to occupancy of the new four unit commercial building under construction.

³ A copy of Bylaw No. 713, which pertains to the acceptable limits and characteristics of sewage intended for discharge to the Town's municipal sanitary system, and by extension the Regional sewage treatment plant, has been provided to the applicant by email.

Subject Property Map

ATTACHMENT 1

215 Port Augusta St.
 Lot A Section 56 Comox District, Plan VIP 75741



- Proposal:** The licence application is for a proposed 110 person capacity, including outdoor seating, brew pub and the accessory retail sale of products brewed on-site at 215 Port Augusta Street, the location of the Comox Centre Mall. Proposed daily hours of liquor service are 9:00 AM to 12:00 Midnight.
- Legal Description:** Lot A Section 56 Comox District, Plan VIP 75741
- Civic Addresses:** 215 Port Augusta Street
- OCP:**
- Land Use Designation: Downtown
 - Dev. Permit Area DPA #1 Downtown Comox

**PR 18-10 215 Port Augusta St.
Lounge Endorsement to a Manufacturing License Review
New Tradition Brewing Company RCM Sept 5, 2018**

Zoning: C4.1 Core Commercial

Permitted Uses Include: A range of commercial uses including Brew Pubs (maximum 175 seats) and as an accessory use, the retail sale of products brewed on-site.

Parking Requirements: Motor vehicle parking = 0

Class I bicycle spaces = min. 4 (bike rack)
Class II bicycle spaces = min. 2 (bike room or bike locker)

Surrounding Uses: Commercial, Multi-Family Residential and Golf Course uses

ATTACHMENT 2

Application Process Steps for LCRB Referral Response

1. Staff prepares a Report to Council seeking a resolution from Council on the LCRB regulatory criteria.
2. Council's recommendation on the Lounge Endorsement to a Manufacturer's License application, in accordance with the regulatory criteria, plus copies of public submissions, and a copy of the September 5, 2018 staff report on PR 18-10 is submitted to the Liquor and Cannabis Regulation Branch General Manager.

ATTACHMENT 3

Information submitted by the Applicant in regard to the Town's
Liquor License Review Application

previously published in the August 1, 2018 RCM Planning Report to
Council and reprinted here for convenience.



Liquor Control and Licensing Branch
 4th Floor, 3350 Douglas St, Victoria, BC V8W 9J8
 Mail: PO Box 9292 Stn Provincial Govt, Victoria, BC V8W 6J8
 Phone: 1 866 209-2111 Fax: 250-952-7066

LOUNGE AND SPECIAL EVENT AREA APPLICATION

Liquor Control and Licensing Form LCLB049A

Instructions:
 Using the attached guide, complete this application form and assemble all required documents. Once complete, follow instructions for submitting your application package to local government/first nation and the Liquor Control and Licensing Branch.

Part 1: Type of Application

Lounge Endorsement Special Event Area Endorsement

office use only
 Job No: _____

Note: Do not apply for special event area if it will occupy same footprint as the lounge.

Are you submitting an application for a manufacturing licence with this application? No Yes

Are you submitting an application to transfer the location of the manufacturing facility with this application? No Yes

Part 2: Applicant

Manufacturer Licence Number (if licensed): _____

Applicant/Licensee Name:

Mailing Address:

Street City Province Postal Code

Phone number: E-mail address:

Note: An authorized signing authority of a licensee can appoint a representative to interact with the branch on their behalf by completing form LCLB101 Add, Change or Remove Licensee Representative

Part 3: Application Contact Person

Name: Phone number:

Position: E-mail address:

Note: The applicant authorizes the person above to be the primary contact for the duration of the application process only.

Part 4: Establishment

Establishment Name:

Manufacturer Address:

Street City Province Postal Code

4a. Parcel Identifier (PID):

4b. Local Government/First Nation: Local Police:

4c. Is this location zoned for liquor service? No Yes

4d. Is this manufacturing site part of the Agricultural Land Reserve (ALR)? No Yes

4e. If the proposed site is on ALR land, have you reviewed the ALR policies regarding a lounge and/or special event area? No Yes

Part 5: Lounge Proposal

This section requires several supporting documents to be submitted with your application. Please see the checklist on page 3 below for more information regarding letter of intent, floor plan and site map.

5a. Proposed Service Areas:

Complete the following based on your establishment floor plan and occupant load (see page 5 of guide):

Area No.	Floor Level (e.g. Basement, Main, 2nd)	Indoor	Patio	Occupant Load
1.	MAIN	81	28	110
2.				
3.				
4.				
5.				
Total Occupant Load (of all licensed areas):				

5b. Hours of Liquor Service:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	09:00	09:00	09:00	09:00	09:00	09:00	09:00
Close	00:00	00:00	00:00	00:00	00:00	00:00	00:00

Part 6: Special Event Area Proposal

This section requires several supporting documents to be submitted with your application. Please see the checklist on page 3 below for more information regarding letter of intent, floor plan and site plan.

6a. Proposed Service Areas:

Complete the following chart based on your establishment floor plan. Occupant load is required for indoor and patio areas (see page 5 of guide). If you want an outdoor area that is not a patio see 6b:

Area No.	Floor Level (e.g. Main, Mezzanine)	Indoor	Patio	Occupant Load
1.				
2.				
3.				
4.				
Total Occupant Load (of all licensed areas):				

6b. Complete the following chart if you will have an outdoor event area (not a patio). Outdoor areas require a person capacity not occupant load (see page 5 of guide):

Area No.	Outdoor Area Identify by location or name	Capacity
1.		
2.		
3.		
4.		
Total Person Capacity for all Outdoor Areas:		

6c. Hours of Liquor Service

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open							
Closed							

Part 7: Declaration of Signing Authority

Section 57(1)(c) of the *Liquor Control and Licensing Act* states: "A person commits an offence if the person (c) provides false or misleading information in the following circumstances: (i) when making an application referred to in section 12; (ii) when making a report or when required and as specified by the general manager under section 59".

As the licensee or authorized signatory of the licensee, I understand and affirm that all of the information provided is true and complete.

Signature:  _____
Authorized signatory of the licensee

Name: Position: Date:
(last / first / middle) (if not an individual) (Day/Month/Year)

Note: An agent, lawyer or third party operator may not sign this declaration on behalf of the licensee.

This form should be signed by an individual with the authority to bind the applicant. The Branch relies on the licensee to ensure that the individual who signs this form is authorized to do so. Typically, an appropriate individual will be as follows:

- If the licensee is an individual or sole proprietor, the individual himself/herself
- If the licensee is a corporation, a duly authorized signatory who will usually be an officer or, in some cases, a director
- If the licensee is a general partnership, one of the partners
- If the licensee is a limited partnership, the general partner of the partnership
- If the licensee is a society, then a director or a senior manager (as defined in the *Societies Act*)

If an authorized signatory has completed the *Add, Change or Remove Licensee Representative form* (LCLB101) and they have specifically permitted a licensee representative to sign this form on the licensee's behalf, the branch will accept the licensee representative's signature.

Part 8: Checklist

Your application package must include the following documents. An incomplete application will delay the licensing process.

- Completed Lounge & Special Event Area Application (this form).
- Letter of Intent for each type of endorsement (page 5 of the guide).
- Lounge Floor Plan (2 copies) preferably with occupant load (page 5 & 6 of the guide).
- Special Event Area Floor Plan (2 copies) preferably with occupant load (page 5 & 6 of the guide).
- Site plan for any outdoor endorsement area (see page 6 of guide).
- Patio(s) (see Appendix I on page 8 of the guide).
- Any additional information (labelled per question number on application form) if there is not sufficient space to answer a question on the application form.
- Take your application package to Local Government/First Nation (Part 9 below). Note: This step is not required if you are applying for this endorsement(s) on a second manufacturing licence located at the same site (see # 3 on page 2 of guide).
- After Part 9 is completed, submit your application package to the Branch (Parts 10 and 11 below).

Part 9: Local Government/First Nation (LG/FN) Confirmation of Receipt of Application

This is to be filled out by your local government/First Nation office prior to submitting this application to the branch.

Local government/First Nation (name): TOWN OF COMOX

Name of official: SHELLEY ASHFIELD Title/Position: ACTING CAO

Email: TOWN@COMOX.CA Phone: 250-339-2202

Signature of Official:  Date Received: JULY 16, 2018

Check here if the LG/FN will not be providing comment: Yes, opting out of comment.

Note: The LG/FN cannot provide comment for their own application.

Is the manufacturing site located on Treaty First Nation land? No Yes

Instructions for Local Government/First Nation (LG/FN)

This serves as notice that an application for a lounge and/or special event area endorsement is being made within your community. The Branch requests that you consider this application (application form, letter of intent, and floor plan) and provide the Branch with resolution within 90 days of the above received date. Alternatively, LG/FN can delegate staff with the authority to provide comment.

- The applicant will bring their completed application form, patio appendix (if applicable), letter of intent, floor plan and site map (for outdoor areas) to LG/FN.
- If there are any major issues (e.g. zoning), LG/FN may hold off signing the application until the issues are resolved or they have a plan to deal with the issues.
- When LG/FN is comfortable with the application proceeding, LG/FN staff will sign Part 9 of the application form and return it to the applicant. LG/FN will keep a copy of the signed application form and all supporting documents.
- The applicant will submit the signed application package (with all required documents) to the Branch.
- Branch staff will contact LG/FN to confirm receipt of the application and identify the Branch staff responsible for processing the application.
- Branch staff and LG/FN staff will advise each other if there are any concerns with the proposed application.

To provide a resolution or comment:

- Gather public input for the community within the immediate vicinity of the establishment.
- Consider these factors which must be taken into account when providing resolution/comment:
 - The location of the establishment
 - The person capacity and hours of liquor service of the establishment.

Provide a resolution/comment with comments on:

- The impact of noise on nearby residents.
- The impact on the community if the application is approved.
- The view of residents and a description of the method used to gather views.
- The LG/FN recommendations (including whether or not the application be approved) and the reasons on which they are based.
- Provide any reports that are referenced in, or used to determine, the resolution/comment.
- If more than 90 days is required, provide a written request for extension to the Branch.
- If LG/FN opts out, or is the applicant, the Branch will gather public input and contact LG/FN staff for information to assist the Branch in considering the regulatory criteria.

If you have any questions, or the establishment is located on Treaty First Nation land, please call the Branch toll-free at 1-866-209-2111 to speak to the Senior Licensing Analyst.

Part 10: Submit Application Package

Once signed by local government/First Nation, submit your complete application package to:

Liquor Control and Licensing Branch
Courier: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1
Mail: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8
E-mail: liquor_licensing@gov.bc.ca

If you have any questions, contact us toll-free at 866-209-2111 and ask to speak to the Senior Licensing Analyst for your geographic area. Or email us at liquor_licensing@gov.bc.ca or visit our website for more information: www.gov.bc.ca/liquorregulationandlicensing

Part 11: Application Fees (non-refundable)

Lounge Application Fee \$330.00 (non-refundable)
Special Event Area Application Fee \$330.00 (no lounge) or \$110.00 (if you already have a lounge or are applying in conjunction with a lounge)

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check one):

- Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)
- Money order, payable to Minister of Finance
- Credit card: VISA MasterCard AMEX
 - I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.
 - I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

The information requested on this form is collected by the Liquor Control and Licensing Branch under Section 26 (a) and (c) of the Freedom of Information and Protection of Privacy Act and will be used for the purpose of liquor licensing and compliance and enforcement matters in accordance with the Liquor Control and Licensing Act. Should you have any questions about the collection, use, or disclosure of personal information, please contact the Freedom of Information Officer at PO Box 9292 STN PROV GOVT, Victoria, BC, V8W 9J8 or by phone toll free at 1-866-209-2111.

LCLB049A 5 of 5 Lounge and Special Event Area Application

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card): Timothy Jolley

Credit card number: XXXXXXXXXXXX Expiry date: 07 / 2019
(Month) (Year)

Signature: 

Rationale for New Tradition Brewing

Location - 215 Port Augusta St, Comox, BC V9M 3M9, Unit CRU11
Comox Centre, Zone C4.1

Proposed changes to unit CRU 11 are to change the existing retail space to a brew pub. Beer will be manufactured on premises and served along with BCLC approved alcohol and simple foods. Retail will be sold in the form of on site growler fills, cans, bottle sales and Brewery apparel.

Regulatory Criteria

- Capacity – 81 Lounge seats + 28 patio seats + 4 staff = 110 person capacity
- Hours of Operation 11:00am-11pm 7 days/week.
- Comox noise bylaws will be followed and our neighbours peace respected. Patrons on the patio will be respectful to our neighbours peace at all times. The patio will close at 10pm and any live music will be completed by 10pm.
- Waste water treatment will be appropriately managed in accordance with Bylaw 713.
- The community will be impacted in the following ways:
 - Increased traffic to Comox Centre and down town Comox during regular business hours and after 9pm.
 - Added service of alcohol on Comox Centre property to patrons of legal age in accordance with BCLB regulations.
 - Increased exposure to existing business in the downtown.

Community Benefits

- Down town Comox will have a brewery of it's own! New Tradition Brewing and the Town of Comox are going to be the next addition to the 'BC ale Trail'. The BC Ale Trail is a self guided way of visiting Towns throughout BC, while enjoying local beer, which is becoming widely popular for tourists and beer advocates.
- Adding a family friendly social atmosphere to downtown with service of food and alcohol with operation from late morning to late night.
- Increased traffic to Comox Centre and downtown Comox.
- Growler fills, beer sales and beer by the glass made locally and sold locally.
- Fresh spent grain will be offered to local live stock farmers for grain feed.
- Specialty fruit beers will feature local fruits from Comox farms.
- Participation in local events and sponsorship where appropriate.
- Collaboration with and promotion of businesses within the community.
- Live music and theme nights at the brewery.
- Special events outside the brewery, where permitted by the Town of Comox upon application.

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JUL 13 2018

TOWN OF COMOX

Potential Negative Impacts

- Alcohol consumption and driving under the influence will be managed through 'Serving it Right' practices as per BCLC serving standards.
- Noise made by brew pub patrons will be observed and managed to respect the residences and neighboring businesses within the community.
- Increased power consumption from brewing equipment we would like to minimize as profits allow through investment in grid tied solar generation above our space. This would require approval from our landlord and the Town of Comox at the time.

- Increased water consumption due to the brewing process. We are purchasing glycol chilling equipment as opposed to water cooled to help minimize our water use. Where water is used to cool during manufacturing the water used will go in to the next batch of beer and not be wasted. Efficiency will be targeted and improved through operations and improvements will be made as practices are continued.
- Sustainability is important to us in every day life and in business practise. We believe that a business must be profitable to be sustained but as profits are increased it is a businesses obligation to self observe and reinvest in efficiencies to minimize its own environmental footprint. Comox is a beautiful and environmentally thriving location and New Tradition Brewing plans on being a part of improvement on this and not a hindrance.
- We hope that people who visit the brewery and take beer away with them will not leave waste around town. We plan on having a regular 'Keep Comox Clean' campaign where periodically members of the brewery and patrons who are willing to volunteer will go to locations in Comox to pick up garbage and be rewarded for their efforts by the brewery.

Parking

Under Comox Zoning Bylaw 1377 our establishment does not require any vehicle parking spaces. A lounge, which is considered equivalent to a pub or restaurant use does not require any vehicle parking when located in the Downtown core. using the Downtown Vehicle and Bicycle parking regulation tool we would require 6 Class 1 Bicycle parking spaces and 2 Class 2 bicycle parking spaces, whereby our capacity of 81 and seating area of 200 metres squared (1per 125 metres squared, with a minimum of 4 Class 1 and 1per 125 meters squared, with a minimum of 2 Class 2 Bicycle parking spaces). At the present time, the Comox Centre has abundant parking in relation to the area in use for commercial purposes.

ATTACHMENT 4


Table 1. Liquor License Hours and Operational Hours of Existing and Proposed Pubs in Comox⁴

Venue									Capacity
Black Fin 132 Port Augusta		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Liquor Primary License	Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	Indoor & Outdoor – 110 seat capacity
	Close	Midnight	Midnight	Midnight	Midnight	1:00 AM	1:00 AM	Midnight	
Actual Operation	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	
	Close	10:00PM	10:00PM	10:00 PM	10:00 PM	11:00PM	11:00 PM	10:00PM	
Legion 1825 Comox Ave.		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Liquor License (Liquor Primary-Club and proposed Liquor Primary)	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	Ground floor (pub) – 211 Second floor – 200 permissible by license; New Proposed Capacity 175
	Close	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	1:00 AM	Midnight	
Actual Operation	Open	11:00AM	11:00AM	11:00 AM	11:00 AM	11:00AM	11:00 AM	11:00AM	Pub operates ~110 seats
	Close	Variable closing time responding to events, typically ranging from 9:30 to 11:00 PM at the discretion of the bar tender. Going forward closing hours subject to change within limits of licence.						Typically 6:00 PM	
New Tradition Brewing 215 Port Augusta St.		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Proposed Brew Pub	Open	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	Capacity 110
	Close	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	Midnight	
Taphouse 215 Church St.		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Approved in Principal Liquor Primary License**	Open	10:00AM	10:00AM	10:00 AM	10:00 AM	10:00AM	10:00 AM	10:00AM	Capacity 175
	Close	Midnight	Midnight	Midnight	Midnight	1:00 AM	1:00 AM	Midnight	
NOT DOWNTOWN Land & Sea 2040 Guthrie Rd		Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday	
Proposed Brewery & Restaurant	Open	Noon	Noon	Noon	Noon	Noon	Noon	Noon	Capacity 99
	Close	10:00PM	10:00PM	10:00PM	11:00PM	11:00PM	11:00PM	10:00PM	

⁴ Lorne Liquor Primary Licence Cancelled March 1/18


ATTACHMENT 5

Copy of Notice of Liquor Licence Application




TOWN OF COMOX

WE WANT TO HEAR FROM YOU



1809 Beaufort Ave
Comox, BC V9M 1R9



council@comox.ca

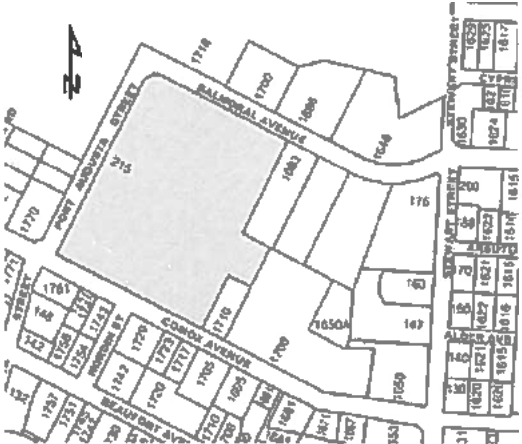
Lounge Endorsement to a (Brewery) Liquor Manufacturing Licence 215 Port Augusta St.

NOTICE OF COUNCIL CONSIDERATION

5:30 pm, Wednesday
Sept. 5th, 2018
Council Chambers
1801b Beaufort Avenue, Comox

Highlights: The Town of Comox wishes to gather public input on an application for a Lounge Endorsement to a liquor Manufacturing Licence with a capacity of 110 persons at 215 Port Augusta St. shown shaded on the map.

Details: Hours of operation would be between 9:00 a.m. and midnight Monday to Sunday. The application is for a Lounge Endorsement Licence at 215 Port Augusta St. (Lot A, Section 56, Comox District, Plan VIP75741).



More Information

A copy of this liquor licence application, as well as existing relevant reports and documents, will be available for inspection at Town Hall, 1809 Beaufort Avenue, Comox between the hours of 8:30 am – 4:30 pm Monday through Friday (except Statutory Holidays) commencing on August 13, 2018.

**We're listening.
Please submit your written
comments by 4:00 pm
Sept. 5, 2018.**

M. Kamenz, Municipal Planner

Written Submissions

Send by mail, fax or e-mail, as long as the submission:

1. Is received before 4:00pm on Sept. 5, 2018;
2. Is addressed to Mayor and Council;
3. Identifies "215 Port Augusta St. Liquor Licence" application in the subject line, and;
4. Includes the name and address of the person making the submission.

Each such person is solely responsible to ensure that their submission is received on time. The Town will not issue any acknowledgement of receipt of such submissions.

Page 10 of 10

U:\Dev Appl\2018\PR\PR 18-10 215 Pt Augusta-New Trad Brewery\Report\2 RCM 5 Sep 2018-Lounge Endorse-New Trad_issuance.docx

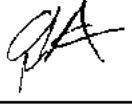
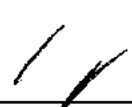
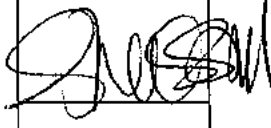
RCM Agenda Sept 5, 2018

Page 202



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER GAIL ANDESTAD, PLANNER II ELLIOT TURNBULL, PLANNING TECHNICIAN
SUBJECT:	REZONING APPLICATION RZ 18-8 (215 Port Augusta Street) PR 18-12 BUSINESS REGULATION AMENDMENT (Cannabis-Related Establishment)
DATE:	SEPT 5, 2018 RCM FIRST AND SECOND READING REPORT

 Submitted by	 Concurrence	 Approval
---	--	--

Recommendation:

1. That Comox Business Regulation Amendment Bylaw No. 1895, 2018 be given First, Second and Third Reading (**Attachment 4**);
2. That Comox Zoning Amendment Bylaw 1896 be given First and Second Reading (**Attachment 3**); and
3. That a Public Hearing in respect of Comox Zoning Amendment Bylaw 1896 be scheduled for September 19, 2018, 7:00 pm, at d'Esterre House, 1801 Beaufort Avenue, and staff be instructed to publish the requisite notices as required by the *Local Government Act*.
4. That staff be instructed to publish notice of Comox Business Regulation Amendment Bylaw No. 1895, 2018 in accordance with section 94 of the *Community Charter*.

Proposal:

The RZ 18-8 application is to delete the regulations contained in recently adopted Comox Zoning Amendment Bylaw 1890 that established regulations for recreational cannabis sales and with a modification to allow a recreational cannabis retail store and liquor store at 215 Port Augusta Street (Comox Centre Mall), replace them with the same regulations to allow for the re-advertising of the regulations accordance with Section 466(3) of the *Local Government Act*. The Zoning Amendment Application Summary is contained in **Attachment 1**.

The PR 18-12 application is to delete the regulations contained in recently adopted Comox Business Regulation Amendment Bylaw No. 1889, 2018 that included business licence regulations for recreational cannabis retail stores and cannabis-related establishments and with a modification to the

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definition of Cannabis-Related Establishment, replace them with the same regulations to allow for the re-advertising of the regulations accordance with Section 59(2) of the *Community Charter*.

Background:

A regulatory framework to permit recreational cannabis sales was enacted by Council on August 1, 2018 with the adoption of the following Bylaws:

1. Comox Zoning Amendment Bylaw 1890;
2. Comox Business Regulation Amendment Bylaw No. 1889, 2018; and
3. Comox Planning Procedures Amendment Bylaw 1891.

Council also resolved on August 1, 2018 "That staff be directed to prepare for Council consideration an amendment to Comox Zoning Bylaw 1850 to allow a recreational cannabis retail store and liquor store at 215 Port Augusta Street provided that a recreational cannabis retail store is located a minimum of 50 meters from a liquor store as measured by the shortest distance between the outside of the perimeter walls of the recreational cannabis retail store and liquor store."

The proposed processing steps for consideration of the proposed bylaws are included in **Attachment 2**.

Zoning Implications:

For a notice of a public hearing on a zoning bylaw amendment, Section 466(3) of the *Local Government Act* states "The notice must be published in at least 2 consecutive issues of a newspaper, the last publication to appear not less than 3 days and not more than 10 days before the public hearing." The notice for recently adopted Comox Zoning Amendment Bylaw 1890 was published on two consecutive issues of a newspaper however the last publication was more than 10 days before the August 1, 2018 public hearing. To ensure consistency and compliance with this provision of the *Local Government Act*, proposed Comox Zoning Amendment Bylaw 1896 (**Attachment 3**) deletes the regulations contained in Comox Zoning Amendment Bylaw 1890 and with one exception replaces them with the same regulations to allow for the re-advertising of regulations in accordance with Section 466(3) of the *Local Government Act*.

The exception is in relation to Lot A, Section 56, Comox District, Plan VIP75741 (215 Port Augusta St.) hereafter referred to as the subject property. The subject property is zoned C4.1 Core Commercial. The Comox Centre Mall, which is located on the subject property, contains an existing liquor store. Section 307.2(5)(iv) of Comox Zoning Bylaw 1850 prohibits in the C4.1 zone, a recreational cannabis retail store on the same parcel as a liquor store. Proposed Comox Zoning Amendment Bylaw 1896 (**Attachment 3**) would exclude the subject property from this exemption provided that a recreational cannabis retail store is located a minimum of 50 meters from a liquor store as measured by the shortest distance between the outside of the perimeter walls of the recreational cannabis retail store and liquor store.

Business Regulation Implications:

For a notice of a business regulation bylaw amendment, Section 59(3) of the *Community Charter* states "The notice . . . may be provided in the form and manner, at times and as often as the council considers necessary." By resolution Council directed staff to publish notice of recently adopted Comox Business Regulation Amendment Bylaw No. 1889, 2018 in accordance with section 94 of the *Community Charter* which required publication of the notice once each week for 2 consecutive weeks. However, Comox Business Regulation Amendment Bylaw No. 1889, 2018 was published on two consecutive issues of a newspaper both of which were within the same week. To ensure consistency and compliance with the *Community Charter*, proposed Comox Business Regulation Amendment

Bylaw No. 1895, 2018 (**Attachment 4**) deletes the regulations contained in Comox Business Regulation Amendment Bylaw No. 1889, 2018 and with one exception replaces them with the same regulations to allow for the re-advertising of regulations in accordance with the Community Charter.

The exception is in relation to the definition of Cannabis-Related Establishment. When preparing the recently adopted Comox Business Regulation Amendment Bylaw No. 1889, 2018, the definition of a Cannabis-Related Establishment was initially drafted as:

- "Cannabis-Related Establishment" means a building or part thereof where:
- (a) the use of cannabis is advocated or promoted; or
 - (b) paraphernalia used in the consumption of cannabis is offered or kept for sale at retail.

While it was thought to be a remote possibility, a concern was raised that this definition might inadvertently apply to a physician prescribing cannabis to a patient. As a response, this definition was revised with view to excluding a typical doctor's practise which also necessitated a definition of a "Medical Practitioner" being included in the now adopted amending Bylaw 1889 as shown below:

- "Cannabis-Related Establishment" means a building or part thereof where
- (a) the use of cannabis is advocated or promoted; **does not include an establishment where a Medical Practitioner may prescribe cannabis**; or
 - (b) paraphernalia used in the consumption of cannabis is offered or kept for sale at retail.

"Medical Practitioner" means a person who is registered and entitled under the laws of the Province of British Columbia to practise medicine.

Upon further review staff have concluded that the originally proposed definition is more appropriate, because the adopted definition may create an overly broad exception from the Cannabis-Related Establishment regulations for almost any establishment, and because a Medical Practitioner prescribing cannabis does not alone amount to advocacy and promotion in any event.

The amendment of these definitions by proposed Comox Business Regulation Amendment Bylaw No. 1895, 2018 would result in the following replacement definition, no associated definition for Medical Practitioner would remain:

- "Cannabis-Related Establishment" means a building or part thereof where:
- (a) the use of cannabis is advocated or promoted; or
 - (b) paraphernalia used in the consumption of cannabis is offered or kept for sale at retail.

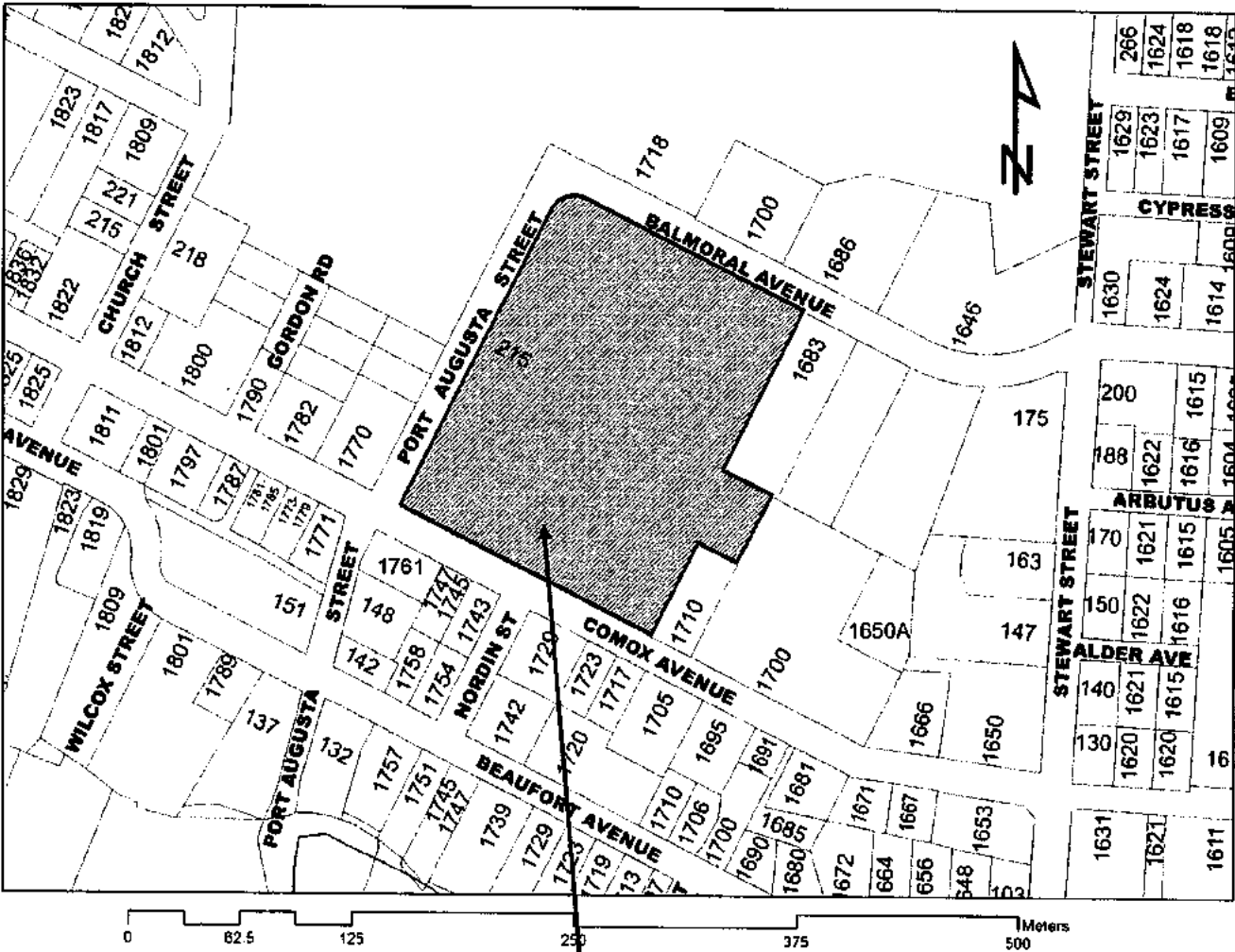
MK/GA/ET

Attachments:

1. Zoning Amendment Application Summary
2. Processing Steps
3. Comox Zoning Amendment Bylaw 1896
4. Comox Business Regulation Amendment Bylaw No. 1895, 2018

ATTACHMENT 1

ZONING AMENDMENT APPLICATION SUMMARY



Subject Property:
 215 Port Augusta Street
 Lot A, Section 56, Comox District, Plan VIP75741

Proposal: The RZ 18-8 application is to delete the regulations contained in recently adopted Comox Zoning Amendment Bylaw 1890 that established regulations for recreational cannabis sales and with a modification to allow a recreational cannabis retail store and liquor store at 215 Port Augusta Street (Comox Centre Mall), replace them with the same regulations to allow for the re-advertising of the regulations accordance with Section 466(3) of the *Local Government Act*.

**215 PORT AUGUSTA STREET
(COMOX CENTRE MALL)**

Owner: Comox Centre Mall Ltd. Inc. No. 600330
Legal Description: Lot A, Section 56, Comox District, Plan VIP75741
Civic Address: 215 Port Augusta Street, Comox

OCP:
Land Use Designation: **Downtown Comox**
Development Permit Areas: DPA #1 – Downtown Comox

Zoning: **C4.1 Core Commercial**
Permitted Uses Include: Recreational cannabis retail stores
Liquor stores

Conditions of Uses Include: A recreational cannabis retail store shall not permitted on the same parcel as a liquor store.

Surrounding Uses: The subject property is surrounded by:

- Multi-Family residential development to the north and east
- Comox Golf Course to the north and west
- Commercial and mixed-use commercial/residential to the south

ATTACHMENT 2
PROCESSING STEPS

1. Notification of amendments to Business Regulation Bylaw;
2. Public notification of Public Hearing on proposed Zoning Bylaw;
3. Adoption of Business Regulation Amendment Bylaw;
4. Public Hearing on proposed Zoning Amendment Bylaw;
5. Third Reading of proposed Zoning Amendment Bylaw;
6. Resolution of outstanding items; and
7. Adoption of Zoning Amendment Bylaw.

ATTACHMENT 3

COMOX ZONING AMENDMENT BYLAW 1896

TOWN OF COMOX

BYLAW NO. 1896

A BYLAW TO AMEND COMOX ZONING BYLAW 1850

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

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

Title

1. This bylaw may be cited for all purposes as "Comox Zoning Amendment Bylaw 1896".

Amendments

2. Comox Zoning Bylaw 1850 is hereby amended by:

- (a) Under section 3.2, deleting the definitions for "Recreational Cannabis Retail Store" and "Retail Store" and replacing them with the following, in alphabetical order:

Recreational Cannabis Retail Store

A building or part thereof, licensed under Part 4 of the *Cannabis Control and Licensing Act* and holding a valid business licence issued by the Town of Comox, where cannabis is offered or kept for sale at retail; does not include retail stores or liquor stores. Recreational cannabis retail stores shall be limited to the sale or provision of the following:

- (1) cannabis;
- (2) cannabis product information for cannabis sold on site;
- (3) Federal or provincial government health information on cannabis or cannabis use; and
- (4) contact information for the recreational cannabis retail store.

Retail Store

A building or part thereof where merchandise is offered or kept for sale at retail; does not include liquor stores or recreational cannabis retail stores.

- (b) Deleting section 5.10 Prohibited Uses subsection (7); and adding as Section 5.10 Prohibited Uses subsection (7) the following text:

the retail sale of cannabis, or any other method of distributing cannabis other than by a recreational cannabis retail store, shipping authorized by the Access to Cannabis for Medical Purposes Regulations and undertaken by a medical cannabis production facility,

or shipping authorized by a licence issued under the *Cannabis Control and Licencing Act*, and for clarity, this prohibition includes the distribution of cannabis at premises commonly known as compassion clubs, which distribute cannabis to club members or other persons at the premises, whether for use at the premises or at another location.

(c) Schedule "A" is amended as follows:

(i) Deleting sections 302.1(15), 305.1(28), 306.1(28), 307.1(31), 308.1(17), 806.1(1)(o), 811.1(1)(h), 813.1(18), 820.1(28), and 825.1(21), and,

(ii) Adding the following text as Sections 302.1(15), 305.1(28), 306.1(28), 307.1(31), 308.1(17), 806.1(1)(o), 811.1(1)(h), 813.1(18), 820.1(28), and 825.1(21):

Recreational cannabis retail stores

(iii) Deleting sections 302.2(4), 308.2(4), 806.2(1)(a), 811.2(3), and 825.2(4); and,

(iv) Adding the following text as Sections 302.2(4), 308.2(4), 806.2(1)(a), 811.2(3), and 825.2(4):

A recreational cannabis retail store shall:

(a) not exceed 500m² in gross floor area;

(b) only be permitted on those parcels or portions thereof shown shaded in Appendix "V"; and

(c) be located a minimum of 250 metres from any other recreational cannabis retail store, as measured by the shortest distance between the outside of the perimeter walls of the recreational cannabis retail stores.

(v) Deleting sections 307.2(5), 813.2(4), and 820.2(5); and,

(vi) Adding the following text as Sections 307.2(5), 813.2(4), and 820.2(5):

A recreational cannabis retail store shall:

(a) not exceed 500m² in gross floor area;

(b) only be permitted on those parcels or portions thereof shown shaded in Appendix "V";

(c) be located a minimum of 250 metres from any other recreational cannabis retail store, as measured by the shortest distance between the outside of the perimeter walls of the recreational cannabis retail stores; and

(d) not be permitted on the same parcel as a liquor store; except for Lot A Section 56 Comox District Plan VIP75741 (215 Port Augusta St.) where a recreational cannabis retail store shall be located a minimum of 50 metres from a liquor store as measured by the shortest distance between the outside of the perimeter walls of a recreational cannabis retail store and a liquor store on the same parcel.

(vii) Deleting section 305.2(4), and adding the following text as section 305.2(4):

A recreational cannabis retail store shall:

(a) not exceed 500m² in gross floor area;

- (b) only be permitted on those parcels or portions thereof shown shaded in Appendix "V";
 - (c) be located a minimum of 250 metres from any other recreational cannabis retail store, as measured by the shortest distance between the outside of the perimeter walls of the recreational cannabis retail stores; and
 - (d) not be permitted on the same parcel as a liquor store, gas bar or service station.
- (viii) Deleting section 306.2(3) and adding the following text as section 306.2(3):
- A recreational cannabis retail store shall:
- (a) not exceed 500m² in gross floor area;
 - (b) only be permitted on those parcels or portions thereof shown shaded in Appendix "V";
 - (c) be located a minimum of 250 metres from any other recreational cannabis retail store, as measured by the shortest distance between the outside of the perimeter walls of the recreational cannabis retail stores; and
 - (d) not be permitted on the same parcel as a gas bar or service station.
- (d) Appendices are amended by deleting Appendix "V"; and adding Appendix "V" as shown in Schedule "1" which is attached to and forms part of this Bylaw.
3. 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.

Adoption

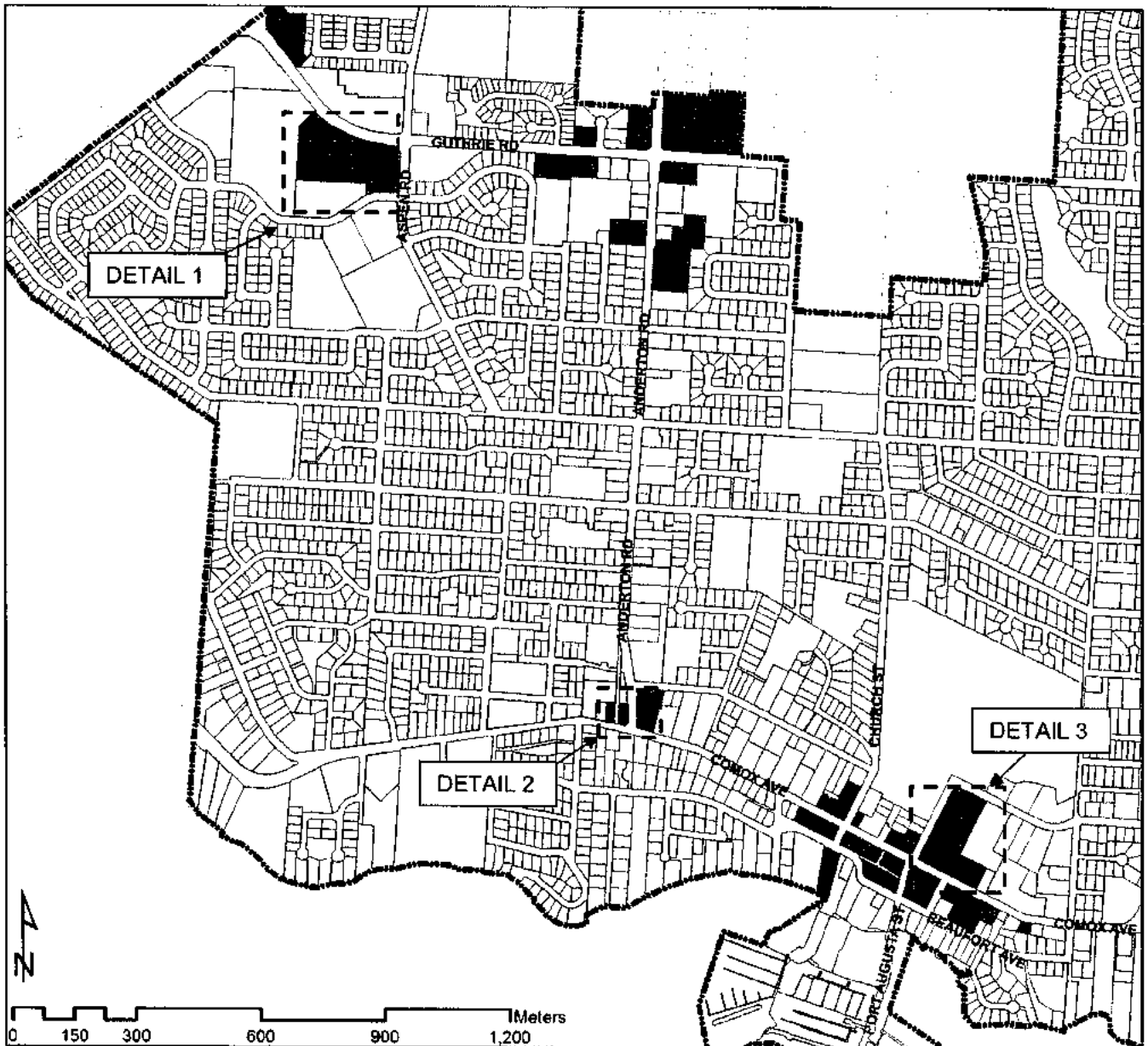
READ A FIRST AND SECOND time this	day of	,2018
PUBLIC HEARING ADVERTISED A FIRST time this	day of	,2018
PUBLIC HEARING ADVERTISED A SECOND time this	day of	,2018
PUBLIC HEARING HELD this	day of	,2018
READ A THIRD time this	day of	,2018
ADOPTED this	day of	,2018

Paul Ives,
Mayor

Richard Kanigan,
Corporate Officer

**Bylaw 1896
SCHEDULE "1"**

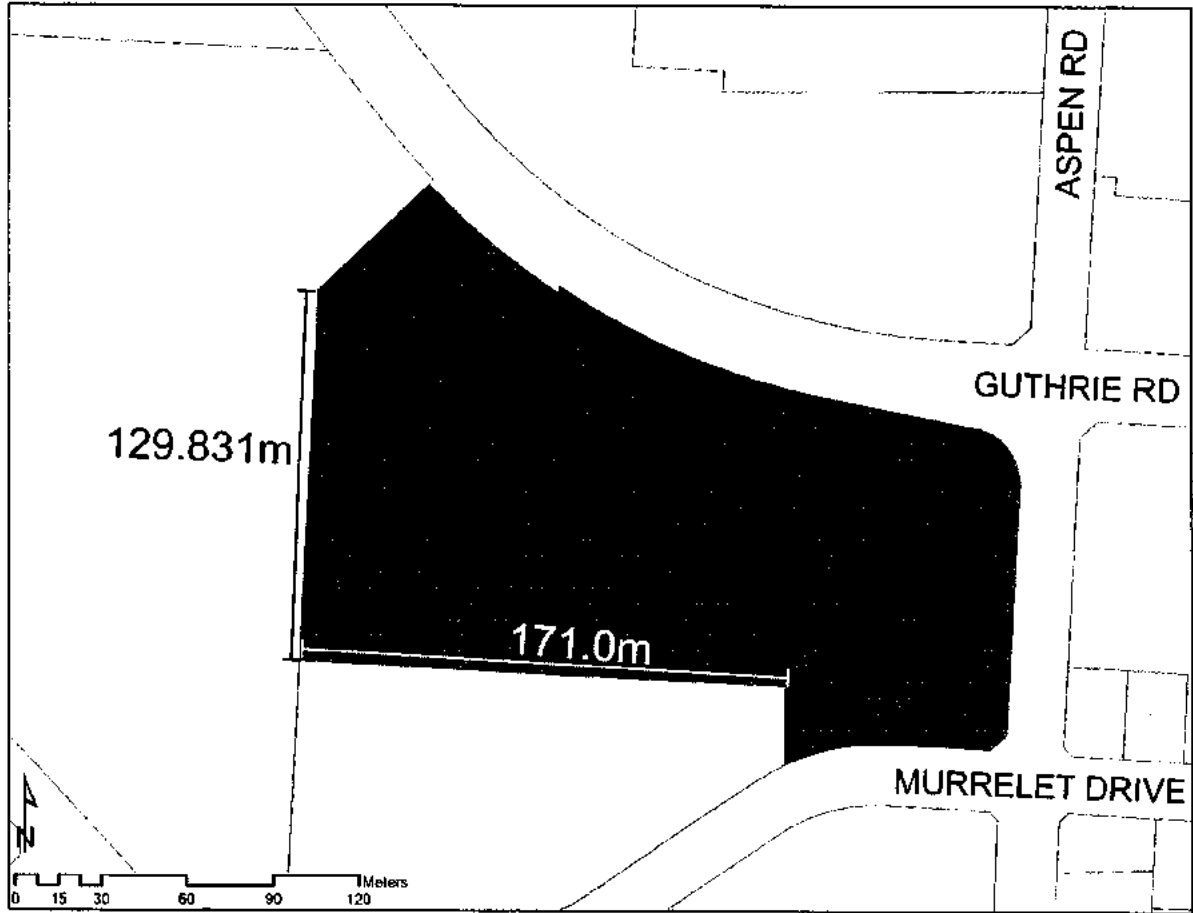
APPENDIX "V"



**Bylaw 1896
SCHEDULE "1"**

APPENDIX "V"

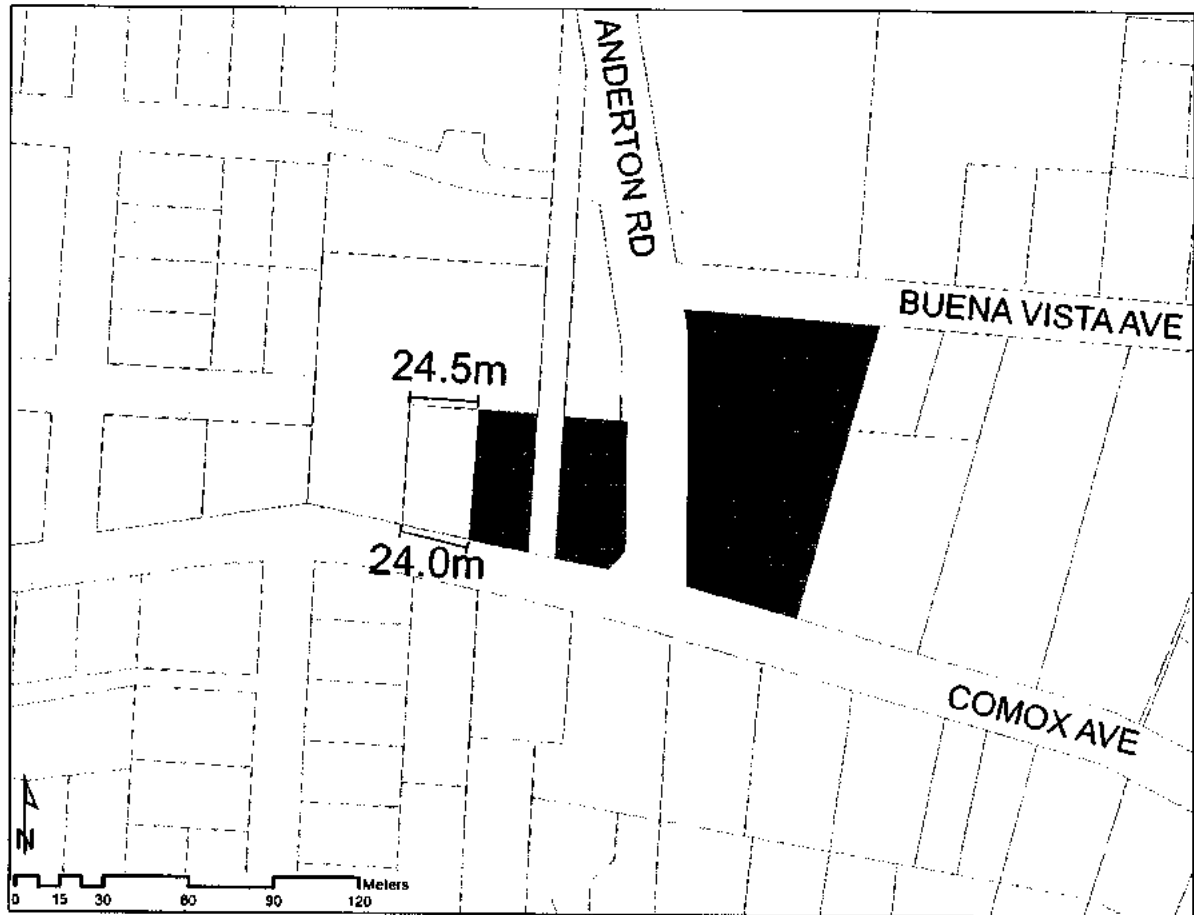
DETAIL 1



**Bylaw 1896
SCHEDULE "1"**

APPENDIX "V"

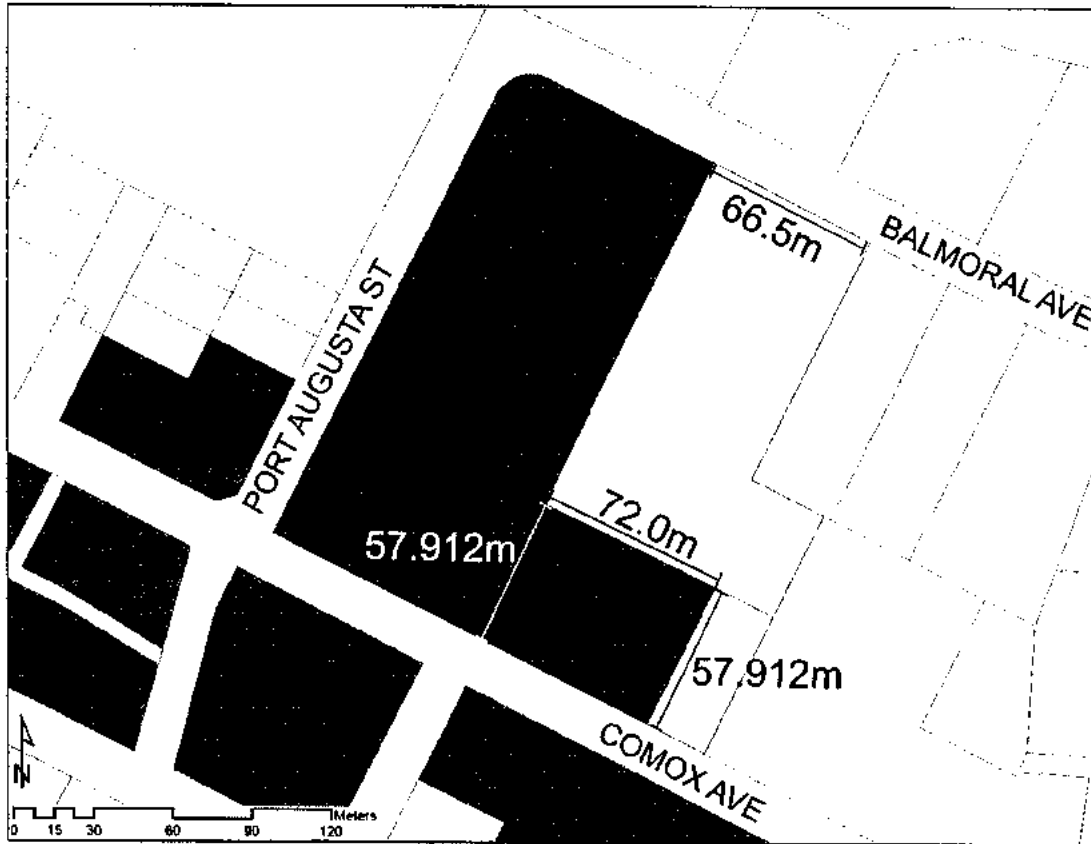
DETAIL 2



**Bylaw 1896
SCHEDULE "1"**

APPENDIX "V"

DETAIL 3



ATTACHMENT 4

COMOX BUSINESS REGULATION AMENDMENT BYLAW NO. 1895, 2018

TOWN OF COMOX

BYLAW NO.1895

A BYLAW TO AMEND COMOX BUSINESS LICENCE BYLAW

WHEREAS the Council of the Town of Comox has the authority under the provisions of the Community Charter to amend Comox Business Regulation Bylaw No. 1882, 2018;

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 Business Regulation Amendment Bylaw No. 1895, 2018".

2. Amendments

Comox Business Regulation Bylaw No. 1882, 2018 is hereby amended by:

- (1) Under Section 2, deleting the definitions for "Business", "Cannabis", "Cannabis-Related Establishment", "Medical Practitioner", and "Recreational Cannabis Retail Store" and replacing them with the following, in alphabetical order:

"Business" means

- (a) carrying on a commercial or industrial activity or undertaking of any kind, and
- (b) providing professional, personal or other services for the purpose of gain or profit,

but does not include an activity carried on by the Provincial government, by corporations owned by the Provincial government, by agencies of the Provincial government or by the South Coast British Columbia Transportation Authority or any of its subsidiaries.

"Cannabis" means any part of the cannabis plant, including its preparations and derivatives; does not include:

- (a) a non-viable seed;
- (b) a mature stalk without any leaf, flower, seed, or branch;

- (c) fiber derived from such stalks; or
- (d) the roots of a cannabis plant.

“Cannabis-Related Establishment” means a building or part thereof where

- (a) the use of cannabis is advocated or promoted; or
- (b) paraphernalia used in the consumption of cannabis is offered or kept for sale at retail.

“Recreational Cannabis Retail Store” means a building or part thereof where cannabis is offered or kept for sale at retail.

(2) Deleting Section 8(4); and adding, as Section 8(4) the following text:

Recreational Cannabis Retail Store – The following regulations apply to Recreational Cannabis Retail Stores:

- (a) No business licence shall be issued for a Recreational Cannabis Retail Store located less than 250 metres from any existing Recreational Cannabis Retail Store, as measured by the shortest distance between the outside of the perimeter walls of the Recreational Cannabis Retail Stores. A Recreational Cannabis Retail Store is an existing Recreational Cannabis Retail Store when a business licence for the Recreational Cannabis Retail Store has been issued.
- (b) A Recreational Cannabis Retail Store must not operate except in premises equipped with an odor control system that effectively prevents the escape of any noticeable cannabis odor.
- (c) If a Recreational Cannabis Retail Store is not operating within six months of the date on which the Town first issues a Business Licence for the Recreational Cannabis Retail Store, the Licence shall expire.
- (d) A Business Licence for a Recreation Cannabis Retail Store shall expire if the Recreational Cannabis Retail Store operations are discontinued for a continuous period of 6 months.
- (e) A maximum of two (2) Business Licences for Recreational Cannabis Retail Stores located within the area shown shaded in Schedule “B” shall be issued.

- (f) A maximum of one (1) Business Licence for a Recreational Cannabis Retail Store located outside of the area shown shaded in Schedule “B” shall be issued.
- (g) No person shall display items related to cannabis or the use of cannabis in any manner by which the items may reasonably be seen outside of the Recreational Cannabis Retail Store.
- (h) Other than where the word cannabis appears on a sign that includes only the name of a business, and the name of the business includes the word cannabis, no person shall advertise or promote cannabis or the use of cannabis in any manner by which the advertising or promotion may reasonably be seen or heard from outside of a Recreational Cannabis Retail Store.
- (i) No person shall block a window which may be seen outside of the Recreational Cannabis Retail Store with translucent or opaque material, artwork, posters, signs, shelving, display cases or similar elements.
- (j) No person shall install security bars that are located within one meter of a window which may be seen outside of the Recreational Cannabis Retail Store.
- (k) No person shall install roll down or other shutters which may be seen outside of the Recreational Cannabis Retail Store.

(3) Deleting Section 8(5); and adding as Section 8(5) the following text:

Cannabis-Related Establishment – The following regulations apply to Cannabis-related Establishments:

- (a) No person shall display items related to cannabis or the use of cannabis in any manner by which the items may reasonably be seen outside of the Cannabis-Related Establishment.
- (b) Other than where the word cannabis appears on a sign that includes only the name of a business, and the name of the business includes the word cannabis, no person shall advertise or promote cannabis or the use of cannabis in any manner by which the advertising or promotion may reasonably be seen or heard from outside of a Cannabis-Related Establishment.

- (c) No person shall block a window, which may be seen outside of the Cannabis-Related Establishment, with translucent or opaque material, artwork, posters, signs, shelving, display cases or similar elements.
- (d) No person shall install security bars that are located within one meter of a window which may be seen outside of the Cannabis-Related Establishment.
- (e) No person shall install roll down or other shutters which may be seen outside of the Cannabis-Related Establishment.

(4) Deleting Section 9(6); and adding as Section 9(6) the following text:

The Licence Inspector is authorized to prescribe forms for Business Licence Applications and Business Licences.

(5) Deleting Section 11 Municipal Ticketing subsection (4); and replacing Section 11 Municipal Ticketing, subsection (4) with the following text:

Pursuant to section 265(1) of the *Community Charter* the fine amount set forth below in Column 3 is the fine amount for the offence that corresponds to the section number and words or expressions set out in Columns 1 and 2 opposite the fine amount:

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine Amount
No Business Licence	3(1)	\$500.00
Fail to Display Licence	3(3)	\$100.00
Unlicensed Business Location	3(4)	\$100.00
Unlicensed Name Change	3(5)	\$100.00
Unlicensed Business Change	3(8)	\$250.00
Unlawful Placement of Equipment	7(c)	\$100.00
Fail to Obtain Permission	7(d)	\$100.00
Contractor-Fail to Produce Licence	8(1)(a)	\$500.00
Fail to Produce Sub Licence	8(1)(b)	\$200.00
No Mobile Vending Licence	8(2)(a)	\$100.00
No Parks Use Permit	8(2)(b)	\$100.00

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine Amount
No Discharge Management Plan	8(2)(c)	\$100.00
Insufficient Permission	8(2)(d)	\$100.00
Visible cannabis items	8(4)(g) or 8(5)(a)	\$500.00
Visible cannabis promotion	8(4)(h) or 8(5)(b)	\$500.00
Blocking window to cannabis store or establishment	8(4)(i) or 8(5)(c)	\$500.00
Installed security bars	8(4)(j) or 8(5)(d)	\$500.00
Visible shutters	8(4)(k) or 8(5)(e)	\$500.00

- (6) Deleting Schedule "A".
- (7) Adding Schedule "A" as shown in Schedule "1", which is attached to and forms part of this Bylaw.
- (8) Deleting Schedule "B"; and adding Schedule "B" as shown in Schedule "2" which is attached to and forms part of this Bylaw.
- (9) Comox Business Regulation Amendment Bylaw No. 1882, 2018 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

READ A FIRST, SECOND and THIRD
 time this _____ day of _____, 2018

Notice of intention to adopt given this _____ day of _____, 2018

Representations to Council heard this _____ day of _____, 2018

ADOPTED this _____ day of _____, 2018

 MAYOR

 CORPORATE OFFICER

Bylaw No 1895, 2018

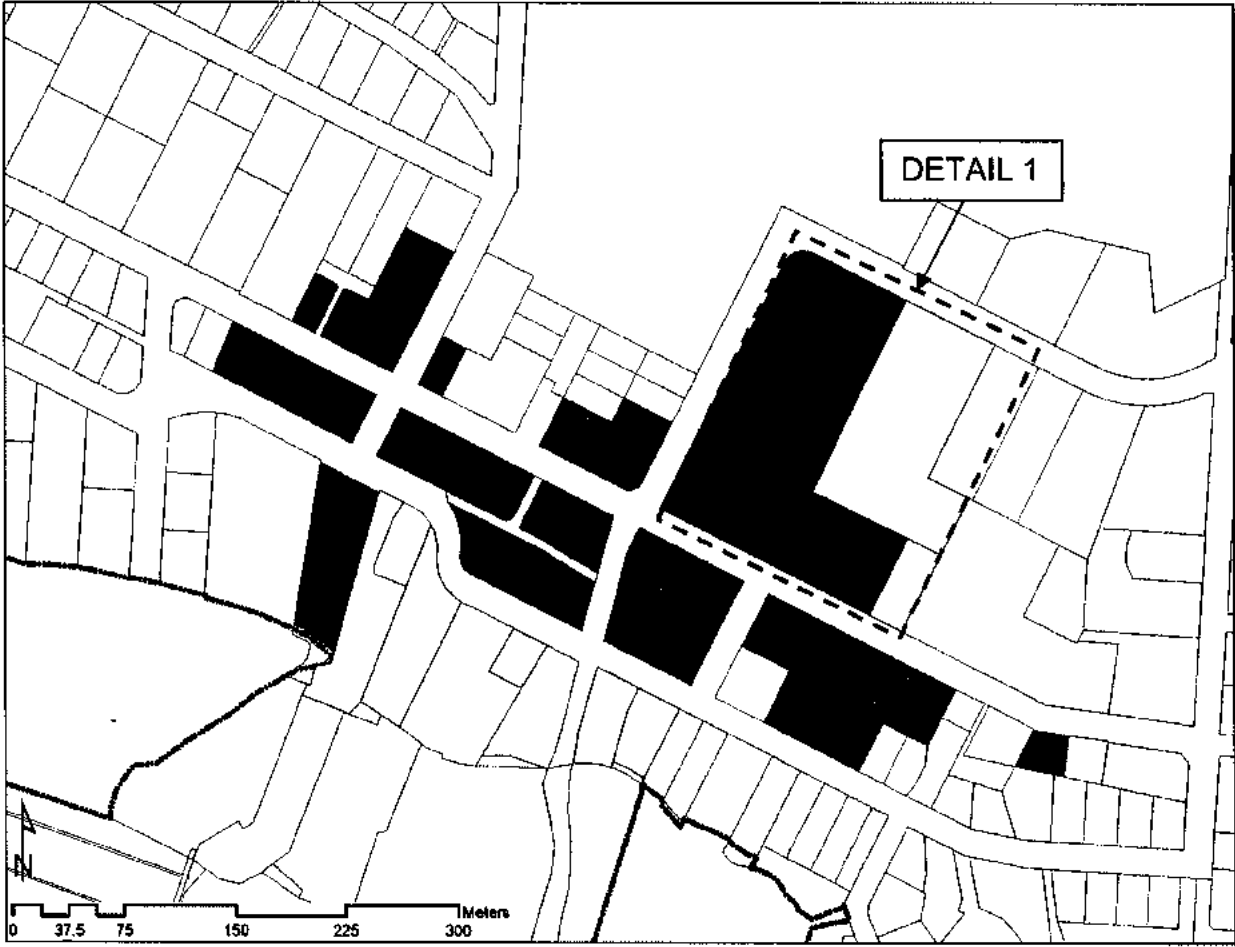
Schedule “1”

**Schedule “A”
 BUSINESS LICENCE FEES**

Column 1	Column 2
ONGOING BUSINESSES	
Type of Business	Annual Fee
Apartment Building Business	\$6 per residence; \$60 minimum
Bed and Breakfast Business	\$100
Cannabis-Related Establishment	\$150
Financial Institution	\$100
Home-Based Business	\$100
Hotels, Motels, Restaurant Not Liquor Licensed	\$100
Liquor Licensed	\$150
Intermunicipal Licence	\$150
Inter-Community Licence	\$150
Peddler	\$250 per peddler
Not for Profit Business	\$0
Recreational Cannabis Retail Store	\$150
Business not specified above	\$100
TEMPORARY AND SEASONAL BUSINESSES	
Type of Business	Fee
Carnival or Circus	\$200 per day
Flea Markets	\$100 per day
Trade Shows	\$100 per day
Mobile vendors	\$10 per month; \$100 maximum
BUSINESS LICENCE AMENDMENT	
Business Licence Amendment Fee	\$10

Bylaw No 1895, 2018
Schedule “2”

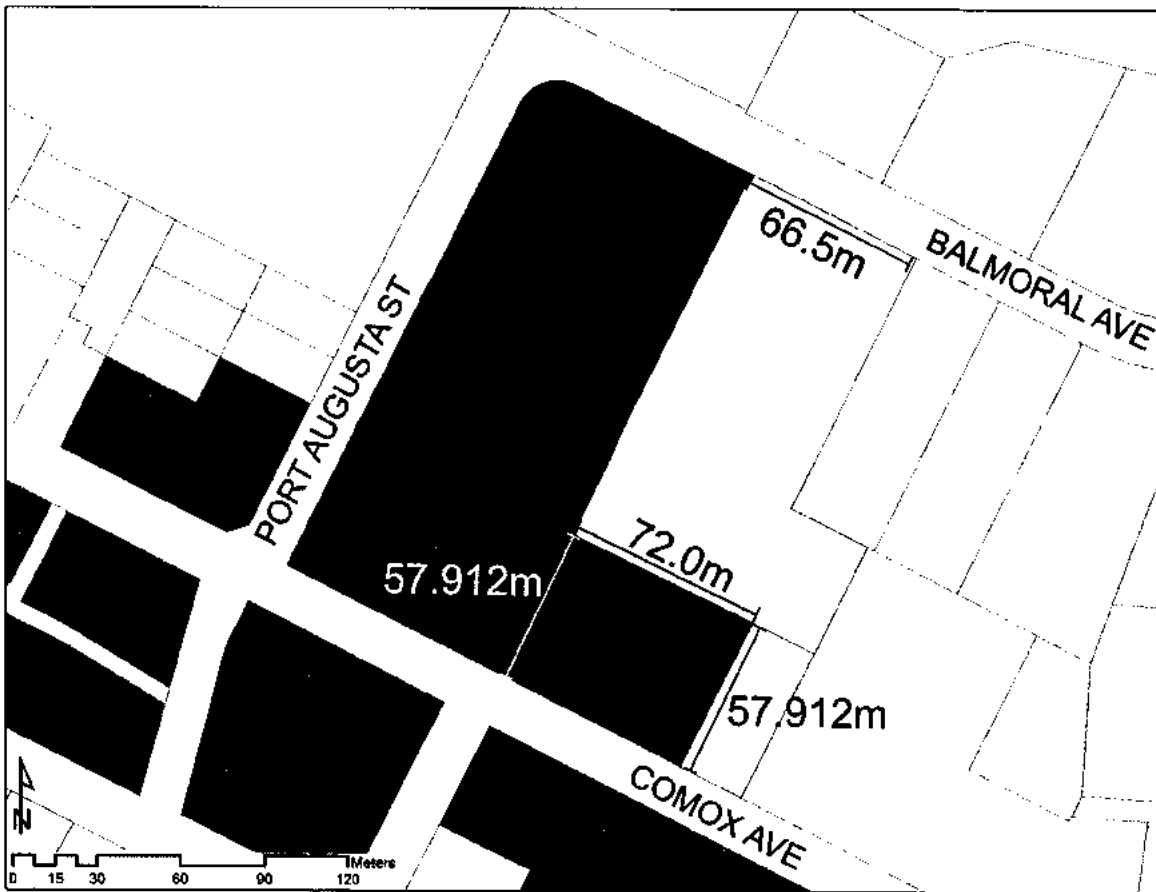
Schedule “B”



Bylaw No. 1895, 2018
Schedule “2”

Schedule “B”

DETAIL 1



Tuesday, July 24, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, July 24, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 6:35 pm.

MINUTES

Present:

Chair:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Vice-Chair:	B. Wells	City of Courtenay
Directors:	E. Eriksson	City of Courtenay
	E. Grieve	Puntledge/Black Creek (Area 'C')
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
	B. Leigh	Oyster Bay – Buttle Lake (Area 'D')
	K. Grant	Town of Comox
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	J. Martens	Manager of Legislative Services
	A. Mullaly	Acting General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	I. Smith	General Manager of Community Services

Absent:

Directors:	M. Theos	City of Courtenay
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RECOGNITION OF TRADITIONAL TERRITORIES:

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

IN-CAMERA MEETING:

B. Wells/E. Grieve: THAT the Board adjourn to an in-camera session pursuant to the following sub-section(s) of section 90 of the Community Charter:

90(1)(f) Law enforcement, if the Board considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment;

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

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

208

Carried

ADOPTION OF MINUTES:

E. Grieve/B. Price: THAT the Comox Valley Regional District Board minutes dated June 26, 2018 be adopted.
208 Carried

REPORTS:**PUBLIC HEARING, BYLAW NO. 537 (CVRD - CANNABIS REGULATION) - JUNE 28, 2018**

B. Wells/K. Grant: THAT the public hearing minutes dated June 28, 2018 for Bylaw No. 537 (CVRD - Cannabis Regulation) be received.
208 and 213 Carried

ELECTORAL AREAS SERVICES COMMITTEE - JULY 9, 2018

K. Grant/B. Price: THAT the Electoral Areas Services Committee minutes dated July 9, 2018 be received.
208 Carried

K. Grant/B. Wells: THAT the board approve the Development Variance Permit DV 3B 18 (Woods) to reduce the minimum rear yard setback from 7.5 metres to 3.6 metres for a partially built accessory building on a property described as Lot 1, Section 23, Comox District, Plan EPP13981, PID 028-836-031 (2651 Baxter Road);

AND FINALLY THAT the Corporate Legislative Officer be authorized to execute the permit.
208 and 213 Carried

K. Grant/B. Wells: THAT the board give first and second readings to Bylaw No. 548, being the "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" which rezones Lot C, Block 29, Comox District, Plan 32630, PID 000-168-882 (1926 Vera Drive, Thomas) from Country Residential One (CR-1) to Country Residential One Exception 5 (CR-1-5);

AND FINALLY THAT pursuant to Section 464(1) of the Local Government Act (RSBC, 2015, c.1), the board schedule a public hearing for Bylaw No. 548, being the "Comox Valley Zoning Bylaw, 2005, amendment No. 77" (RZ 1B 18).
208 and 213 Carried

K. Grant/B. Wells: THAT the board give first reading of Bylaw No. 520, 2018 being the "Rural Comox Valley Zoning Bylaw No. 520, 2018 as amended to retain the Residential Rural zone for the properties within the rural settlement areas;

AND FINALLY THAT pursuant to Section 464(1) of the Local Government Act (RSBC, 2015, c. 1), the board schedule a public hearing for Bylaw No. 520, being the "Rural Comox Valley Zoning Bylaw No. 520, 2018".
208 and 213 Carried

E. Grieve/B. Wells: THAT pursuant to Section 57 of the Community Charter, the board approves filing a Notice on Title with the Land Title and Survey Authority of British Columbia against land legally described as Lot 1, Block 29, Comox District, Plan 20712, PID 003-605-558 (6005 Aldergrove Dr.), for failure to comply with Building Bylaw No. 142, being the "Comox Valley Regional District Building Bylaw No. 142, 2011".
209 Carried

B. Wells/E. Grieve: THAT the proposed changes to Bylaw No. 377 being the "Electoral Areas Unightly

Premises and Nuisances Regulation Bylaw No. 377, 2015” as noted in the staff report dated June, 27 2018 be approved to clearly address nuisance odours and increase fines for ticketable offences.

209

Carried

K. Grant/E. Grieve: THAT the proposed Greater Merville Fire Protection Service continue working towards an auxiliary fire hall through a phased approach by:

- Hosting an open house in late summer 2018 to provide a project update;
- Confirming that the eventual service provider for a Merville auxiliary fire hall will be Oyster River Fire Rescue, subject to a financial plan that supports an interim cost sharing arrangement between the Merville fire protection service and the Black Creek – Oyster Bay fire protection service for volunteer recruitment, training and member supports;
- Strengthening the number of volunteer fire fighters in the Merville area by partnering more closely with Oyster River Fire Rescue;
- Seeking land that would be suitable for an auxiliary fire hall in the Merville community;
- Improving the service delivery arrangements for fire protection by assessing existing infrastructure and fire service delivery options; and
- Developing a long-term financial planning strategy for eventual funding to secure land and to design, construct and operate an auxiliary fire hall.

209

Carried

COMOX VALLEY WATER COMMITTEE - JULY 10, 2018

K. Grant/B. Wells: THAT the Comox Valley Water Committee minutes dated July 10, 2018 be received.

208

Carried

COMMITTEE OF THE WHOLE - JULY 10, 2018

K. Grant/B. Wells: THAT the Committee of the Whole minutes dated July 10, 2018 be received.

208

Carried

K. Grant/E. Grieve: THAT Bylaw No. 236 being “Comox Valley Regional District Remuneration and Expenses Bylaw 2012” be amended to reflect the following as noted in the staff report dated July 6, 2018:

- effective January 1, 2019, the elected officials’ base rate remuneration be increased by seven per cent to partially compensate for the Canada Revenue Agency elimination of the one-third non-taxable allowance;
- adjustment of the meeting remuneration from \$125 per meeting to \$160 per meeting;
- ongoing yearly remuneration adjustment to the base rate effective 2020 based on the annual change in the Consumer Price Index (British Columbia) for the preceding year; and,
- re-evaluation of remuneration in the year prior to an election.

208

Carried

K. Grant/E. Grieve: THAT the board give first reading to Bylaw No. 539, Appendix A to this staff report, dated June 28, 2018, being the “Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1” which amends Part 5, Implementation and Monitoring, in order to make changes to the amendment process;

AND FINALLY THAT, in accordance with section 434 of the Local Government Act (RSBC, 2015, c.1), the board schedule a public hearing for Bylaw No. 539 (RGS 1CV 18).

208 and 212

Carried

K. Grant/E. Grieve: THAT the Protocol Agreement for Communication and Cooperation (Building a K’ómoks

First Nation and Comox Valley Local Governments Relationship) be circulated to all relevant parties to consider updating the values, interests and principles contained therein;

AND FURTHER THAT a report be presented to a future Committee of the Whole meeting that describes how the Protocol Agreement and related actions and partnerships can be connected with Comox Valley Regional District service delivery.

208

Carried

PUBLIC HEARING, BYLAW NO. 514 (CVRD - OCP) & BYLAW NO. 538 (WING - (4320 & 4356 CAMCO RD) - JULY 17, 2018

E. Grieve/K. Grant: THAT the public hearing minutes dated July 17, 2018 for Bylaw No. 514 (CVRD - OCP Amendment) and Bylaw No. 538 (Wing - 4320 & 4356 Camco Rd) be received.

208 and 213

Carried

PUBLIC HEARING, BYLAW NO. 543 (MACKENZIE & HEYNCK - 2410 SACKVILLE ROAD) - JULY 23, 2018

The minutes of the public hearing dated July 23, 2018 for Bylaw No. 543 (MacKenzie & Heynck - 2410 Sackville Rd) were not considered at this meeting and may be considered at the August 28, 2018 Comox Valley Regional District Board meeting.

DIRECTORS BENEFIT ENTITLEMENT

K. Grant/E. Grieve: THAT the report dated July 13, 2018 regarding Directors benefit entitlement be received.

208

Carried

R. Nichol/B. Wells: THAT the Comox Valley Regional District not increase the age criteria for health benefit entitlement for Board Directors to "age 80 or retirement"

AND FURTHER THAT this matter be brought back for Board consideration in July 2019.

208

Carried

COMOX VALLEY REGIONAL OFFICE BUILDING CONTRACT AWARD

K. Grant/E. Grieve: THAT the report dated July 20, 2018 regarding the contract for the construction of the Comox Valley Regional Office building be received.

208

Carried

E. Grieve/B. Price: THAT as a result of a competitive process, the contract for construction of the Comox Valley Regional Office Building project be awarded to Knappett Projects Inc. in an amount not to exceed \$10,352,514 exclusive of GST.

210

Carried

NAY: L. Jangula

BYLAWS AND RESOLUTIONS:

K. Grant/R. Nichol: THAT Bylaw No. 520 being "Comox Valley Zoning Bylaw No. 520, 2018" (CVRD Zoning Bylaw) be given first reading.

208 and 213

Carried

R. Nichol/B. Price: THAT Bylaw No. 539 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1" be given first reading.

208 and 212

Carried

K. Grant/R. Nichol: THAT Bylaw No. 548 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" (Vera Drive) be given first and second readings concurrently.

208 and 213

Carried

B. Wells/B. Price: THAT the Financial Fairness for Capital Assets Policy (Comox Valley Water Distribution Services) updates as shown on the draft policy contained in the July 24, 2018 Board agenda be approved.

209

Carried

E. Grieve/R. Nichol: THAT Bylaw No. 549 being "Greater Comox Valley Water Distribution Service Merger Project Repeal Bylaw No. 549, 2018" be given first and second readings concurrently.

209

Carried

E. Grieve/R. Nichol: THAT Bylaw No. 549 being "Greater Comox Valley Water Distribution Service Merger Project Repeal Bylaw No. 549, 2018" be read a third time.

209

Carried

K. Grant/R. Nichol: THAT Bylaw No. 550 being "Comox Valley Water Local Service Area Parcel Tax Bylaw 2001, Amendment No. 1" be given first and second readings concurrently.

209

Carried

K. Grant/R. Nichol: THAT Bylaw No. 550 being "Comox Valley Water Local Service Area Parcel Tax Bylaw 2001, Amendment No. 1" be read a third time.

209

Carried

E. Grieve/B. Price: THAT Bylaw No. 551 being "Greaves Crescent Water Service Parcel Tax Bylaw No. 551, 2018" be given first and second readings concurrently.

207

Carried

B. Wells/R. Nichol: THAT Bylaw No. 551 being "Greaves Crescent Water Service Parcel Tax Bylaw No. 551, 2018" be read a third time.

207

Carried

R. Nichol/B. Wells: THAT Bylaw No. 552 being "England Road Water Service Parcel Tax Bylaw No. 552, 2018" be given first and second readings concurrently.

207

Carried

R. Nichol/B. Wells: THAT Bylaw No. 552 being "England Road Water Service Parcel Tax Bylaw No. 552, 2018" be read a third time.

207

Carried

E. Grieve/G. Sproule: THAT Bylaw No. 554 being "General Administration Regional Office Building Temporary Borrowing Bylaw No. 554, 2018" be given first and second readings concurrently.

210

Carried

E. Grieve/K. Grant: THAT Bylaw No. 554 being "General Administration Regional Office Building Temporary Borrowing Bylaw No. 554, 2018" be given third reading.

210

Carried

K. Grant/R. Nichol: THAT Bylaw No. 555 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012, Amendment No. 1" be given first and second readings concurrently.

208 Carried

K. Grant/E. Grieve: THAT Bylaw No. 555 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012, Amendment No. 1" be given third reading.

208 Carried *NAY: E. Eriksson*

K. Grant/E. Grieve: THAT Bylaw No. 514 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 3" (CVRD) be read a third time.

208 and 213 Carried

K. Grant/E. Grieve: THAT Bylaw No. 537 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 74" (CVRD - Cannabis Regulation) be read a third time.

208 and 213 Carried

E. Grieve/K. Grant: THAT Bylaw No. 538 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 75" (Wing - 4320 & 4356 Camco Rd) be read a third time.

208 and 213 Carried

E. Grieve/B. Price: THAT Bylaw No. 538 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 75" (Wing - 4320 & 4356 Camco Rd) be adopted.

208 and 213 Carried

Note: the above resolution received at least 2/3 of the votes cast.

R. Nichol/E. Grieve: THAT Bylaw No. 526 being "Comox Valley Water Local Service Establishment (Conversion) Bylaw No. 1886, 1996, Amendment No. 20, 2018" be adopted.

209 Carried

K. Grant/E. Grieve: THAT Bylaw No. 544 being "Black Creek - Oyster Bay Water Service Regulation, Fees and Charges Bylaw, 2008, Amendment No. 8" be adopted.

209 Carried

B. Leigh/E. Grieve: THAT Bylaw No. 545 being "Black Creek – Oyster Bay Water Conservation Bylaw No. 519, 2018, Amendment No. 1" be adopted.

209 Carried

K. Grant/B. Wells: THAT Bylaw No. 546 being "Comox Valley Water Systems Regulation Fees, and Charges Bylaw No. 2866, 2006, Amendment No. 12" be adopted.

209 Carried

E. Grieve/B. Wells: THAT Bylaw No. 547 being "Royston Water Service Regulation, Fees and Charges Bylaw, 2010, Amendment No. 2" be adopted.

207 Carried

NEW BUSINESS:

LAZO NORTH GRANT-IN-AID

B. Wells/R. Nichol: THAT the correspondence from Director Nichol dated July 4, 2018 regarding a grant-in-

aid request for Lazo North (Area B) be received.

208

Carried

K. Grant/E. Grieve: THAT the following grant-in-aid, payable from Lazo North – (Electoral Area B), be approved:

- \$1,500.00 for the MacDonald Wood Park Society to assist with providing educational walks through the park.

208

Carried

PUBLIC HEARING NOTIFICATION - BYLAW NO. 548 (Vera Drive, Thomas)

K. Grant/R. Nichol: THAT the new business notice dated July 16, 2018 regarding a public hearing for Bylaw No. 548 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" (Vera Drive, Thomas) be received.

208 and 213

Carried

E. Grieve/K. Grant: WHEREAS the following bylaw has received first and second readings by the regional district board: Bylaw No. 548 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" (Vera Drive, Thomas);

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

THEREFORE BE IT RESOLVED THAT:

1. A public hearing will be held on August 15, 2018 at 7:00 pm;
2. The location of the public hearing will be at the Comox Valley Regional District boardroom located at 550b Comox Road, Courtenay, BC;
3. Director Nichol is appointed as chair of the public hearing;
4. Director Grieve is appointed as vice chair of the public hearing;
5. The directors from Electoral Areas A, B, and C are appointed to attend the public hearing; and
6. At least one (1) of the above-named persons must be in attendance at the public hearing.

208 and 213

Carried

PUBLIC HEARING NOTIFICATION - BYLAW NO. 539 (CVRD Regional Growth Strategy)

K. Grant/R. Nichol: THAT the new business notice dated July 17, 2018 regarding a public hearing for Bylaw No. 539 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1" (CVRD) be received.

208 and 212

Carried

E. Grieve/K. Grant: WHEREAS the following bylaw has received first reading by the regional district board: Bylaw No. 539 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1" (CVRD);

AND WHEREAS the Board has resolved to hold a public hearing on the aforementioned bylaw;

THEREFORE BE IT RESOLVED THAT:

1. A public hearing will be held on August 28, 2018 at 6:00 pm;
2. The location of the public hearing will be at the Comox Valley Regional District boardroom located at 550b Comox Road, Courtenay, BC;
3. Director Jolliffe is appointed as chair of the public hearing;
4. Director Grieve is appointed as vice chair of the public hearing;
5. The directors from Electoral Areas A, B, and C, City of Courtenay, Town of Comox and Village of Cumberland are appointed to attend the public hearing; and
6. At least one (1) of the above-named persons must be in attendance at the public hearing.

208 and 213

Carried

PUBLIC HEARING NOTIFICATION - BYLAW NO. 520 (Comox Valley Zoning Bylaw)

K. Grant/E. Grieve: THAT the new business notice dated July 16, 2018 regarding a public hearing for Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw No. 520, 2018" (CVRD) be received.

208 and 213

Carried

K. Grant/E. Grieve: WHEREAS the following bylaw has received first reading by the regional district board: Bylaw No. 520 being "Rural Comox Valley Zoning Bylaw No. 520, 2018" (Comox Valley Regional District) AND WHEREAS, pursuant to Section 464 (1) of the Local Government Act [RSBC 2015, c.1], it is necessary to hold a public hearing on the aforementioned bylaw;

THEREFORE BE IT RESOLVED THAT:

- 1. A public hearing will be held on September 5, 2018 at 7:00 pm;
- 2. The location of the public hearing will be at the Comox Valley Regional District boardroom located at 550b Comox Road, Courtenay, BC;
- 3. Director Nichol is appointed as chair of the public hearing;
- 4. Director Grieve is appointed as vice chair of the public hearing;
- 5. The directors from Electoral Areas A, B, and C are appointed to attend the public hearing; and
- 6. At least one (1) of the above-named persons must be in attendance at the public hearing.

208 and 213

Carried

Director Leigh left the meeting at 7:06 pm.

ADJOURN TO IN-CAMERA:

The board recessed to its in-camera session.

Time: 7:07 pm.

The board rose from its in-camera session at 7:10 pm.

TERMINATION:

B. Wells/G. Sproule: THAT the meeting terminate.

208

Carried

Time: 7:10 pm.

Confirmed this _____ day of _____ 20__:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services

Tuesday, August 28, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, August 28, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 4:00 pm.

MINUTES

Present:

Chair:	B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
Vice-Chair:	B. Wells	City of Courtenay
Directors:	E. Eriksson	City of Courtenay
	K. Grant	Town of Comox
	E. Grieve	Puntledge/Black Creek (Area 'C')
	L. Jangula	City of Courtenay
	R. Nichol	Lazo North (Area 'B')
	B. Price	Town of Comox
	G. Sproule	Village of Cumberland
	M. Theos	City of Courtenay
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	J. Martens	Manager of Legislative Services
	A. Mullaly	Acting General Manager of Planning and Development Services
	M. Rutten	General Manager of Engineering Services
	I. Smith	General Manager of Community Services
	J. Warren	General Manager of Corporate Services

RECOGNITION OF TRADITIONAL TERRITORIES:

The Chair acknowledged that the meeting was being held on the unceded traditional territory of the K'ómoks First Nation.

IN-CAMERA MEETING:

K. Grant/G. Sproule: THAT the Board adjourn to an in-camera session pursuant to the following sub-section(s) 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;
 90(1)(k) Negotiations and related discussions respecting the proposed provision of a regional district service that are at their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the regional district if they were held in public;

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

208

Carried

ADOPTION OF MINUTES:

K. Grant/B. Wells: THAT the Comox Valley Regional District Board minutes dated July 24, 2018 be adopted.
208 Carried

REPORTS:**PUBLIC HEARING, BYLAW NO. 543 (MACKENZIE & HEYNCK - 2410 SACKVILLE ROAD) - JULY 23, 2018**

K. Grant/R. Nichol: THAT the public hearing minutes dated July 23, 2018 for Bylaw No. 543 (MacKenzie & Heynck - 2410 Sackville Rd), including:
208

Appendix A; and

Appendix B, be received.

Carried

ELECTORAL AREAS SERVICES COMMITTEE - AUGUST 13, 2018

K. Grant/M. Theos: THAT the Electoral Areas Services Committee minutes dated August 13, 2018 be received.
208 Carried

K. Grant/B. Wells: THAT the board approve the Shoreline Protection Devices and Steep Slopes Development Permit DP 13B 18 (Renooy) for the property described as Lot 1, District Lot 140, Comox District, Plan 4043 Except that Part in Plan 16734 (955 Balmoral Road) for repairs to an existing shoreline protection device;

AND FURTHER THAT the Corporate Legislative Officer be authorized to execute the permit.
208 and 213 Carried

B. Wells/R. Nichol: THAT the Comox Valley Regional District Board endorse the agency referral list as outlined in Appendix B of staff report dated August 2, 2018, and direct staff to start the external agency referral process for Parcel A (DD 10199W) of Lot 21, Block 29, Comox District, Plan 4267, PID 005-027-462 (Pajak) as part of a proposed amendment (RZ 4C 18) of Bylaw No. 2781, being the "Comox Valley Zoning Bylaw, 2005";

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

AND FINALLY THAT the Comox Valley Regional District Board authorize staff to begin discussions on provision of community amenities as per Section 72 "Community Amenity Contributions" of Bylaw No. 337, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014."
208 and 213 Carried

K. Grant/B. Wells: THAT the board authorize staff to make an application to the National Disaster Mitigation Program and the Union of BC municipalities Community Emergency Preparedness Fund for flood mapping and flood mitigation planning for the Comox Valley Regional District Electoral Area A (Baynes Sound - excluding Denman/Hornby Islands), Electoral Area B (Lazo North, and Electoral Area C (Puntledge – Black Creek);

AND THAT the board endorse the Coastal Flood Adaptation Strategy Terms of Reference, attached as Appendix A, to this report dated August 2, 2018, as the basis of the grant application.

208 and 213

Carried

K. Grant/R. Nichol: THAT staff be directed to pursue a Licence of Occupation for the Piercy Road beach access on Denman Island from the Ministry of Transportation and Infrastructure for the establishment of a Comox Valley Regional District park;

AND FURTHER THAT staff be directed to add the Piercy Road beach access to the Parks and Greenways Service function 619 upon receipt of a Licence of Occupation.

207

Carried

K. Grant/B. Wells: THAT staff be directed to work with the City of Courtenay and the Provincial Ministries to establish parking areas and delineate public access points to the lower Tsolum River in the Dove Creek Area.

209

Carried

SOUTH SEWER SELECT COMMITTEE - AUGUST 14, 2018

K. Grant/B. Price: THAT the South Sewer Select Committee minutes dated August 14, 2018 be received

208

Carried

SEWAGE COMMISSION - AUGUST 14, 2018

K. Grant/M. Theos: THAT the Sewage Commission minutes dated August 14, 2018 be received.

208

Carried

COMOX VALLEY WATER COMMITTEE - AUGUST 14, 2018

K. Grant/R. Nichol: THAT the Comox Valley Water Committee minutes dated August 14, 2018 be received.

208

Carried

COMMITTEE OF THE WHOLE - AUGUST 14, 2018

K. Grant/B. Wells: THAT the Committee of the Whole minutes dated August 14, 2018 be received.

208

Carried

B. Wells/G. Sproule: THAT the handyDART system be expanded in September 2019 by 1,500 hours at an estimated cost to Comox Valley Regional District (CVRD) of \$37,288 annually.

209

Carried

K. Grant/B. Wells: THAT pursuant to section 391(4)(a) of the Local Government Act, a bylaw be forwarded to the board be adopted by October 31, 2018, allowing for a permissive tax exemption for 100 per cent of the taxable land and improvements for the year 2019 for the property known as Parcel A, Plan VIP64403, Land District 15, Folio # 771-000500.000 (Sunnydale Golf Society) with the exception of the portion of Class 06-Business/Other relating to the pro shop operations.

208

Carried

K. Grant/B. Wells: THAT pursuant to section 392(1)(c) of the Local Government Act, a bylaw be prepared

providing for a permissive tax exemption for the taxation year 2019 for an amount equal to 100 per cent of the net taxable land and improvements for Section 32, Land District 34, Township 1, Folio #771 010800.000 (Union Bay Historical Society).

208 Carried

K. Grant/G. Sproule: THAT the amended Release of Closed Meeting Minutes policy attached as Appendix A to the staff report dated August 8, 2018 be approved.

208 Carried

PUBLIC HEARING, BYLAW NO. 548 (THOMAS - 1926 VERA DRIVE) - AUGUST 15, 2018

M. Theos/R. Nichol: THAT the public hearing minutes dated August 15, 2018 for Bylaw No. 548 (Thomas - 1926 Vera Drive) be received.

208 Carried

KING COHO - UTILITY TRANSFER AGREEMENT

K. Grant/B. Wells: THAT the report dated August 24, 2018 regarding the King Coho Utility Transfer Agreement be received.

207 Carried

B. Wells/R. Nichol: THAT the Board endorse the King Coho Utility Transfer Agreement, attached as Appendix A in the staff report dated August 24, 2018;

AND FURTHER THAT the Chair and Corporate Legislative Officer be authorized to execute the agreement.

210 Carried

BYLAWS AND RESOLUTIONS:

E. Grieve/R. Nichol: THAT Bylaw No. 518 being "King Coho Fees and Charges Bylaw, No. 518, 2018" be given first and second readings concurrently.

207 Carried

R. Nichol/K. Grant: THAT Bylaw No. 518 being "King Coho Fees and Charges Bylaw, No. 518, 2018" be read a third time.

207 Carried

K. Grant/B. Wells: THAT Bylaw No. 556 being "Electoral Areas Unsightly Premises and Nuisances Regulation Bylaw No. 377, 2015, Amendment No. 1" be given first and second readings concurrently.

209 Carried

R. Nichol/B. Wells: THAT Bylaw No. 556 being "Electoral Areas Unsightly Premises and Nuisances Regulation Bylaw No. 377, 2015, Amendment No. 1" be read a third time.

209 Carried

K. Grant/B. Price: THAT Bylaw No. 559, being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 14" be given first and second readings concurrently.

208 Carried

R. Nichol/K. Grant: THAT Bylaw No. 559, being "Comox Valley Regional District Municipal Ticket Information Bylaw No. 104, 2010, Amendment No. 14" be read a third time.

208 Carried

K. Grant/B. Wells: THAT Bylaw No. 560 being "King Coho Wastewater Service Capital Reserve Fund Establishment Bylaw No. 560, 2018" be given first and second readings concurrently.

207 Carried

K. Grant/B. Price: THAT Bylaw No. 560 being "King Coho Wastewater Service Capital Reserve Fund Establishment Bylaw No. 560, 2018" be read a third time.

207 Carried

K. Grant/B. Wells: THAT Bylaw No. 561 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 561, 2018" be given first and second readings concurrently.

208 Carried

B. Wells/M. Theos: THAT Bylaw No. 561 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 561, 2018" be read a third time.

208 Carried

K. Grant/B. Wells: THAT Bylaw No. 562 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 562, 2018" be given first and second readings concurrently.

208 Carried

K. Grant/B. Wells: THAT Bylaw No. 562 being "Comox Valley Regional District Property Tax Exemption Bylaw No. 562, 2018" be read a third time.

208 Carried

R. Nichol/E. Grieve: THAT Bylaw No. 543 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 76" be defeated.

208 and 213 Carried

B. Wells/R. Nichol: THAT Bylaw No. 548 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" (Vera Drive) be given third reading.

208 and 213 Carried

K. Grant/B. Wells: THAT Bylaw No. 548 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 77" (Vera Drive) be adopted.

208 and 213 Carried

Note: the above resolution received at least 2/3 of the votes cast.

The meeting recessed at 4:12 pm and reconvened at 4:14 pm.

K. Grant/G. Sproule: THAT Bylaw No. 563 being "King Coho Wastewater Service Parcel Tax Bylaw No. 563, 2018" be given first and second readings concurrently.

207 Carried

E. Grieve/G. Sproule: THAT Bylaw No. 563 being "King Coho Wastewater Service Parcel Tax Bylaw No. 563, 2018" be read a third time.

207 Carried

B. Wells/M. Theos: THAT Bylaw No. 563 being "King Coho Wastewater Service Parcel Tax Bylaw No. 563, 2018" be adopted.

207 Carried

Note: the above resolution received at least 2/3 of the votes cast.

E. Grieve/B. Wells: THAT Bylaw No. 514 being "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 3" (CVRD) be adopted.

208 and 213 Carried

B. Wells/R. Nichol: THAT Bylaw No. 537 being "Comox Valley Zoning Bylaw, 2005, Amendment No. 74" (CVRD - Cannabis Regulation) be adopted.

208 and 213 Carried

K. Grant/B. Wells: THAT Bylaw No. 549 being "Greater Comox Valley Water Distribution Service Merger Project Repeal Bylaw No. 549, 2018" be adopted.

209 Carried

K. Grant/E. Grieve: THAT Bylaw No. 550 being "Comox Valley Water Local Service Area Parcel Tax Bylaw 2001, Amendment No. 1" be adopted.

209 Carried

E. Grieve/K. Grant: THAT Bylaw No. 551 being "Greaves Crescent Water Service Parcel Tax Bylaw No. 551, 2018" be adopted.

207 Carried

E. Grieve/G. Sproule: THAT Bylaw No. 552 being "England Road Water Service Parcel Tax Bylaw No. 552, 2018" be adopted.

207 Carried

K. Grant/G. Sproule: THAT Bylaw No. 554 being "General Administration Regional Office Building Temporary Borrowing Bylaw No. 554, 2018" be adopted.

210 Carried

E. Grieve/G. Sproule: THAT Bylaw No. 555 being "Comox Valley Regional District Remuneration and Expenses Bylaw 2012, Amendment No. 1" be adopted.

208 Carried

ADJOURN TO IN-CAMERA:

The board recessed to its in-camera session.

Time: 4:20 pm.

The board rose from its in-camera session.

Time: 4:33 pm.

TERMINATION:

E. Grieve/R. Nichol: THAT the meeting be terminated.

208 Carried

Time: 4:33 pm.

Confirmed this _____ day of _____ 20__:

Bruce Jolliffe
Chair

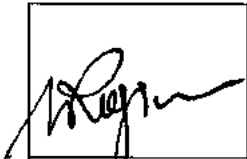
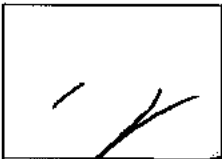
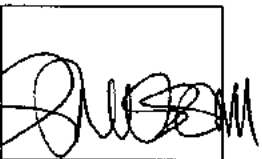
Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER REGINA BOZEROCKA, PLANNER I
SUBJECT:	PLANNING REPORT ON REA 18-1 KOMOX GRIND PARKLET AGREEMENT RENEWAL FOR 2019
DATE:	RCM SEPTEMBER 5, 2018

 Submitted by	 Concurrence	 Approval
---	---	---

Recommendation:

That the Road Encroachment Agreement for the existing parklet at Komox Grind be renewed for year 2019, subject to the conditions contained in Schedule 1 of the September 5, 2018 Planning Report on REA 18-1.

Background:

The Komox Grind parklet opened in May, 2015 as a pilot project. The pilot project was well received by the public and achieved its intended goals. It became a year-round permanent program in 2016.

The Komox Grind road encroachment agreement was renewed for each subsequent year. Staff are not aware of any concerns over the operation of the parklet and the owners have expressed their interest to continue with the parklet program.

MK/RB

Schedule 1: Parklet conditions of use

cc. Tanya Archambault, Todd Hedquist
3397 Lake Trial Road, Courtenay, B.C. V9M 9M2

U:\Dev App\2018\REA\REA 18-1 Komox Grind for 2019\REA 18-1_Komox Grind_RCM_September 5 2018.docx

September 5, 2018

SCHEDULE 1

KOMOX GRIND PARKLET CONDITIONS OF USE

1. The applicant shall obtain and keep in force comprehensive general liability insurance in the amount of no less than \$2,000,000, naming the Town as an additional insured;
2. Town shall provide two curb stops perpendicular to the curb, to demark the boundary of the parklet area;
3. Parklet's approximate width perpendicular to the road is 2.25 metres, and length parallel to the sidewalk is approximately 9.0 metres (deck and bicycle rack);
4. Applicant provision of a minimum of two bike parking stalls within the parklet area;
5. Applicant construction of the parklet in accordance with either of the following two options:
 - (i) Option A: use of large planters to delineate the boundaries of the parklet;
 - (ii) Option B: construction of a wooden deck at grade with the existing sidewalk, with perimeter railing/landscaping;
6. No obstruction of the sidewalk next to a parklet;
7. Provisions for owner maintenance of the parklet including snow and leaf removal;
8. Provisions for routine and emergency Town infrastructure maintenance; and
9. If the Licencee is not in default under this Agreement at the time of the end of the Term, then this Licence may be renewed by the Town on an annual application by the Licencee for a subsequent year.



TOWN OF COMOX
REGULAR COUNCIL MEETING

STAFF REPORT
 Meeting Date: Sept 5, 2018

TO: Mayor and Council	FILE: 5400-04
FROM: Shelly Russwurm, Deputy Corporate Administrator	DATE: Aug 31, 2018
SUBJECT: Street Closure - Highridge Drive Block Party	

Prepared by: Shelly Russwurm, DCA	Supervisor: _____	Financial Approved: _____ Don Jacquest, Fin. Director	Report Approved: Richard Kanigan, CAO
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Recommendation from the Chief Administrative Officer:

That the Town of Comox – Road Permit Application received August 30, 2018 from Paula Ives of 1520 Highridge Drive be received; and further,

That the request to close the cul-de-sac portion of Highridge Drive between 5:00 p.m. and 10:00 p.m. on Saturday September 8, 2018 be approved, subject to all emergency service providers being notified and the applicant meeting all other conditions of the Town of Comox Road Permit.

Purpose:

To obtain Council permission for the temporary closure of a portion of Highridge Drive.

Strategic Plan Linkage:

Street closures fall under Council’s Core Service related to Strong Governance and Administration.

Background:

Ms. Paula Ives is requesting permission to close a portion of Highridge Drive for the purpose of holding a block party. The requested closure is to occur between 5:00 p.m. and 10:00 p.m. on Saturday September 8, 2018.

As a condition of the Road Permit, the applicant will be required to notify the Fire Department, BC Ambulance and the RCMP. Other conditions of the Permit will be noted on the Permit itself, which will be signed and issued by the Municipal Engineer.

RECEIVED

On file 5400-04
Copy R/R/SR/SA/A
AS

AUG 30 2018



TOWN OF COMOX - ROAD PERMIT

TOWN OF COMOX

FILE# 5400-02 04

APPLICANT INFORMATION:

Last Name: <u>Ives</u>		First Name: <u>Paula</u>	
Company Name:			
Address: <u>1520 Highridge drive</u>			
City: <u>Comox</u>	Province: <u>BC</u>	Postal Code: <u>V9M 4H7</u>	
Phone: <u>250-339-9109</u>	Fax:		
E-mail: <u>paulaives@shaw.ca</u>			
Contact: <u>Paula</u>	Work# <u>CV# 2416</u>	Home#	Cell# <u>250-897-2752</u>
Alternate Contact: <u>Paul</u>	Work# <u>25334</u>	Home#	Cell# <u>250-897-2557</u>

I hereby apply for permission to close a road to traffic in accordance with the following:

Location of Road Closure:	<u>Highridge Dr. end cut-off -</u>		
Purpose of Road Closure:	<u>Block party</u>		
Date of Road Closure:	From: <u>Sept 8/18 1700</u>	To:	<u>2200 same day</u>
Time of Road Closure:	From: <u>1700</u>	To:	<u>2200</u>
Type of Closure:	<input checked="" type="checkbox"/> Partial <input type="checkbox"/> Complete		

Sept 30/18
Date of Application

P. Ives
Applicant (sign here)

FOR OFFICE USE ONLY:

Applicant will notify the following:					
<input checked="" type="checkbox"/> Fire	<input type="checkbox"/> RCMP	<input type="checkbox"/> Ambulance	<input type="checkbox"/> CV Transit	<input type="checkbox"/> Min of Transportation	
<input type="checkbox"/> BC Hydro	<input type="checkbox"/> Fortis BC	<input type="checkbox"/> Telus	<input type="checkbox"/> Shaw TV	<input type="checkbox"/> Radio	<input type="checkbox"/> Newspaper
Applicant to provide the following:					
Good Neighbour Letter	<input type="checkbox"/> Provided	<input type="checkbox"/> Not Required			
Certificate of Insurance	<input type="checkbox"/> Provided	<input type="checkbox"/> On File			
Traffic Management Plan	<input type="checkbox"/> Provided	<input type="checkbox"/> Not Required			
Subject to the conditions of this Permit, this Road Permit is approved.					
Date _____			Municipal Engineer _____		

Town of Comox, Public Works Department
1390 Guthrie Road, Comox, BC, V9M 0A5 / Phone: 250-339-5410 / Fax: 250-890-0698



RECEIVED

Comox Valley Council
Cops for Cancer Tour de Rock
Comox Valley Dates & Logistics

AUG 22 2018

TOWN OF COMOX

To whom it may concern;

Thank you for your time regarding the Canadian Cancer Society Cops for Cancer. We will reach Comox Valley on 9/26/2018 and depart on 9/27/2018. As per communications with Shelly we were asked to provide a letter explaining our presence in Comox Valley on the aforementioned dates.

The Canadian Cancer Society Cops for Cancer Tour de Rock is partnership with the Canadian Cancer Society and the Vancouver Island Police. We have an agreement with all police departments on the island and they fully support and are involved in the planning of this event; including the Comox Valley RCMP.

This is Cops for Cancer, so we will be escorted by RCMP/IRSU police motorcycle escort. The group of riders will also be led by a police vehicle and flanked by two police vehicles as well. The route we choose will be determined by the RCMP motorcycle escort and we work closely with the local police who are part of this. The route we will take through the town has not been finalized as yet but I have attached last year's route and maps. The 2018 route will be almost identical.

The team rides at 25km per hour on average. Part of our agreement states that police officers conducting escort duties for the TDR will not exceed the posted speed limit unless required to do so for public and TDR rider safety. In any case where an officer exceeds the posted speed limit, the officer will be accountable for such decisions and actions under the Motor Vehicle Act, Motor Vehicle Act Regulations, and all other relevant statutes.

If you need any further information, please let us know.

Thank you for your time and support!

Jan Buehler



Jan Buehler
Manager Annual Giving, Vancouver Island
Canadian Cancer Society

Email jbuehler@bc.cancer.ca
Tel 250-592-2244 Cell 250-889-5621
101-1537 Hillside Ave
Victoria BC, BC V8T 2C1

Stop	Day	Date	Arrive @ stop	Mins @ stop	Depart Stop	Event/Location
41	CAMPBELL RIVER TO COMOX					
42	WED	27-Sep-17	7:45	45	8:30	Anchor Inn & Suites 261 Island Highway Campbell River, BC V9W 2B3 Breakfast at hotel
43	WED	27-Sep-17	8:30	15	8:45	Team Warm Up at front at Anchor Inn & Suites
44	WED	27-Sep-17	8:51	14	9:05	Ecole des Deux Mondes 851 7th Avenue
45	WED	27-Sep-17	9:12	1	9:13	Drive by at Campbell River Christian School, 250 S Dogwood St, Campbell River, BC V9W 6Y7 They will be on
46	WED	27-Sep-17	9:15	14	9:29	Pinecrest Elementary 300 S. Birch Street, Campbell River, BC, V9W 2S1
47	WED	27-Sep-17	9:43	14	9:57	Ecole Willow Point 250 Larwood Road, Campbell River, BC, V9W 1S4
48	WED	27-Sep-17	10:37	8	10:45	Oyster River Fire Hall, 2241 Catherwood Road, Black Creek, BC V9J 1J4
49	WED	27-Sep-17	10:52	14	11:06	Miracle Beach Elementary School, 8763 Paulsen Road, Black Creek
50	WED	27-Sep-17	11:34	10	11:44	Rest Stop - Merville Hall 1245 Fenwick Rd, Merville
51	WED	27-Sep-17	12:08	12	12:20	Comox Valley Dodge - 4847 Island Highway North, Courtenay
52	WED	27-Sep-17	12:30	12	12:42	Coast Capital Savings 100 - 382 Lerwick Road, Courtenay
53	WED	27-Sep-17	12:59	34	13:33	Boston Pizza 2633 Cliffe ave, Courtenay LUNCH
54	WED	27-Sep-17	13:43	14	13:57	Arden Elementary 3040 Lake Trail Road, Courtenay, BC, V9N 9M1
55	WED	27-Sep-17	14:00	14	14:14	Lake Trail Middle School 805 Willemar Avenue, Courtenay, BC, V9N 3L7
56	WED	27-Sep-17	14:15	15	14:30	Ecole Puntledge Park- 401 Willemar Ave, Courtenay,
57	WED	27-Sep-17	14:51	15	15:06	Aspen Co-Op Bar - 699 Aspen Drive, Comox
58	WED	27-Sep-17	15:07	120	17:07	The Holiday Inn Express, 2200 Cliffe Avenue Courtenay
59	WED	27-Sep-17	17:23	140	19:43	Red Serge Spaghetti Supper, Ecole au Couer de L'ile, 566 Linshart Rd, Comox RIDERS ARRIVE 5:45

Stop	Day	Date	Arrive @ stop	Mins @ stop	Depart Stop	Event/Location
COMOX TO QUALICUM						
60	THURS	28-Sep-17			8:00	The Holiday Inn Express, 2200 Cliffe Avenue Courtenay
62	THURS	28-Sep-17	8:23	25	8:48	Thrifty Foods 444 Lerwick Rd, Courtenay (Crown Isle Shopping Centre)
63	THURS	28-Sep-17	8:51	14	9:05	Valley View Elementary School NEW 2300 Valley View Drive, Courtenay, BC, V9N 9A3
64	THURS	28-Sep-17	9:16	14	9:30	Brooklyn Elementary School 1290 Guthrie Road
65	THURS	28-Sep-17	9:38	14	9:52	Airport Elementary School PO Box 40, 1475 Salmonberry Drive, Lazo, BC V0R 2K0
66	THURS	28-Sep-17	10:46	14	11:00	Cumberland Community School - 2674 Windermere Ave., Cumberland
67	THURS	28-Sep-17	11:18	14	11:32	Royston Primary - 3830 Warren Ave, Royston
68	THURS	28-Sep-17	11:52	15	12:07	Union Bay Community Hall - 5401 S. Island Hwy
69	THURS	28-Sep-17	13:09	12	13:21	Bowser rest stop Credit Union
70	THURS	28-Sep-17	14:14	12	14:26	Qualicum Glassford Square 660 Primrose
71	THURS	28-Sep-17	14:26	40	15:06	Bailey's Cafe(in Qualicum Town Square) - 670 Primrose
72	THURS	28-Sep-17	15:41	12	15:53	Thrifty Foods - 280 Island Highway, Parksville
73	THURS	28-Sep-17	15:57	140	18:17	Bayside Inn-240 Dogwood Street, Parksville
74	THURS	28-Sep-17	18:17	130	20:27	Bayside Inn- Beer n Burger 6PM

RECEIVED

AUG 21 2018

TOWN OF COMOX



GREEN COMMUNITIES
COMMITTEE

Ref: 238248

August 15, 2018

His Worship Mayor Paul Ives and Councillors
Town of Comox
1809 Beaufort Ave
Comox BC V9M 1R9

LOG: 18-218	REFER:	AGENDA: Rat Sept. 5 '18
FILE: 5280-01	ACTION: file	

onc file
copy - Mayor & Council
RK/SR/MK/SA/AF/TH/GS/CF
agenda

Dear Mayor Ives and Councillors:

On behalf of the joint Provincial-Union of British Columbia Municipalities (UBCM) Green Communities Committee (GCC), we would like to extend our congratulations for successfully achieving your goal of corporate carbon neutrality for the 2017 reporting year.

As a signatory to the Climate Action Charter, you have demonstrated your commitment to work with the Province of British Columbia and UBCM to take action on climate change and to reduce greenhouse gas emissions in your community and corporate operations.

The work that your local government has undertaken to reduce and offset its corporate emissions demonstrates significant climate leadership and sets the stage for broader climate action in the community. Your leadership and commitment continues to be essential to ensuring the achievement of our collective climate action goals.

The GCC was established under the Charter to support local governments in achieving their climate goals. In acknowledgement of the efforts of local leaders, the GCC is again recognizing the progress and achievements of local governments such as yours through the multi-level Climate Action Recognition Program. A description of this program is enclosed for your reference.

As a Charter signatory who achieved Level 1, Level 2 and Level 3 recognition, and additionally met the goal of corporate carbon neutrality for the 2017 reporting year, you have been awarded Level 4 recognition – 'Achievement of Carbon Neutrality'.

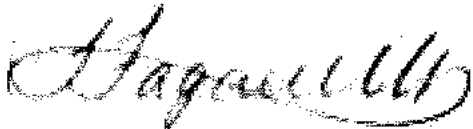
In recognition of your significant achievements, the GCC is pleased to provide you with carbon neutral branding for use on official websites and letterheads. An electronic file with the 2017 logo will be provided to your Chief Administrative Officer via email. Also enclosed is a *BC Climate Action Community 2017 – Climate Leader - Carbon Neutral* window decal, for use on public buildings.

.../2

Mayor Ives and Councillors
Page 2

Congratulations again on your continually improving achievement. We applaud your leadership and wish you continued success in your ongoing commitment to the goal of corporate carbon neutrality, and your efforts to reduce emissions in the broader community.

Sincerely,



Tara Faganello
Assistant Deputy Minister
Local Government Division
Ministry of Municipal Affairs and Housing



Gary MacIsaac
Executive Director
Union of British Columbia Municipalities

Enclosures



GCC Communiqué on the Climate Action Recognition Program

B.C. local governments continue to play a critical role in reducing GHG emissions across the province. In acknowledgment of the ongoing efforts of B.C. local government leaders, the joint Provincial-UBCM Green Communities Committee (GCC) is pleased to continue the Climate Action Recognition Program (*Recognition Program*) for the 2017 reporting year. This multi-level program provides the GCC with an opportunity to review and publicly recognize, on an annual basis, the progress and achievements of each Climate Action Charter (*Charter*) signatory on their *Charter* commitments. Recognition is provided according to the following:

Level 1: Demonstrating Progress on Charter Commitments

Local governments who demonstrate progress on fulfilling one or more of their *Charter* commitments receive a letter from the GCC acknowledging their accomplishments.

Level 2: Measuring GHG Emissions

Local governments that achieve level 1, have completed a corporate carbon inventory for the reporting year and demonstrate that they are familiar with their community's community energy and emissions inventory receive a letter from the GCC and a 'BC Climate Action Community 2017' logo, for use on websites, letterhead, etc.

Level 3: Accelerating Progress on Charter Commitments

Local governments that achieve levels 1 and 2 and demonstrate significant corporate or community-wide climate action to reduce GHG emissions in the reporting year receive a letter from the GCC and a 'BC Climate Action Community 2017 – Climate Leader' logo, for use on websites, letterhead, etc.

Level 4: Achievement of Carbon Neutrality

Local governments that achieve carbon neutrality in the reporting year receive a letter from the GCC and a 'BC Climate Action Community 2017 – Climate Leader - Carbon Neutral' logo, for use on websites, letterhead, etc.

To be eligible for the *Recognition Program*, local governments must fulfill the public reporting requirements (including reporting progress to carbon neutrality) of the Climate Action Revenue Incentive Program (CARIP). Recognition levels for the *Recognition Program* are based on the information included in each local government's annual CARIP public report. For more information on CARIP and the public reporting requirements go to:

<https://www2.gov.bc.ca/gov/content/governments/local-governments/grants-transfers/climate-action-revenue-incentive-program-carip>

Poppy Co-Chair
Royal Canadian Legion Br 160.

250 702-8448
kent.gulliford@icloud.com