



TOWN OF COMOX

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

REGULAR COUNCIL MEETING **AGENDA FOR WEDNESDAY NOVEMBER 21, 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:

- (7) a. [Charlene Gray \(C.V. Early Years Collaborative\) & Natalie Robinson \(Child Care Planning Committee\) Creating a Valley wide child care plan](#)

2. MINUTES OF MEETINGS:

- (10) a. [Regular Council Meeting Minutes](#)
That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday October 3, 2018, be Approved.
- (15) b. [Special \(Inaugural\) Council Meeting Minutes](#)
That the Minutes of the Special Council Meeting, held in Council Chambers on Wednesday November 7, 2018, be Approved.
- (19) c. [Committee of the Whole Meeting Minutes](#)
That the Minutes of the Committee of the Whole Meeting, held in Council Chambers on Tuesday November 13, 2018, be Received.

3. COMMITTEE REPORTS: NIL

4. UNFINISHED BUSINESS:

- (20) a. [Management Report - November 21, 2018](#)
That the Management Report for November 21, 2018 be received and filed for information.
- (21) b. [Council Remuneration - Loss of Municipal Officers' Expense Allowance](#)
 1. *That the Comox Council Remuneration and Expense Bylaw, 2006 be updated in order to increase the Mayor's annual remuneration by 14% to \$38,384 and each Councillors' annual remuneration by 14% to \$20,230.*
 2. *That Comox Council Remuneration Bylaw No. 1905, 2018 be given First, Second and Third Readings.*

- (29) c. [Modification of Mack Laing Trust](#)

Direction requested.

5. SPECIAL REPORTS:

- (93) 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, October 2, 2018.
- Comox Valley Regional District (Comox Strathcona Waste Management) Board held on Thursday, October 11, 2018.
- Comox Strathcona Regional Hospital District Board held on Thursday, October 11, 2018.

6. BYLAWS: NIL

7. NEW BUSINESS:

- (109) a. [Development Variance Permit Application: DVP 18-9 \(355 Victoria Court\) Secondary Suite](#)

That Development Variance Permit DVP 18-9 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 21, 2018 Planning Report on DVP 18-9.

- (121) b. [Development Variance Permit Application: DVP 18-11 \(1954 Marten Avenue\) Secondary Suite](#)

That Development Variance Permit DVP 18-11 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 21, 2018 Planning Report on DVP 18-11.

- (135) c. [Development Variance Permit Application: DVP 18-13 \(1824 Robb Avenue\) Secondary Suite](#)

That Development Variance Permit DVP 18-13 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 21, 2018 Planning Report on DVP 18-13.

- (148) d. [Proposed 2019 Annual Flat Rate for Water Increase](#)

1. *That the annual flat rate for water be increased by \$12 to \$387 per year (\$32.25 per month) for each residential and commercial customer for the 2019 calendar year.*
2. *That Bylaw No. 1904, Comox Water Rates and Regulations Bylaw Amendment No. 25, 2018, be given First, Second and Third Readings.*

8. CORRESPONDENCE:

- (151) a. [Mike Corkish \(d'Esterre Seniors' Centre Association\) Safety concerns around d'Esterre Seniors' Centre, Reduce Speed on Wilcox to 30 Km/h.](#)

- (153) b. [J-Kris Nielsen \(Mack Laing Heritage Society\) Tarp roof and create time for negotiations](#)

- (159) c. [Angela Peterson - Support for DVP 18-11 \(1954 Marten Ave\)](#)

- (160) d. [Brad Mielke & Delphine Guerineau - Support for DVP 18-11 \(1954 Marten Avenue\)](#)

TOWN OF COMOX**REGULAR COUNCIL MEETING AGENDA OF WEDNESDAY NOVEMBER 21, 2018**

- (161) e. [Christopher & Patti Burton - Support for DVP 18-9 \(355 Victoria Court\)](#)
- (164) f. [Gaetane Palardy - Support for DVP 18-13 \(1824 Robb Avenue\)](#)
- (165) g. [CVAC Director Re-Appointment - Martin Crilly](#)
- (166) h. [Local Government Leadership Academy - Elected Officials Seminar](#)

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

SEP 25 2018

TOWN OF COMOX

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: Charlene Gray, Natalie Robinson

Organization you are representing: C.V Early Years Collaborative, Child Care Planning Committee

Primary purpose of Organization: Supporting Children and families Number of members: approx 30

Mailing address: 237 3rd st

City: Courtenay Postal Code:

Contact name: Charlene Gray Email: cggray@shaw.ca

Phone: 250-218-3809 Fax:

Subject matter: Creating a Valley wide child care plan with the support of the CV Child

Care planning committee

Specific request of Council, if any (i.e., letter of support, funding): request council to collaborate
with other Valley municipalities to apply for funding from MCFD. This funding was announced at the

UBCM and is intended to support the creation of community-specific child care plans

Requested meeting and date: Any time after Oct 4/18

Audio-visual equipment required: screen for a power point presentation

Date of application: Sept 25/18 Signature of applicant: Charlene Gray

or Print Name: Charlene Gray

Please Note:

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

LOG: 18-322	REFER:	AGENDA: COW
FILE: 0550-20	ACTION: file	Nov. 14

on file
copy in RR/SR/agenda

Twyla Slonski

From: CHARLENE GRAY <cggray@shaw.ca>
Sent: October 24, 2018 8:50 AM
To: council
Subject: Briefing note for Mayor and Council
Attachments: Briefing note on child care Comox.docx

RECEIVED

October 24, 2018

TOWN OF COMOX

Good morning Mayor and Council,

Please find attached a Briefing Note on Child Care presented on behalf of the Comox Valley Child Care Planning Committee. Our group will appear as a delegation to Council on November 14/2018. We are asking that this document be sent to the newly elected Mayor and Council in advance of our presentation.

Please do not hesitate to contact me should you require any further information.

kind regards,

Charlene Gray, Comox Valley Child Care Planning Committee
 Comox Valley Early Years Collaborative

cggray@shaw.ca ph 250-218-3809

LOG: 18-332	REFER:	AGENDA:
FILE: 0550-20	ACTION: MR	CoW Nov. 14

o ~ cfile

copy ~ Mayor & Council Elect
 RK / SR / agenda

Child Care in the Comox Valley: A community perspective

Presented by the Comox Valley Early Years Collaborative (CVEYC)
Child Care Planning Committee

Who we are: the CVEYC is a working group of early years professionals who gather to share information and create opportunities for agencies to work together to ensure young children and their families thrive. We believe that affordable, accessible, quality childcare is a necessity and is an important part of a healthy community.

The reality: As in every community, child care in the Comox Valley is in crisis. Fees are unaffordable and spaces are too few. Operators struggle to meet the growing and diverse needs of families at a time when more and more young families are moving to the Comox Valley. Programs struggle to attract and retain educated staff and to meet high operating costs. While the problems facing child care may be universal, the solutions are not. There is no one-size-fits-all answer to providing high quality, affordable, accessible child care and preschool. The key lies in the development of a community plan that is responsive to and reflective of the needs, desires and cultural strengths of the Comox Valley. This plan can only be helpful if it is created within a collaborative framework that is inclusive of all three municipalities and the regional district that represent the diverse population of Valley communities.

The Opportunities: The Ministry of Children and Family Development has made Community Child Care Planning grants available to municipalities to work with local stakeholders to understand what is needed in their community in order to meet the needs of young children and their families. These plans will become the blue print for moving forward that is representative of the Comox Valley. Rather than each municipality applying for these funds individually, we recommend that you work together to create a strong, sustainable plan that will create long term solutions.

Our Recommendations:

That Comox Council support an integrated community child care plan for the Comox Valley.
That the Town of Comox designate a representative to the CVEYC Child Care Planning Committee.

That Town of Comox staff work with CVEYC and other municipalities to access available grant funding from the Ministry of Children and Family Development.

Together We can create a healthy child care system that supports young children and their families in the Comox Valley.

valleychild.ca

TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday October 3, 2018

Present: Acting 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.

There were 9 visitors in attendance.

1. DELEGATIONS:

- a. **Bob Hudson (McElhanney Consulting Services Ltd) NE Comox Storm Water Management Plan**

NE Comox Storm Water Management Plan

Mr. Hudson gave a brief update of the Northeast Comox Storm Water Management Plan and advised that the principles have now been implemented in two separate projects in the Town - Anandia Labs and Silversmith Place.

- b. **Nattanya Birkhaven & Pamela Calcutt (Quadra Gardens) Parking**

Quadra Gardens Parking

Residents of Quadra Gardens at 1742 Beaufort Avenue advised that they are concerned with the lack of parking at their building. They stated that the building has 29 units and only 7 parking spots. They advised that the users of the Lion's Den take up all of the available parking near their northern entrance plus the 15 minute loading zone. They requested that the Town assign the 8 spots at their northern entrance plus the 15 minute loading spot for Quadra Garden residents only.

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 September 19, 2018, be Approved.

(2018.248) -- CARRIED

- b. **Special Council Meeting Minutes**

Special Council Meeting Minutes

That the Minutes of the Special Council Meeting, held at d'Esterre Seniors Centre on Wednesday September 19, 2018, be Approved.

(2018.249) -- CARRIED

- c. **Committee of the Whole Meeting Minutes**

COW Minutes

That the Minutes of the Committee of the Whole Meeting, held in Council Chambers on Wednesday September 26, 2018, be Received.

(2018.250) -- CARRIED

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

COMMITTEE RECOMMENDATIONS:

- (1) McLeod Street and Douglas Street Infrastructure Improvement Project

McLeod / Douglas Streets

That staff be directed to re-tender the construction works of McLeod and Douglas Street Infrastructure Improvement Project in early 2019, and to increase the project budget to \$382,000 (\$274,502 Water Reserve, \$30,498 Water DCC and \$77,000 General Revenue).

(2018.251) -- CARRIED

- (2) K'ómoks First Nation Signage

K'ómoks First Nation Signage

That the initiative to explore with the K'ómoks First Nation, the feasibility of developing appropriate signage to acknowledge that the Town of Comox is located in the traditional territory of the K'ómoks First Nation and that the Town takes its name from the K'ómoks First Nation, be referred to the CAO to discuss the matter with the K'ómoks First Nation.

(2018.252) -- CARRIED

d. Special Council Meeting Minutes

Special Council Meeting Minutes

That the Minutes of the Special Council Meeting, held in Council Chambers on Wednesday September 26, 2018, be Approved.

(2018.253) -- CARRIED

3. COMMITTEE REPORTS: NIL

5. UNFINISHED BUSINESS:

a. Management Report - October 3, 2018

Management Report

That the Management Report for October 3, 2018 be received and filed for information.

(2018.254) -- CARRIED

b. Planning Report: PR 18-5 NE Comox Storm Water Management Plan Development Phase 3 Report - Revision 4 Issued September 2018

NE Comox Storm Water Management Plan

1. *That the October 3, 2018 Planning Report on PR 18-5 be received; and further, that the North East Comox Neighbourhood Stormwater Management Plan - Phase 3 of 3 Report, Revision 4 issued September 2018 as contained in Attachment 1 of the October 3, 2018 Planning Report on PR 18-5 be received.*

(2018.255) -- CARRIED

6. SPECIAL REPORTS:

a. Comox Valley Regional District Meeting Minutes

CVRD Meeting Minutes

*That the following Comox Valley Regional District meeting minutes be received for information:
- Comox Valley Regional District Board held on Tuesday, September 18, 2018.*

(2018.256) -- CARRIED

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

7. BYLAWS:

a. Comox Permissive Tax Exemption Bylaw No. 1900, 2018

2019 Permissive Tax Exemptions

That Comox Permissive Tax Exemption Bylaw No. 1900, 2018 be Adopted.

(2018.257) -- CARRIED

8. NEW BUSINESS:

a. Council and Committee Meeting Schedule for October 2018

October Council Meetings

The September 13, 2018 Report from the Deputy Corporate Administrator, titled Council and Committee Meeting Schedule for October 2018, was received for information.

b. Planning Report PR 18-14 CVRD Referral - Regional Growth Strategy Bylaw Amendment No. 1

RGS Amendment

1. *That the September 24, 2018 letter from Chair Bruce Jolliffe of the Comox Valley Regional District, referring for acceptance, Regional Growth Strategy Bylaw No. 120, Amendment No. 1 be received.*

(2018.258) -- CARRIED

2. *That Comox Valley Regional District Bylaw No. 539 being "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No.1" be received.*

(2018.259) -- CARRIED

3. *That having received "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No.1" and having received the October 3, 2018 Planning Report on PR 18-14, and in accordance with Section 436(4)(a) of the Local Government Act, Council has reviewed the bylaw in the context of any official community plans and regional growth strategies for its jurisdiction, both those that are current and those that are in preparation, and in the context of any other matters that affect its jurisdiction.*

(2018.260) -- CARRIED

4. *That Council accept "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010, Amendment No. 1".*

(2018.261) -- CARRIED

9. CORRESPONDENCE: NIL

10. LATE ITEMS: NIL

11. DELEGATIONS: NIL

12. REPORTS FROM MEMBERS OF COUNCIL:

a. Councillor Swift

Councillor Swift advised that, other than campaigning and attending many non-Council events, she attended the Pickleball photo opportunity.

b. Councillor Arnott

Councillor Arnott advised that he attended the Vital Signs launch.

c. Councillor Ken Grant

Councillor Grant advised that he attended a Special Regional District meeting on 3L Developments and the regular Regional District board meeting.

TOWN OF COMOX - REGULAR COUNCIL MEETING MINUTES

d. Councillor Marg Grant

Councillor Marg Grant advised that this is her last meeting of Council, that she wanted to thank staff and Council members, and that she has had a wonderful experience. She also advised that she has thoroughly enjoyed herself and has learned a lot.

e. Councillor MacKinnon

Councillor MacKinnon advised that he attended:

- the Vancouver Island Library board meeting,
- a Community Justice Centre meeting,
- a function at the Comox Legion for the ATV Club and YANA,
- the Cumberland Peace Park Red Dress Campaign,
- the 2018 Vital Signs Report Launch,
- the Chamber of Commerce Mixer,
- the Courtenay Mayoralty Candidates Q&A session, and
- a Homelessness Coalition meeting.

Councillor MacKinnon also mentioned that he has had a wonderful eight years giving back to the community, and wished all candidates running in the election well.

f. Councillor Price

Councillor Price advised that she attended:

- the Regional District board and special board meeting on 3L Developments,
- a Comox Archives and Museum Society meeting,
- the Regional District water committee meeting, and
- the signing ceremony regarding the KFN mutual benefit agreement.

Councillor Price also thanked Council and advised that it has been wonderful working with everyone.

Mayor Ives

Mayor Ives advised that he attended the Union of BC Municipalities Conference and then was away on vacation for two weeks. He advised that he attended the Pickleball photo opportunity and met with resident of the Claddagh Estates neighbourhood. Mayor Ives also advised that it has been his pleasure to work with Council and that they have accomplished a lot. He gave his best wishes to all and good luck to those running in the election.

15. 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 October 3, 2018, pursuant to the following sections of the Community Charter:

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

(2018.262) -- CARRIED

Adjournment:

Regularly moved and seconded that the meeting adjourn at 6:28 p.m.

CARRIED

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

MAYOR

CORPORATE OFFICER

TOWN OF COMOX
Minutes of the Special (Inaugural) Council Meeting,
held in Council Chambers on Wednesday November 7, 2018

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

Absent: Nil

The Agenda was Adopted.

There were 35 visitors in attendance.

1. CALL TO ORDER:

a. Call to Order - Richard Kanigan, CAO/Corporate Administrator

Call to Order

Richard Kanigan, CAO/Corporate Administrator, called the meeting to order.

2. OATHS OF OFFICE:

a. Oaths of Office

Oath of Office

Mr. Paul R. Ives, Q.C. (Commissioner for Taking Affidavits for BC) administered Oaths of Office to Mayor-Elect Russell John Arnott, Councillor-Elect Alexandra Bissinger, Councillor-Elect Kenneth John Grant, Councillor-Elect Stephanie Kathryn McGowan, Councillor-Elect Patrick Joseph McKenna, Councillor-Elect Nicole Brianne Minions and Councillor-Elect Maureen Elizabeth Swift.

3. INAUGURAL ADDRESS:

a. Mayor's Inaugural Address

Inaugural Address

Mayor Arnott read out the following address to Council and the members of the public:

We respectfully acknowledge that we live, work and play on the traditional lands of the K'omoks First Nation. Gila'kasla, Hay ch q' a' – a warm welcome to guests, friends and family members.

Congratulations to our newly elected Council – welcome back to incumbent Councillors Ken Grant and Maureen Swift; and a warm welcome to newly and never before elected Councillors Alex Bissinger, Stephanie McGowan, Nicole Minions and Pat McKenna. Our special thanks go out to retiring councillors Marg Grant, Barbara Price and Hugh MacKinnon and to Mayor Ives for their dedication and commitment to Comox for so many years. We honour their dedicated service to our community and, in particular, their role, expertise and wealth of experience while serving the citizens of Comox.

During the campaign one item that I spoke about was the Town's asset management plan and how this leads us toward future fiscal sustainability. I spoke about the infrastructure, the equipment and various assets that feed into our plan. Today I want to acknowledge our most important asset; our employees. Comox is very fortunate to have a group of individuals who want to make our town better. There is no one person that makes us who we are. We work

TOWN OF COMOX - SPECIAL (INAUGURAL) COUNCIL MEETING MINUTES

a. Mayor's Inaugural Address

Inaugural Address

together as a team, my commitment is not only to the residents of Comox but to all of you who work here and I thank you for your commitment to us.

My campaign allowed me to get out and talk with many people and I heard the message loud and clear that we are heading in the right direction. Comox will retain its charm and we will balance the growth that is knocking. We will continue to be part of the environment we love so much and we will work together to ensure our unique community prospers.

As we start these next four years together I want to reiterate my pledge of transparency and open communications. As Council this is the first step towards a unified group that is tasked with steering Comox to the future. You are the leaders in our community and we work for the residents and businesses of Comox. Communication and respect between us at this table and those in our community is key.

Over this 4 year term we will ensure our official community plan keeps us on the path to the future; we will review our transportation plan; we will continue the enhancements and vitalization to our Marina Park and downtown area and we will ensure we stay open for business opportunities that will enhance the charm of Comox.

There is still work to do. With a strong Council and dedicated staff our momentum will not only continue but will get stronger. Thank you all very much and I look forward to working with each of you.

4. APPOINTMENTS:

a. Appointments to Boards and Committees for 2018/2019

Board / Committee Appointments

That the following appointments be made to Boards and Committees for the year 2018/2019:

Comox Archives & Museum Society (CAMS) - Councillor Stephanie McGowan (Councillor Nicole Minions, alternate);

Comox Business in Action (BIA) - Mayor Russ Arnott (Councillor Ken Grant, alternate);

Comox Golf Club - Clive Freundlich, staff;

Comox Nautical Days - Councillor Pat McKenna (Councillor Alex Bissinger, alternate);

Comox/Strathcona Regional Solid Waste Management & Regional Hospital District – Councillor Alex Bissinger and Councillor Nicole Minions (Councillor Kent Grant and Councillor Maureen Swift, alternates);

Comox Valley Community Justice Centre - Councillor Pat McKenna (Councillor Alex Bissinger, alternate);

Comox Valley Economic Development Society (CVEDS) - Mayor Russ Arnott (Councillor Ken Grant, alternate);

Comox Valley Harbour Authority - Allan Fraser, staff;

Comox Valley Regional District (CVRD), including Comox Valley Water Committee and Comox Valley Sports Commission - Councillor Ken Grant and Councillor Maureen Swift (Mayor Russ Arnott, Councillor Alex Bissinger, Councillor Nicole Minions, Councillor Stephanie McGowan and Councillor Pat McKenna, alternates);

TOWN OF COMOX - SPECIAL (INAUGURAL) COUNCIL MEETING MINUTES

a. Appointments to Boards and Committees for 2018/2019

Board / Committee Appointments

Comox Valley Sewer Commission - Mayor Russ Arnott, Councillor Ken Grant and Councillor Maureen Swift (Councillor Alex Bissinger, Councillor Nicole Minions and Councillor Pat McKenna, alternates);

d'Esterre Seniors Centre - Councillor Stephanie McGowan (Councillor Pat McKenna, alternate);

Filberg Heritage Lodge & Park Association (FHLPA) - Councillor Maureen Swift (Councillor Alex Bissinger, alternate);

Integrated Regional Transportation Select - Councillor Alex Bissinger (Councillor Stephanie McGowan, alternate); and

Vancouver Island Regional Library (VIRL) - Councillor Nicole Minions (Councillor Pat McKenna, alternate).

(2018.263) -- CARRIED

b. Acting Mayor Roster

Acting Mayor Roster

That the following be appointed as Acting Mayor for the year 2018/2019:

*Councillor Alex Bissinger
Councillor Ken Grant
Councillor Stephanie McGowan
Councillor Pat McKenna
Councillor Nicole Minions
Councillor Maureen Swift*

(2018.264) -- CARRIED

c. Signing Authority for 2018/2019

Signing Authority

That the following be appointed as having signing authority for the year 2018/2019:

*Mayor Russ Arnott
Councillor Ken Grant
Councillor Maureen Swift
Richard Kanigan
Clive Freundlich
Shelly Russwurm*

(2018.265) -- CARRIED

5. COUNCIL MEETING SCHEDULE:

a. 2018/2019 Council Meeting Schedule

Council Meeting Schedule

That the 2018/2019 Council Meeting Schedule, as included in the November 7, 2018 Special (Inaugural) Council Meeting Agenda, be approved.

(2018.266) -- CARRIED

TOWN OF COMOX - SPECIAL (INAUGURAL) COUNCIL MEETING MINUTES

6. ELECTION RESULTS:**a. 2018 Report of Election Results****2018 Election Results**

That the report titled "2018 Report of Election Results" from the Chief Election Officer, as included in the November 7, 2018 Inaugural Council Meeting Agenda, be received and filed for information.

(2018.267) -- CARRIED

Adjournment:

Regularly moved and seconded that the meeting adjourn at 5:49 p.m.

CARRIED

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

MAYOR

CORPORATE OFFICER

TOWN OF COMOX
Minutes of the Committee of the Whole Meeting,
held in Council Chambers on Tuesday November 13, 2018

Present: Mayor R. Arnott
 Councillors A. Bissinger, K. Grant, S. McGowan,
 M. Swift

Absent: P. McKenna, N. Minions

Call to Order:

The meeting was called to order at 4:00 p.m.

The Agenda was Adopted.

1. 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 Closed Committee of the Whole Meeting on Tuesday November 13, 2018, pursuant to the following sub-section of the Community Charter:

90(1)(l) discussions with municipal officers and employees respecting municipal objectives, measures and progress reports for the purposes of preparing an annual report under section 98 [annual municipal report].

CARRIED

Adjournment:

Regularly moved and seconded that the meeting adjourn at 2:12 p.m. on Wednesday November 14, 2018

CARRIED

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

CHAIR

TOWN OF COMOX – MANAGEMENT REPORT November 21, 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 the first half of 2018 continued to climb slightly, by 2.0% compared to the first half of 2017. 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	Final document received. Storm Water Management Plan accepted by Council at its October 3 RCM. Implementation process underway.
4.	Jan 18, 2017	Mack Laing Trust	That staff be directed to begin the process to modify, if necessary, the terms of the Trust.	Mack Laing Heritage Society granted intervener status, rather than standing, and submitted a Business Plan for the new Council's consideration. Staff seeking clarification on next steps.
7.	August 2, 2017	Wayfinding Signage	Develop wayfinding signage standards, prototypes and implement Phase 1 signage	Project eligible for Community Works Funds. Directional fingerboards expected to be up by Christmas followed by primary and interpretive sign placement.

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



TOWN OF COMOX

REGULAR COUNCIL MEETING

A1**A2****A3**

STAFF REPORT

Meeting Date: November 21, 2018

TO: Mayor and Council	FILE: 0530-01
FROM: Shelly Russwurm, Deputy Corporate Administrator	DATE: Nov. 16, 2018
SUBJECT: Loss of Municipal Officers' Expense Allowance	

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

Recommendation from the Chief Administrative Officer:

1. That the Comox Council Remuneration and Expense Bylaw, 2006 be updated in order to increase the Mayor's annual remuneration by 14% to \$38,384 and each Councillors' annual remuneration by 14% to \$20,230.
2. That Comox Council Remuneration Bylaw No. 1905, 2018 be given First, Second and Third Readings.

Purpose

To inform Council of an upcoming change to the accounting rules for Mayor and Councillor remuneration, and provide for a change in remuneration that will respond to the new rules.

Strategic Plan Linkage

This topic relates to Council's core services of *Strong Governance and Administration* and *Financial Management and Accountability*, as identified in its current Strategic Plan.

Background

Council's 2018 remuneration is as follows:

- Mayor - \$33,628
- Councillor - \$17,724

Pursuant to subsection 81(3) of the federal Income Tax Act, portions of a municipal officers' remuneration – that is, amounts that are considered expenses related to the discharge of their duties – are exempt from income tax. In the Town of Comox, the Comox Council Remuneration and Expense Bylaw, 2006 states that, "one-third (1/3) of the remuneration authorized for Mayor and Councillor shall be deemed to be an allowance for expenses incidental to the discharge of the duties of an Elected Municipal Office", meaning that one-third of the remuneration for Mayor and Councillors is exempt from income tax.

In the 2017 federal budget, it was announced that the exemption allowance for expenses related to the discharge of duties would be eliminated, leaving Council remuneration fully taxable. The net effect of this is that after-tax remuneration will be reduced. By how much is dependent on each Council member's individual tax bracket.

Discussion

As mentioned above, the effect of the change in tax rules will reduce Council's after-tax income. The reduction will depend on each Council member's total annual income from all sources.

In order to account for the loss of the expense allowance (and based on a 30% tax bracket for each member of Council), remuneration in 2019 would need to rise by approximately 14% for each, as follows:

	2018 Remuneration	Amount to account for loss in exemption allow- ance (14% increase)	2019 Remuneration
Mayor	\$33,628	\$4,756	\$38,384
Councillor	\$17,724	\$2,506	\$20,230

Adjusting Mayor and Councillor remuneration will impact the overall Council Salary budget, currently set at approximately \$140,000 for 2018. A 14% increase in Council remuneration budget would result in an increase of approximately \$19,500, increasing the overall budget to nearly \$160,000.

However, the added financial cost of moving to a fully taxable pay system would be outweighed by other benefits, such as supporting openness and transparency, fairness, direct comparison, and ease of understanding to the public. It would also provide clarity to election candidates, and compensation sufficient enough to attract a broad representation of quality candidates.

At its Regular Meeting of August 1, 2018, Council passed the following resolution with respect to this issue:

"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."

Since then, staff have obtained a copy of an independent survey of similar sized municipalities (median population of 13,000), conducted for the Town of View Royal, attached to this report. Of those that stated a decision to adjust remuneration had been made, the approximate increase is similar to the 14% increase that staff recommended in its report on this issue this summer.

Staff are respectfully recommending that the remuneration for each of Mayor and Councillor be increased by 14% for 2019. Also attached to this report is a proposed bylaw that will implement the changes.

TOWN OF VIEW ROYAL

**SURVEY REPORT ON COUNCIL
REMUNERATION**

JULY 2018

Thank you for your participation in this survey. I hope that the results are helpful to you.

Dugal Smith, CMC
Burnaby, BC

Dugal Smith & Associates
(604) 299-7977
dugal.smith@telus.net

COUNCIL REMUNERATION SURVEY REPORT

This report summarizes the results of a survey of Council remuneration carried out in June 2018.

Community	Mayor's Remuneration \$	Councillors' Remuneration \$	Ratio Councillor to Mayor's Remuneration	Acting Mayor Pay	Annual Updating	Plans for 2019 Council Remuneration
Central Saanich	\$31,668	\$13,912	44%	-	✓ (1)	Mayor 9.9% increase; Councillors 10.0% increase
Colwood	27,023	13,512	50%			
Comox	33,628	17,724	53%	-		Internal report to Council planned
Cumberland	17,553	9,436	54%	-		2019 remuneration under review
Duncan	28,328	14,093	50%	\$388/yr.		No decision
Esquimalt	49,236	19,695	40%	\$82/mo.	✓ (2)	Mayor \$57,600; Councillor \$23,010
Gibsons	32,772	16,000	49%	\$100/mo.	✓ (1)	No decision
Highlands	12,500	7,500	60%	-	✓ (1)	Mayor 25% increase; Councillors 25% increase
Lake Cowichan	21,224	12,733	50%	-		Plan to retain a consultant before election
Langford	36,700	17,250	48%	\$4,850 for 6 months	✓ (1)	No decision
Metchosin	23,327	13,784	59%	-		No decision
North Saanich	27,587	13,794	50%	-		Increase of \$2000 to each member of Council on Jan 1, 2019 (i.e. 14.5% for Councillor)
Oak Bay	29,833	12,660	42%	-	✓ (1)	Will be asking staff for recommendation
Parksville	36,020	14,961	42%	10% premium for time served (\$125/mo.)		11% increase for Mayor and 10.5% for Councillors on Jan 1, 2019
Port Alberni	40,431	17,919	44%	-		Plan to use a community committee for 2019 remuneration
Saanich	101,106 ⁽³⁾	40,618 ⁽³⁾	40%	-		

(1) Annual increase in the Victoria CPI

(2) Annual increase in the Victoria CPI with a minimum of 2%

(3) 2017 data

COUNCIL REMUNERATION SURVEY REPORT (cont'd)

Community	Mayor's Remuneration \$	Councillors' Remuneration \$	Ratio Councillor to Mayor's Remuneration	Acting Mayor Pay	Annual Updating	Plans for 2019 Council Remuneration
Sidney	35,057	14,003	40%	-	✓	Mayors increase \$2203; Councillors increase \$976; Are using a marginal tax rate of 20%;
Sooke	20,321	10,160	50%	-		No decision
Tofino	21,148	12,243	58%	-		No decision
Victoria	106,458	42,583	40%	-	✓ (1)	Taxing full remuneration since 2009; No change
Average (4)	\$29,131	\$13,966	48%			
Median (4)	\$29,081	\$13,853	48%			
View Royal	\$26,769	\$12,834	48%		✓ (1)	

(1) Annual increase in the Victoria CPI
 (2) Annual increase in the Victoria CPI with a minimum of 2%
 (3) 2017 data
 (4) Excludes Saanich and Victoria remuneration

COUNCIL REMUNERATION PARTICIPANTS

The following communities participated in the Council remuneration survey.

Community	Population (2016 Census)	Expenditures (2016)	Expenditures per Capita (2016)	Area Hectares
Central Saanich	16,814	\$25.1M	\$1,493	3,861
Colwood	16,859	\$20.4M	\$1,210	1,474
Comox	14,028	\$18.6M	\$1,326	910
Cumberland	3,753	\$5.6M	\$1,492	2,862
Duncan	4,944	\$8.4M	\$1,699	102
Esquimalt	17,655	\$32.3M	\$1,830	932
Gibsons	4,605	\$8.1M	\$1,759	318
Highlands	2,225	\$2.8M	\$1,258	2,052
Lake Cowichan	3,226	\$4.3M	\$1,333	742
Langford	35,342	\$46.8M	\$1,324	1,240
Metchosin	4,306	\$4.6M	\$977	6,800
North Saanich	11,249	\$15.9M	\$1,413	3,029
Oak Bay	18,094	\$35.8M	\$1,979	1,031
Parksville	12,514	\$17.8M	\$1,422	904
Port Alberni	17,678	\$37.0M	\$2,093	1,218
Saanich	114,148	\$174.5M	\$1,529	6,481
Sidney	11,672	\$19.1M	\$1,636	300
Sooke	13,001	\$12.8M	\$985	5,810
Tofino	1,932	\$6.3M	\$3,261	1,099
Victoria	85,792	\$188.0M	\$2,191	1,148
Median	13,000	\$16.9M	\$1,300	1,150
View Royal	10,408	\$14.2M	\$1,364	691

TOWN OF COMOX**BYLAW NO. 1905****A BYLAW TO PROVIDE FOR THE PAYMENT OF REMUNERATION
TO COUNCIL MEMBERS**

WHEREAS Council wishes to set, by Bylaw, the level of remuneration and expenses available to elected officials;

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 Council Remuneration Bylaw No. 1905, 2018”.

2. Council Remuneration

- (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) 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.
- (3) Remuneration for Mayor and Councillor shall be adjusted on January 1st of each year by a rate equivalent to
 - (a) 50% of the percentage change in the Consumer Price Index over the immediately preceding year, for Vancouver BC, plus
 - (b) 50% of the average percentage change in annual remuneration for the offices of Mayor and Councillor at year-end, over the immediately preceding year and for the following municipalities in BC:
 - (i) The Corporation of the City of Courtenay,
 - (ii) The Town of Qualicum Beach,
 - (iii) The City of Parksville, and
 - (iv) The Town of Sidney.

- (4) Council remuneration shall be paid monthly.
- (5) In addition, the Town shall insure members of Council against accident while on official business for the Town.

3. Effective Date

The effective date of this Bylaw is January 1, 2019.

4. Repeal

Comox Council Remuneration and Expense Bylaw, 2006 is hereby repealed.

5. Adoption

- (1) READ A FIRST AND SECOND AND THIRD
time day of , 2018
- (2) ADOPTED this day of , 2018

MAYOR

CORPORATE OFFICER



TOWN OF COMOX
Regular Meeting of Council

A1

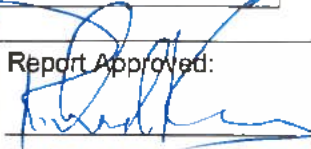
A2

A3

STAFF REPORT

Meeting Date: November 21, 2018

TO: Mayor & Council	FILE: 2430-20-MLT
FROM: Richard Kanigan, Chief Administrative Officer	DATE: Nov. 16, 2018
SUBJECT: Modification of Mack Laing Trust	

Prepared by: <u>R. KANIGAN</u>	Supervisor: _____	Financial Approved: _____ Clive Freundlich, Fin. Director	Report Approved:  Richard Kanigan, CAO
-----------------------------------	----------------------	---	---

RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER:

Direction requested.

BACKGROUND:

The Town of Comox has an active application before the court seeking approval to modify the Mack Laing Trust from the current requirement to convert Mack Laing's former residence, 'Shakesides' to a Nature House and instead, remove 'Shakesides' and construct a viewing platform with the funds that are currently held in the Mack Laing trust fund.

Mack Laing Heritage Society (MLHS) has objected to the Town's proposal and had applied to the Court for standing in the Town's application to modify the Trust so they could state their objections to the Town's proposal and that the Town should fulfill the original terms of the Trust. They were not successful in their application for standing, however the Court has granted them intervenor status, and as such, they have the ability to present evidence supporting their position.

In the most recent submission of evidence from MLHS, you will find attached to this report, a document entitled "A Realistic Business Plan for Shakesides Nature House" that MLHS would like the Town to consider.

Given that there is a new Council in place, staff are requesting direction as to whether the Town is to continue with its application to modify the Mack Laing Trust or pursue a different course of action. In an effort to provide this Council with a succinct summary of information pertaining to this item, staff have attached previous staff reports that have been considered by the previous Council, including Mack Laing Nature Park Infosheet – July 2018 which was posted to the Town's website in an effort to update the community on the status of this item.

Discussion:

Following Council's review of this report and the background information provided, Council may wish to consider the following options:

Option One

That after Council's review of the attached materials and the document entitled "A Realistic Business Plan for Shakesides Nature House" as submitted by Gordon Olsen, Council resolves to move forward with the application to modify the Mack Laing Trust.

Option Two

That Council extend an invitation to representatives of the Mack Laing House Society to attend Council's Regular Meeting on December 12, 2018 and present to Council more information regarding the "Realistic Business Plan for Shakesides Nature House".

Option Three

That Council defer any decision regarding the modification of the Mack Laing Trust until January 16, 2019 to allow time for all members of Council to fully consider all the previous background information related to the application to modify the Mack Laing Trust as well as the "Realistic Business Plan for Shakesides Nature House".

Option Four

That Council suspend any further action on the application to modify the Mack Laing Trust.

ATTACHMENTS:

1. A REALISTIC BUSINESS PLAN FOR SHAKESIDES NATURE HOUSE
2. CORRESPONDENCE DATED OCTOBER 28, 2018 FROM J-KRIS NIELSEN, MLHS PRESIDENT
3. MACK LAING NATURE PARK INFOSHEET – JULY 2018
4. CONCEPT FOR SHAKESIDES VIEWPOINT- MARCH 2018
5. STAFF REPORT – MEETING DATE DECEMBER 6, 2017
6. STAFF REPORT – MEETING DATE FEBRUARY 1, 2017
7. STAFF REPORT – MEETING DATE JUNE 22, 2016

A REALISTIC BUSINESS PLAN

This is Exhibit 50 referred to in the
Affidavit of Gordon Ralph Olse
sworn before me at the City of Courtena
Province of B.C. this 30 day
of September 20 16

A Commissioner for taking Affidavits
within British Columbia



FOR SHAKESIDES NATURE HOUSE

CONTENTS	PAGE
EXECUTIVE SUMMARY	3
HISTORICAL BACKGROUND	6
SITE AND STRUCTURE	10
BUSINESS OVERVIEW	17
IMPLEMENTATION /STRATEGY	18
NATURE HOUSE BUDGET (Proposed Operating)	29
OPERATIONAL CONSIDERATIONS	30
SHAKESIDES REHABILITATION PLAN	31
RECOMMENDATIONS /CONCLUSIONS	33

Supporting documents for this plan can be found at: <http://macklaingsociety.ca/library/>

This plan has been prepared by a committee of the Mack Laing Heritage Society, led by Gordon Olsen.

Cover image: Shakesides circa 1949

EXECUTIVE SUMMARY REGARDING SHAKESIDES

This is a Business Plan for the conservation and the operation of Shakesides as a Nature House.

This document outlines the financial viability, the rationale, and the path to fulfilling the development of Shakesides as a Nature House (1). It is based on the vision of Hamilton Mack Laing to have his home Shakesides renovated to become a "natural history museum" as stated in his Will and Trust.

The Indenture made 19th day of September 1973 between Hamilton Mack Laing and the Corporation of the Town of Comox: ... "to pay or deliver over all the rest and residue of my estate to the Town of Comox, upon trust, so that the funds so bequeathed will be used for the improvement and development of my home as a natural history museum, twenty-five (25%) per cent of the cash realized to be for capital improvements to the dwelling house, and the remaining seventy-five (75%) percent to be invested by the Town, the income earned thereupon to be applied towards annual operating costs of a natural history museum..."

The Plan shows that Shakesides can be converted at reasonable cost into a Nature House with a low environmental footprint and with modest operating budget. This undertaking has the support and commitment of many individuals and businesses in the community who are equipped with the expertise, skills, goods and financial resources to support the project.

For further details refer to: **Nature House Budget** p. 29, and **Community Supporters** pp. 19 – 24.

SHAKESIDES

Civic Address: 1431 Comox Avenue

Legal: Address: District Lot 87 Lot 2, Comox District Plan 3387

Date of Construction: 1949

Builder: Hamilton Mack Laing

Original Occupant: Hamilton Mack Laing

Steeped in history and unprotected, Shakesides is one of very few buildings of historical significance remaining in Comox.

1. A Nature House is recognized as a modest natural history museum by the National Association for Interpretation (USA), and would be consistent with Laing's wishes - to teach conservation and appreciation of nature.
(National Association for Interpretation. E - Journal. <https://www.interpnet.com/NAI/interp.>)

Hamilton Mack Laing

Hamilton Mack Laing was an educator and a philanthropist. He moved to Comox in 1920 where he had purchased several acres of shore front land. He hand-built his first home 'Baybrook' (1922) and, subsequently, built his final home 'Shakesides' (1949) on the adjoining land.

Indeed, Mack Laing was an educator; a teacher always willing to share the wealth of his life experiences. He took pleasure from the act of passing his knowledge on to others. This was shown in the decades he spent in determined scientific collecting and related correspondence. His years were also spent as a school teacher, a scout leader, a mentor, an orchardist, an author and a journalist whose door was always open for friends and associates, young or old and from far and wide. This was Mack Laing's way during his long and adventurous life.

His Intent

In 1973 Laing was 90 years old. As he neared the end of his life he fretted over the future of his property and home; he decided to leave it all to the community he lived in.

Clearly, his intent was to leave his beloved Shakesides intact and have it become a nature museum. This would be his final opportunity by which he could open up and illuminate the natural world to his fellow citizens. It could be stated today (2018), that the purpose of Mack Laing's intent is more pertinent than ever before.

The Trusts

To accomplish his vision, in 1973 Laing gifted his home, Shakesides, and the forested acreage surrounding it, to Comox in trust. By agreement Laing continued to live in Shakesides until his death in 1982.

In his 1981 Will, Laing left an adequate sum of money, in trust, for the purpose of amending Shakesides into a "natural history museum", and also to offset "the annual operating expenses" of the museum as he had intended and formally outlined.

These gifts represented almost all of his estate.

What has Happened to Mack's Vision

In the ensuing 36 years since naturalist Hamilton Mack Laing entrusted his home and property to Comox, no attempt has been made to create a museum or any other facility for public purpose.

Today, Shakesides still stands. Expert professional opinions vouch for both the favourable structural integrity and also for the significant heritage value of the building.

Fulfilling Mack's Vision

The Mack Laing Heritage Society (MLHS) was incorporated as a British Columbia non-profit society on May 20, 2014 and seeks to fulfill the vision of Hamilton Mack Laing (1883-1982) as described in the 1973 Trust Agreement between Mr. Laing and the Town of Comox and in his Will of 1979.

MLHS maintains that Shakesides can be restored for use as a small nature education centre, a modest Nature House, as Mack Laing expressly outlined.

MACK LAING HERITAGE SOCIETY MISSION STATEMENT

- To fulfill, as faithfully as possible, the stated wishes of Mack Laing's 1981 Will and Testament: *"that my home be used as a natural history museum"*.
- To oversee the restoration and maintenance of Mack Laing's home.
- To maintain and promote the dissemination of Mack Laing's environmental values and legacy.
- To fund raise annually and to maintain a variety of environmental programs of interest to the general public throughout the Comox Valley and to the Town of Comox.
- In 2016, the board of the Mack Laing Heritage Society received the Annual Heritage BC Award for 'Heritage Education and Awareness' for their efforts to articulate awareness of the Mack Laing Trust and thereby promote the fulfillment of his vision.

Reasons For Saving Shakesides

To support the community's heritage.

Mack Laing was a significant Canadian historical figure who lived and based his work in the Comox Valley who left his land and home with clear instructions for its use as a benefit to future generations.

The Natural Trust of Canada, in their letter of July 31, 2015 which supported preservation of Laing's original home, Baybrook (2), referred to Mack Laing as an "esteemed naturalist, collector, author and educator". The letter goes on to state that "The National Trust urges the Town of Comox to reconsider its decision to demolish this important heritage property."

Shakesides is a valuable heritage building, worthy of restoration and use as a Nature House as prescribed by Laing has been recognized by Heritage BC.

Mack Laing was proud to say that he had driven every nail in the building:
"Every stick of timber that went into house building was nailed by my own hands."
 – Hamilton Mack Laing (3)

To honour the will and trust of Laing.

Shakesides has not yet been developed as a Nature House, as set out by Laing, since the Town of Comox took possession following Mack's death.

Creating Shakesides as a Nature House is feasible.

Recent evaluations by Heritage consultants ANCE Building Services (Vancouver) and Bates Engineering (Comox), however, have provided expert opinion that Shakesides remains structurally strong and has significant heritage value for both the style of construction and for the connection to the builder.

Conservation of Shakesides is achievable and can be accomplished on a reasonable budget.

There are many nature houses in BC and throughout Canada to use as models. In communities where they have been established, they have proven to become financially viable and an important part of the cultural and educational fabric of those communities.

In 2015, the board of the Mack Laing Heritage Society received the Annual Heritage Award for their efforts to preserve Shakesides and to educate the public about this valuable provincial historic place and to preserve BC's heritage.

2. On August 5, 2015 the Town of Comox had Baybrook, Laing's original home, demolished.

Bull, Natalie, Executive Director National Trust for Canada. In her letter to the Town of Comox, Natalie Bull recommends *"take advantage of Heritage BC's offer of assistance in conservation planning and capacity building training that will help ensure its retention and adaptive reuse for future generations."*

3. Mackie, Richard Somerset, *Hamilton Mack Laing: Hunter-Naturalist*, Sono Nis Press, Winlaw, 1986. Print.

HISTORICAL BACKGROUND

Sketch of Hamilton Mack Laing's Life



Mack Laing. Chitina River, Alaska, July 2 1925.

Hamilton Mack Laing was a scholar, educator, artist, photographer, writer, adventurer, naturalist, and environmentalist who lived most of his life in Comox BC. He is renowned throughout North America for his work.

- 1883 born in Hensall, Ontario
- 1901 till 1911 taught school in Oak Lake Manitoba
- 1905 earned commercial story writing diploma from National Press Association of Indiana
- 1907 published first story "The End of the Trail"
- 1909 first visit to British Columbia
- 1913 published his first book *Out With The Birds*
- 1914 graduated from Pratt Institute of Art, New York
- 1914 crossed the United States on motorcycle



The "Transcontinentalist" (Mack Laing) 1914

- 1918 to 1919 during WWI served at RAF Beamsville, Ontario
- 1920 began working as a naturalist field researcher in British Columbia
- 1920 Laing published "Bird Migration at Beamsville"
- 1920 purchased land in Comox following a field research expedition to the area
- 1922 built his first home "Baybrook"
- 1927 married Ethel Hart.
- 1944 Ethel died unexpectedly.
- 1949 Laing sold Baybrook and built Shakesides on the adjoining property

- **1920 – 1982 Professional involvements:**
 - Laing participated as a “collector-naturalist” in 10 significant field expeditions for the National Museum of Canada
 - He collected over 10,000 vertebrate specimens for the National Museum of Canada
 - Other specimens and writings reside in the Smithsonian, Royal BC Museum and Manitoba Museum of Natural History and many other museums.
 - Published over 700 articles and scientific papers
 - Hosted renowned artists, writers and naturalist researchers in his home until his death



**The Taverner Expedition
Vaseaux Lake, May 1922**

Back row:
Allan Brooks, Percy Taverner, Frank Farley

Front row:
Mack Laing, George Gartrell, D. Alan Sampson

- **1973** he entered into a Trust Agreement with the town of Comox, leaving Shakesides and his land for the purpose of public enjoyment.
- **1982** Mack Laing died in February, at the age of 99. He entrusted his home, land and large sum of money for the creation of a natural history museum to the Town of Comox.

SITE AND STRUCTURE



Shakesides 2014

In December of 2015, Bates Engineering – Consulting Structural Engineering (Courtenay BC) conducted a structural Assessment of Shakesides for the Mack Laing Heritage Society.

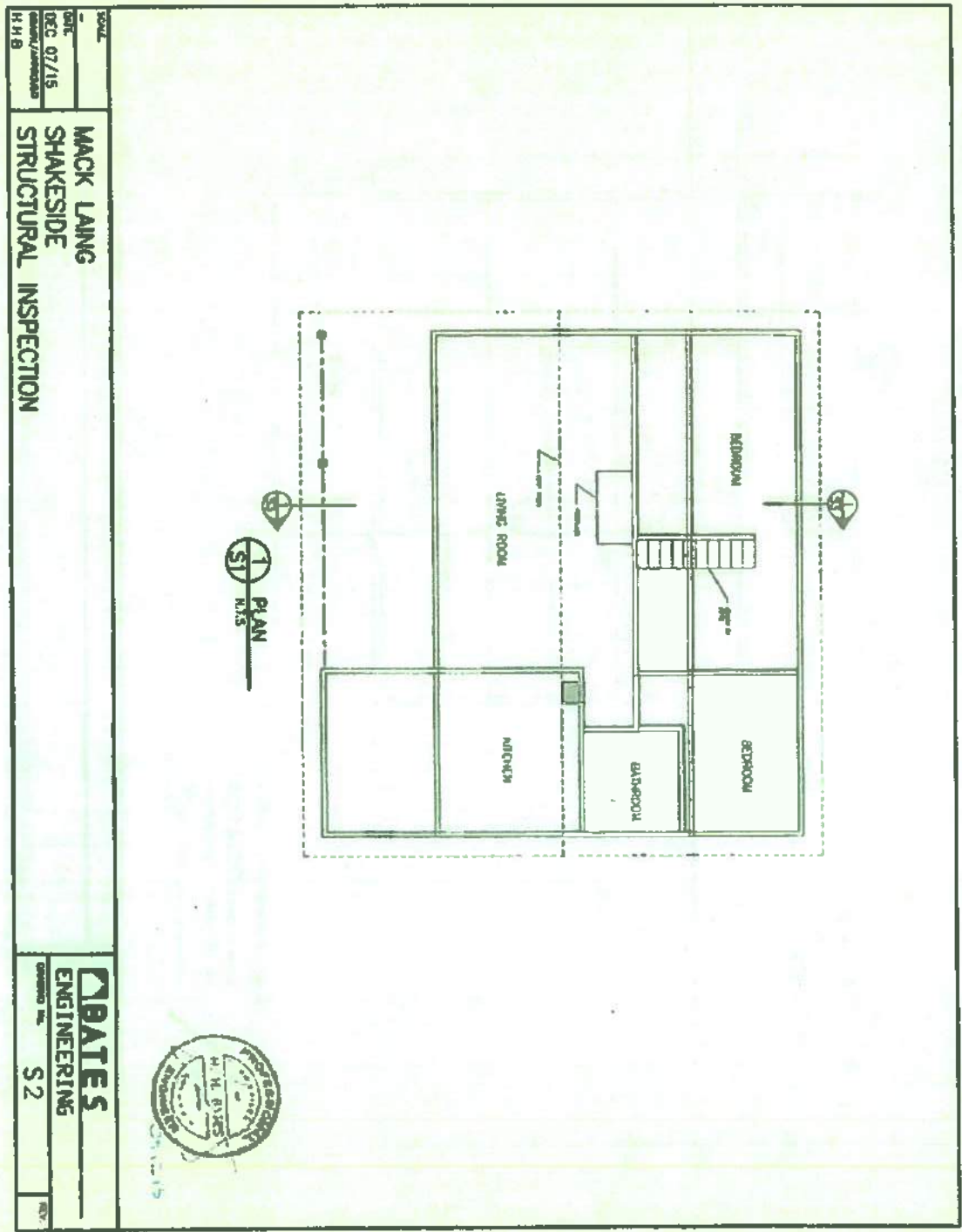
On July 26, 2016 heritage consultants Elana Zysblat and John Atkin of ANCE Building Services, Vancouver BC, were engaged by Gordon Olsen (Comox, BC), upon the recommendation of Heritage BC, for the purpose of researching the historical and heritage value of Shakesides to prepare a Statement of Significance.

The following information is a summary of information extracted from those reports:

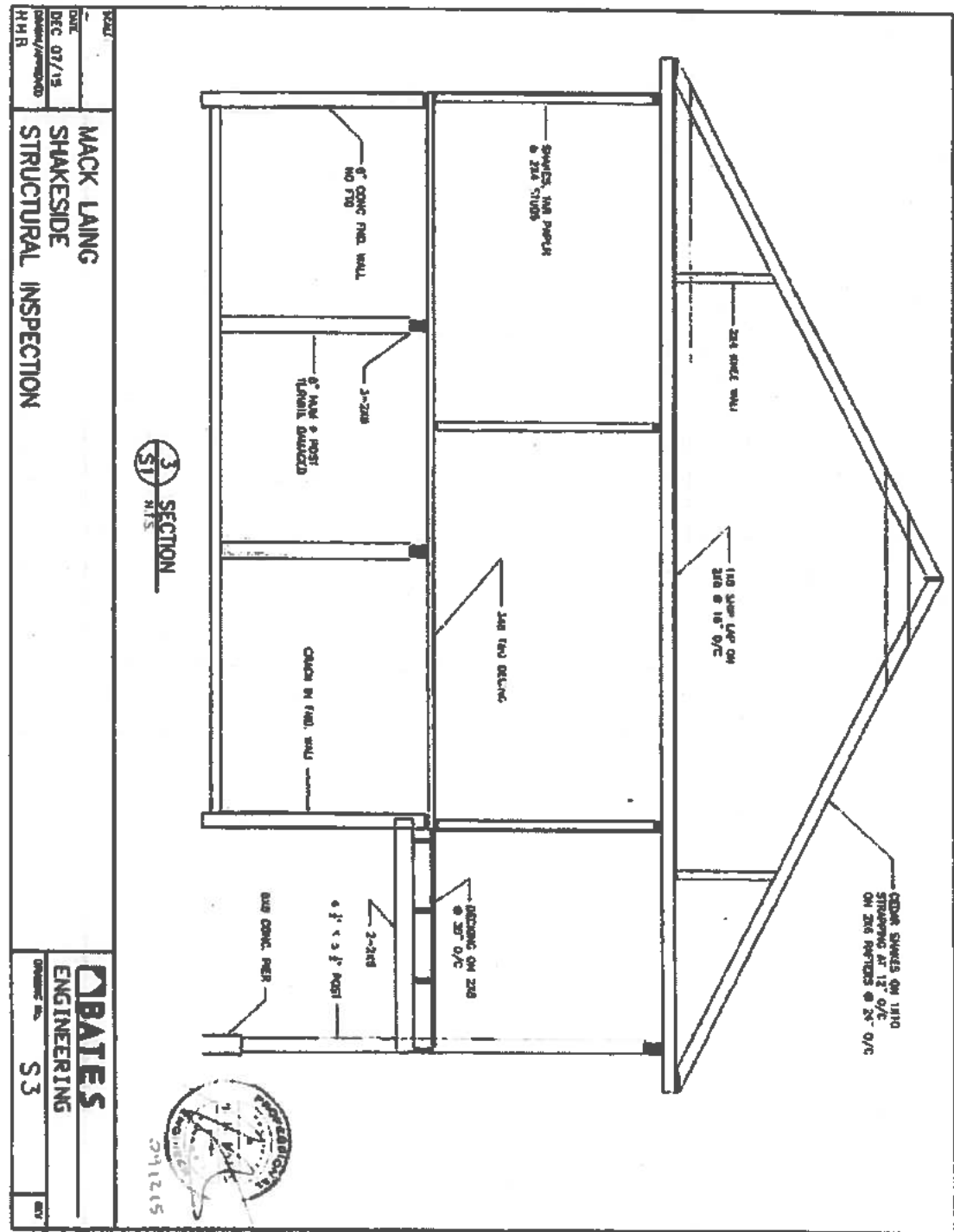
Site Description

Shakesides is a mid-century vernacular bungalow and was constructed in 1950 by noted naturalist, ornithologist, collector and writer Hamilton Mack Laing. The house is situated on the edge of the Comox Estuary in Mack Laing Nature Park, near the western boundary of the Town of Comox in the Regional District of Comox-Strathcona. The house, built and named by Laing, is associated with the later-half of his career; a productive period of writing, study and mentoring.

B-2 First Floor



B-3 Attic Space and Elevation View



82

Shakesides' Value as an Historic Place

Shakesides is valued for:

- its long association with Hamilton Mack Laing who built the house
- for its natural and historical context
- for its design and placement on the property
- for its construction from locally-sourced materials
- for its role as the site of Laing's work and study in the later-half of his life

Heritage Values

Shakesides is valued for being built and named by internationally prominent and respected teacher, author, ornithologist, naturalist, collector and illustrator of flora and fauna, photographer, farmer, sportsman and artist (Pratt Institute of Fine Art), Hamilton Mack Laing (1883-1982).

Laing's presence here attracted a resident community of ornithologists and naturalists to Comox starting in the 1920s. This put Comox on the map as a centre for bird watching to this day. Apart from ornithology, Laing's participation in 10 major expeditions for the National Museum of Canada laid some of the important groundwork for today's environmental science. His early concern for the local environment and the health of the Georgia Strait was reflected in one of the earliest studies on the impact of oil spills in the Strait.

Laing's continued importance lies in the strength of the friendships and professional connections made over his long life, in his collections and illustrations of birds, mammals, and plants housed in Canadian and American museums and universities, which include the National Museum of Canada, the Smithsonian, and the Royal Museum of British Columbia, and in his influential nature stories published in newspapers and outdoor magazines.

Structural Analysis of Value as Heritage Site and Nature House

Construction

Shakesides illustrates a hand-built, side-gabled vernacular cottage constructed from locally sourced materials. It is clad with cedar shakes that were hand-split on the property. Elements of the house were specifically designed for its challenging location on the shoreline in an area prone to occasional flooding (high concrete foundation, dyke wall). The interior reflects Laing's quirky lifestyle and life's work.

Character Defining Elements

- location in a small clearing in the forest on the edge of the Comox Estuary at the south end of the original property
- position on property for specific views of the Comox Estuary, bay and mountains
- high concrete foundation and dyke wall on three sides of the house
- locally sourced construction materials including:
 - timber frame
 - logs used as support posts in basement
 - hand split shakes for first floor siding and roof
 - board and batten siding for the upper floor
- side-gabled roof with centrally placed pair of dormers on the south face
- south facing porch and stairs
- original window assemblies and hardware:
 - picture window flanked by casement windows with horizontal muntins on porch
 - paired casement windows with horizontal muntins on south face
 - sash windows with horizontal muntins on east, west, and north faces
 - casement windows in the dormers
 - horizontal divided four light windows, hinged at the top, in the walls of the basement
- original front door
- roofed basement entrance on the north side of the house
- interior elements include wide width cedar paneling with vertical detail in two rooms on the first floor

fy

Condition Today

Shakesides continues to have solid structural integrity, making it suitable for restoration and conservation as a Nature House.

"Provided the building envelope is repaired, structural repairs completed and the loads on the building are unchanged, the building structure will continue to perform adequately in the future."

– Bates Engineering

Immediate Repairs/ Upgrades required:

- Repair or replace front deck including roof beam over deck
- Repair the rotten tongue & groove on deck
- Seal the cracks in the foundation walls
- Replace the log columns in the basement; complete with metal saddles
- Upgrade or replace built up beams in basement
- Replace shake roof

(It should be noted that all of the recommended 'Immediate Repairs' are relatively straightforward. With the effort of community volunteers and the generosity of local suppliers, these tasks will be low cost.)



Laing as a Boy Scout Leader, c. 1911; Laing is on the right

BUSINESS OVERVIEW

Mission

"The said property [Shakesides] shall be used as a public nature park, for recreation and conservation purposes...and the use of any buildings... shall be restricted to the comfort and convenience of those members of the public wishing to enjoy the quiet beauty of a nature park, ...
 – from the Indenture made September 19, 1972 between Hamilton Mack Laing and the Corporation of the Town of Comox.

In keeping with Mack Laing's Will, the aim of the Mack Laing Heritage Society (MLHS) is to create an inviting and enriching space that fosters and inspires people of all ages toward environmental sustainability and stewardship.

MLHS endeavors to deliver Shakesides as both a community resource centre for environmental education and conservation and as a community collaboration hub with cooperating organizations such as Project Watershed, Comox Valley Naturalists, Strathcona Wilderness Institute to offer guest speakers, programs, projects and events for groups of all ages.

Business Model and Objectives

- Develop a Nature House that is operated as a volunteer driven, non-profit naturalist interpretive centre.
- Create a financially stable business model following the model of other Nature Houses established throughout British Columbia.
- Produce topical, good quality educational programming and resources for displays.
- Establish Shakesides as a centre for ornithological purposes.
- Highlight, in collaboration with Kómoks First Nation, the history relating to the Great Midden and First Nation presence.
- Offer nature-based programming for all age groups.
- Provide a venue for events: arts and culture based, art demonstrations, musical interludes.
- Create a small library in the east room of Shakesides (formerly Mack's library) dedicated to the environmental topics, flora and fauna of the respective fields of expertise of Mack Laing and his contemporaries. Particular attention will be paid to the impressive group of early ornithologists, expedition associates, naturalists, and academics whose names include Frank Farley, Alan Brooks, Ronald Stewart Theed Pearse and members of the secret society known as the 'B' (4).

4. Penn, Briony. *The Real Thing*. Rocky Mountain Books, 2015.

Jim Munro, Percy Traverser, Hoyes Lloyd, James Harkin, Kenneth Racey and Hamilton Mack Laing were some of the Canadian members of the Brotherhood of Venerary, or the 'B' as they were known amongst themselves. Started in 1925, the 'B' drew from wildlife and conservation professions and non-profit societies on both sides of the border. One of their goals was "to shape, guide and foster interests and vocations of the generation that followed them..." pg. 41.

IMPLEMENTATION / STRATEGY

Resources:

1. Mack Laing Financial Trust.

It is MLHS's position that the initial bequest and sale of chattels was \$54,588. Using the same interest rate calculations as the Town of Comox (5) used, the Trust Fund balance would be now worth \$288,230.

According to The Will, the funds must be divided, 75% to be invested in perpetuity, the resultant interest to be applied to the annual operating costs and the remaining 25% to be used to adapt Shakesides to public use.

Following the requirement of The Will to split the funds 25/75, means that \$72,000 would be available toward conversion expenses, with \$206,000 to be invested at a favourable rate in an investment suitable for a Trust. If 3% return was available, the investment would yield \$6,000 annually.

The Mack Laing Heritage Society can make this work. Costs will be greatly reduced by the members of the community who are willing to donate services and materials to the project. It is reasonable to expect that funding organizations will participate with financial support. Heritage B.C., for example, has stated that Shakesides would be eligible for Heritage Legacy Funds.

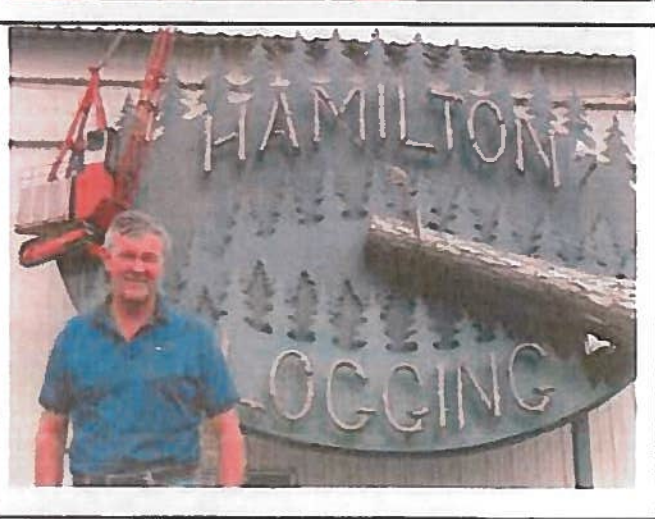
Note: The rental income received by the Town of Comox from 1982 to 2014 of \$117,000, has not been included as a possible revenue source for the conversion of Shakesides into a Nature House in this plan.

5. In Richard Kanigan Affidavit number 2, Dec 15 2017 it states:

[Item] #4. In May 2017, Donald Jacquest, the Town's Director of Finance, and I calculated that if none of the Trust Funds were expended by the town, and that money accrued interest at the rate the Town has actually received, the Trust Funds would have equalled approximately \$ 256,000.00. "

2. Supporters / In-kind Services / Skills and Supplies ("putting their money where their mouth is")

The following professionals and tradesmen represent some of the foremost businesses driving the Comox Valley's prosperity, who have vouched or registered in writing their unconditional support for the restoration of Shakesides. These community leaders are offering their time, skills and supplies to the preservation of provincial history.

	Cale Lacasse, Operations manager Courtenay, BC Rick Lacasse, founder of Lacasse Construction has excelled in building projects in the Comox Valley since 1988. Today it is a family operated company with a solid reputation. It was nominated for Vancouver Island Business of the Year 2017. They are "excited to be part of the project and to assist in preserving a piece of Comox history."
	Mike Hamilton Mike Hamilton Logging Ltd., Courtenay, BC Mike Hamilton is a lifelong resident of the Comox Valley and the proprietor of Hamilton Logging Ltd. His company has a significant presence on northern Vancouver Island. Mike knows the value of preserving Shakesides as a public asset. Mike has generously offered to supply the shakes required for the replacement of the roof.



**Thomas Dishlevoy Architecture Ltd.
Comox, BC**

Thomas has been practicing architecture in the Comox Valley for over 20 years providing accessible design to large and small buildings of all types in both the public and private sectors. Accessibility audits and upgrade projects have been undertaken for school districts from Nanaimo to Port Hardy. Tom will contribute the concept and design of accessibility to Shakesides.



**Dave Green, Green Forest Products
Merville, BC**

"Our sawmill operation will provide, by donation, any specialty dimensional beams or planks which may be required in the conservation work of Shakesides house in Comox. These historic old buildings were frequently over built with beams which are not available today.

It will be our pleasure to supply such items."



**Peter Gillespie, Gillespie Contracting
Union Bay, BC**

"I will 'step up to the plate' for Shakesides. Conserving windows are always an important detail of old buildings. I will assess the windows in Shakesides with the goal of maintaining the authenticity and appearance of the period of construction. Where possible, all existing frames, mullions and muntins will be preserved.

I have extensive experience in conservation and am currently finishing a major building upgrade and conservation of an old residence in Comox for a private client.

My involvement will be pro bono."



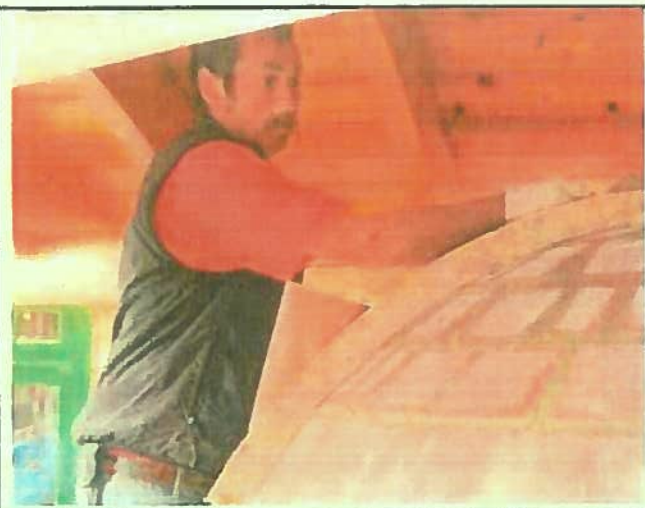
**Troy Nystrom, Roofer
Merville, BC**
 Raised in Comox, Troy is very familiar with Shakesides and is committed to helping to preserve it. He is an experienced roofer and specializes in applying shakes. Troy has offered to take on the job of re-roofing Shakesides as his contribution.



**Jake Greenwood, Manager
Cedar Grove Roofing Supply
Courtenay**
 Troy Nystrom came to the project via Jake's suggestion. Jake knows both Troy and Pete Gillespie, he is pleased to be involved and will provide roofing materials such as underlay, flashing and venting products at cost through Cedar Grove Supply.



**Christoph vom Bruch,
Three Oaks Flooring
Courtenay, BC**
 "I am offering my services to repair and refinish the Hardwood floors in Shakesides on a volunteer basis. All my labour will be without charge. All needed material should be provided by Mack Laing Heritage Society. I look forward to being part of the team."



**Kristian Nielsen,
Bricklayer + Tilesetter
Comox, BC**

Kris has 40 years in the masonry industry as a journeyman, foreman, independent contractor and as a field and safety supervisor. Also, he can act as a site caretaker of the mandated official safety standards, procedures and practices, when the General Contractor is off-site. His involvement will be on the pro bono basis.



**Garrett Herrling, Manager
Bartle & Gibson
Plumbing / Heating / Electrical
Courtenay BC**

Garrett's firm offers a wide range of renovation materials. He will supply such at a preferred cost for the project



**Kevin Parker, Manager,
Windsor Plywood,
Courtenay BC**

Kevin has worked in the industry since 1969 and has a long association with Lacasse Construction, providing materials for many of their projects. The conservation of Shakesides is a "great community project" in Kevin's words. He looks forward to being involved and providing construction materials from Windsor Plywood at cost.



**Georg Olsen, Gardener
Courtenay**

Georg has offered her expertise in re-establishing the flower beds in the immediate area to the house, prune the apple trees and trim the massive grape.



**Bill Van Dyke, Metal Fabricator
Comox, BC**

Bill has offered to fabricate any window or door devices to facilitate security for Shakesides.



**Chris Rivers, Glazier
Comox, BC**

Comox Valley Glass and Mirror will provide the replacement window panes needed in Shakesides.



**Robin Jasbec, Carpenter
Comox**

Robin has 38 years in woodworking. Being skilled at working with large timbers and beams, Robin is always in high demand. He will be an asset if any replacements are required at Shakesides.



**Elana Zysblat and John Atkin
ANCE Building Services
Vancouver, BC**

Heritage consultants Elana Zysblat and John Atkin are well-known in British Columbia for their engagement with communities, leadership in public programs related to local heritage topics, historical research and in producing publications and presentations of historical material. They produced the Statement of Significance for Shakesides in 2016 and feel so strongly about the historical significance of the building that they have offered to prepare the Conservation Plan for Shakesides without charge.

No photographs available

**Jensen Risi, Plumber
Courtenay, B.C**

Jensen has lived in the Comox Valley all of his life and he wants to be involved with the efforts to save Shakesides. Jensen has offered to renovate and replace the existing bathroom fixtures in Shakesides. His labour will be donated.

**B. Frank Electric
Courtenay, BC**
Ben and his step-father Steve Ellis are both electricians, and are willing to redo the wiring in Shakesides.

**Christopher Gerow, Carpenter
Comox, BC**

Chris writes: "It will be my pleasure to participate in the Shakesides Project. I am familiar with Mack Laing's former home and will contribute my time. My experience in concept design, renovation and restoration is extensive with interior and exterior applications. I have a working knowledge of plumbing, electrical and carpentry.

3. Funding Organizations

► Endswell Foundation

Grants are awarded to registered charitable organizations in British Columbia who are dedicated to conservation and related public education that also respect the rights of aboriginal peoples and their traditional land use.

Email: endswell@220cambie.com / www.endswell.org

► Heritage Legacy Fund

The Heritage Legacy Fund of British Columbia is an initiative of the Heritage Society of BC and The Land Conservancy that supports many local heritage projects around the province. It provides financial assistance and guidance to help protect, care for and showcase British Columbia's rich cultural heritage.

Email: heritagelegacy@shaw.ca

► Leon and Thea Koerner Foundation

Funding is provided to non-profit organizations in the area of cultural and creative arts and social services who serve communities throughout the province. Modest grants are given to fund programs and projects that would not be possible without assistance or additional funding. E-mail: koerner@telus.net

► Real Estate Foundation of British Columbia

The Foundation supports non-profit organizations with goals of sustainable real estate and land-use practices, in endowment grants and project funding upwards of \$100,000. Real Estate Foundation of British Columbia. Email: info@realestatefoundation.com

► Vancouver Foundation

The Vancouver Foundation is Canada's largest community foundation, constantly working to improve the lives of people living in British Columbia. The Foundation supports innovative projects under the scope of 3 different programs: Community Impact Grants, Special Grants, and Partnership Grants.

► VanCity/ Real Estate Foundation: Green Building Grant

Established in 2004, the vision behind this grant is to minimize the impacts of climate change while also improving sustainable land-use practices. Grants of up to \$50,000 are provided annually to recipients who put forth green building initiatives in B.C.

► Comox Valley Community Foundation

Funds are presented to registered charities and qualified donees for program related or capital projects that intend to enrich the quality of life in the region of Comox Valley. www.cvcfoundation.org

► Parks Canada's National Historic Sites Cost-Sharing Program

This program provides assistance to national historic sites that are neither federally owned nor administered and that are deemed to have commemorative integrity.

Applications to the 2019-2020 program are being accepted until November 23, 2018.
Email: partagedesfrais.costsharing@pc.gc.ca

► **Canada Cultural Spaces Fund (CCSF)**

This fund is available to non-profit arts and heritage organizations as well as provincial/territorial and municipal governments and their equivalents for projects that support the improvement, renovation and construction of arts and heritage facilities. Funding may also be provided for the acquisition of specialized equipment and to conduct feasibility studies.

► **Benjamin Moore Community Restoration Program**

This initiative offers cash grants (up to \$4,000) and paint (up to \$750 retail value) to support registered charities with heritage restoration projects in Canada. Benjamin Moore & Co., Limited, in partnership with the Community Foundations of Canada, offers cash grants (up to \$4,000) and paint (up to \$750 retail value) to support heritage restoration projects in Canada. Email: slyons@communityfoundations.ca

► **Celebrate Canada**

A wide range of groups are eligible to apply for funding to support community activities and events that celebrate Canada during the period of June 21 to July 1. Celebrate Canada is a Department of Canadian Heritage program that helps support community activities and events that celebrate Canada. Non-governmental community and charitable organizations, municipal governments, educational institutions and public and private corporations are eligible to apply.

► **The Getty Foundation**

The foundation provides grants to national and international professional membership organizations in fields related to the preservation of the visual arts. The Getty Foundation provides grants to national and international professional membership organizations in fields related to the preservation of the visual arts, such as art history, conservation, and museums.

► **Green Municipal Fund**

Grants of up to \$350,000 are available to municipal governments to cover half the eligible costs of integrated sustainable community Plans and Studies.

► **Hylan Foundation**

Grant applications are accepted from registered charities fitting the following categories: health and social service, education, arts and animal welfare. Grants range from approximately \$1,000-\$25,000. The Hylan Foundation accepts grant applications from registered charities across Canada that have been advised to apply and that fit within the following categories: health and social service, education, arts and animal welfare.

► **The McLean Foundation**

Applications are accepted from registered charitable organizations. Grants are awarded to projects that demonstrate a general public benefit in areas such as conservation, the arts, education, health and welfare. Grants average approximately \$6,500 in a given year. Email: info@mcleanfoundation.ca

► **The Royal Bank of Canada Charitable Foundation**

Grant applications are accepted from not-for-profit, registered charities that fit within the following categories: education, health, social services, civic and arts and culture.

► **Comox Valley Community Foundation**

Funds are presented to registered charities and qualified donees for programs related or capital projects that tend to enrich the quality of life in the region of Comox Valley.

► **BC Nature Foundation**

Provides funding support for education programs, wildlife viewing, Nature events, bird monitoring and observing, development of outreach and paper-based materials and digital media.

4. Potential User Groups

The following groups have publicly voiced their interest in collaborating with MLHS and in making use of Shakesides, once it is restored as a Nature House:

- BC Nature
- Comox Valley Nature Botanists Group
- Comox Valley Nature Birders Group
- Comox Valley Nature Heritage Group
- Comox Valley Nature Marine Foreshore Group
- Invasive Species Organization
- Jill Peacock / Educator, Highland School Eco Team, Comox BC
- Bahai Group
- Scouts and Guides (Mack Laing was a Scout leader)
- Scribblers *Writing Group*
- Hand-In-Hand Outdoor Nature Preschool (see Addendum)
- Learning Journeys Montessori Preschool, Comox, BC
- Strathcona Wilderness Institute

Other anticipated users / programs based on research of existing like centres

- School Programs developed to cover Prescribed Learning Outcomes for grades K-12.
- On-Site Programs: Interpretive Nature Walks; Interpretive Local and Canadian Environmental History; Nature Art Workshops (tradition of botanical water colours following from Laing's own work); birding workshops).
- Local First Nation traditional education and cultural sharing (middens are adjacent to Shakesides)
- In its role as community resource for environmental education, scheduled workshops and lectures will be offered to the public at Shakesides.
- Summer Programs for all age groups. Visitors to Mack Laing Park have particular interest in the physical state and history of Shakesides, the parkland and the foreshore.
- Community Engagement Events (Earth Day, Annual Shoreline Clean-up).

NATURE HOUSE BUDGET (Proposed Operating)

Sheet1

Endowment Principal \$225,000.00
Endowment Annual ROR 4%
Inflation Rate 2.00%

Income

Category	Item	Monthly	Annually	Notes
Endowment	Endowment Annual Return	\$750.00	\$8,000.00	Annual income from Endowment Fund
	Facility Rental	\$200.00	\$2,400.00	\$20/hour times 10 hours per month
	Memberships	\$416.67	\$5,000.00	100 members at \$50 per membership
	Donations - Fund Raising	\$250.00	\$3,000.00	Annual fund raising revenue from public donations
	Donations - In Kind	\$250.00	\$3,000.00	Volunteer contributions (administration, maintenance)
	Sub-Total	\$1,866.67	\$22,400.00	
Grants	Government (Heritage Legacy Fund)	\$1,000.00	\$12,000.00	
	Corporate	\$1,000.00	\$12,000.00	
	Sub-Total	\$2,000.00	\$24,000.00	
Total Revenue		\$3,866.67	\$46,400.00	

Expenses

Category	Item	Monthly	Annually	
Shakesides	Mortgage	\$0.00	\$0.00	
	Property Taxes	\$0.00	\$0.00	
	Utilities (Gas, Water, Power)	\$200.00	\$2,400.00	
	Property Insurance	\$100.00	\$1,200.00	
	Maintenance	\$400.00	\$4,800.00	
	Housekeeping	\$100.00	\$1,200.00	
	Security	\$50.00	\$600.00	Simple internet connected webcam system
	Professional Fees	\$125.00	\$1,500.00	
	Advertising and Promotion	\$100.00	\$1,200.00	Website, brochures etc.
	Volunteer Appreciation	\$25.00	\$300.00	
	Fundraising Expenses	\$100.00	\$1,200.00	
	Office Supplies	\$20.00	\$240.00	
	Expense Sub-Total	\$1,220.00	\$14,640.00	
	Contingency (+10%)	\$122.00	\$1,464.00	
Total Expenses		\$1,342.00	\$16,104.00	
Income - Expenses		\$2,524.67	\$30,296.00	

OPERATIONAL CONSIDERATIONS

Facilities

The area of Shakesides is 1032 square feet on the main floor. The size of Shakesides naturally sets parameters for use. The main floor has a small kitchen with a dining alcove, a bathroom, a bedroom, a study and a living room with a fireplace. The space in the bedroom is adequate for a library and archive.

These spaces lend themselves to small meetings / study groups and drop in visitors to access resource materials and modest installations related to the area and to the life and work of Mack Laing and his associates.

The basement is similar in square footage, has a full height ceiling, and ground level access. Previously it housed a photography dark room, a workshop, and scientific storage cases for hundreds of stuffed birds. The area has great potential for multi-purpose use. The heating system is electrical baseboards.

Shakesides is located within the Mack Laing Park along Brooklyn Creek and can be accessed by a short peaceful walk through forest trails. This is in keeping with the Will and Trust in which Mack states; "public vehicular traffic within the said property shall not be permitted..."

Shakesides will be accessible to those with mobility challenges.

Human Resources

Staffing for the Mack Laing Nature House will be voluntary. A dedicated staff can be easily drawn from the robust memberships of Comox Valley Nature, Mack Laing Heritage Society, and the many citizens in Comox who have stated their support of this project.

Nature House Staff

- Nature House Coordinator
- Education Coordinator
- Access manager
- Custodian

Public Relations

MLNH will promote the activities of Shakesides Nature House within the community, including media, educational organizations, business, charities, government and non-government organizations. Associated budgetary costs will be low. It may be advantageous, however, to hire a summer student. As with all other non-profits, these costs could be covered by a Canada Summer Jobs grant.

Insurance

House insurance should be part of the trustee's responsibilities, as it has been since 1982. Liability insurance would be covered by a managing group. As the lead society may be Comox Valley Nature and BC Nature, liability could be assumed by them, as their insurance covers "any and all naturalist activities," 12 months of the year and liability up to \$3 million.

SHAKESIDES REHABILITATION PLAN

Secure a strong Statement of Significance.

(Secured in August 2016, Zysblat and Atkin, ANCE Building Services, Vancouver BC)

Secure a Condition Assessment

(Secured April 9, 2017 by Zysblat and Atkin, ANCE Building Services, Vancouver BC)

Ensure that Shakesides has official heritage recognition.

This distinction is made only if the municipality applies for it. The Town of Comox must apply for heritage status.

The Town of Comox Planning Procedures Bylaw No. 1780 already enables Heritage Designation makes this a straightforward process for application for status with the Heritage Registry in Victoria, BC.

Heritage BC has repeatedly offered its assistance in helping the Town of Comox with the process of gaining heritage status for Shakesides.

Secure a Conservation Plan

A Heritage Conservation Plan is prepared by a heritage professional in consultation with the established stewards of an historic place. Its goal is to:

- A. Understand the Heritage Value of the Historic place
- B. Plan for its Conservation (including simple repair and maintenance as well as rehabilitation for new uses and/or accessibility)

Before any plans are put in place, or work carried out, the Standards and Guidelines for Heritage Conservation in Canada call for producing a Statement of Significance to properly and formally recognize the heritage value of the place.

A Statement of Significance (SOS) is one of the first steps in understanding historic places. It is both a starting point and a guide for communities, property owners, architects, developers, planners and anyone who may be planning the future of a historic place.

An SOS was commissioned by Gordon Olsen in 2016, written by ANCE Building Services, members of the Canadian Association of Heritage Professionals and directors on the BC Chapter of this organization. The secured Statement of Significance has guided the understanding of the historic place and the planning for its conservation and sustainable adaptive reuse.

As part of the research, a Condition Assessment was conducted by the previously identified consultant, outlined immediate interventions needed to arrest any ongoing deterioration and to allow time to plan for conservation and rehabilitation.

A Heritage Conservation Plan, committed in-kind by ANCE Building Services to the MLHS, explains how to sustain the significance identified in the SOS (the heritage values and character defining elements) in its new proposed use, alteration, repair and management. It utilizes a simple thinking process which starts with describing what is there, its condition, what is happening to it and the principles by which it will be managed (from the Canadian Standards and Guidelines for Heritage Conservation) and then sets more detailed work programs for maintenance, management, access, use or other issues. Each part of the property (building and site) will be specified to be either preserved, restored or rehabilitated depending on its condition, its significance and its intended function.

A Conservation Plan is especially crucial in cases like Shakesides where numerous people make decisions about the building and it is passed on from generation to generation. Having a 'go-to' document and/or plan helps guide decisions, maintenance and priorities. A Conservation Plan is also extremely helpful in requesting quotes for conservation work and grant funding for said work.

Establish a maintenance plan and site security.

Future Plans: The way forward

- With the support of architect Tom Dishlevoy we are looking into designing the house for net zero water, waste and energy that would minimize future operational costs. "Just like Mack would have done if he was living in 2018."
- Connect with the institutions and museums which are in possession of the many Mack Laing artifacts in order to acquire / borrow for display purposes.
- Mack was a sustenance gardener; efforts to re-establish his vegetable garden would add to the atmosphere of Shakesides.

RECOMMENDATIONS AND CONCLUSIONS

This plan is a document which implements all of Mack Laing's wishes as outlined in his Will and Trust.

This business plan is an outline of feasible possibilities inherent in keeping the building, Shakesides, and developing it into a Nature House as Mack Laing prescribed.

Included in this plan are social and economic possibilities inherent in keeping the building Shakesides. All these community-building activities are compatible with Mack Laing's will and indenture. These activities are consistent with programs currently enjoyed in other communities outside the Comox Valley, such as:

- Swan Lake Nature House, Victoria
- Goldstream Nature House, Victoria
- Gorge Nature House, Victoria
- Sibyl Andrews Cottage, Campbell River
- Allen Brooks Nature Centre, Vernon (6)

A comprehensive picture of the select programs that would generate the most interest in Comox will emerge as a template for future involvement. It is recommended that working with School District 71, North Island College, Project Watershed, Strathcona Wilderness Institute, The Comox Valley Land Trust, Comox Valley Naturalists Society and the Comox Valley Conservation Strategy, and The Brooklyn Creek Streamkeepers be maintained. The Natural Trust of Canada, in 2015, referred to Hamilton Mack Laing as an "esteemed naturalist, collector, author and educator".

The fact that Laing was an educator, is evident throughout his entire life. The intent of his work as a naturalist was not for personal acclaim, but rather to inform and ignite passion and stewardship of the natural world in future generations. An example of his vision as an educator and advocate for the natural environment can be experienced by reading work such as *"Black Death on the Shore"* (7).

He chose to pass on both his work and property as a gift to the community in perpetuity. It could be said that Mack Laing understood not only the needs of nature, but also human nature. He set out wise provisions to make his vision a reality and his generous financial underwriting promotes his legacy.

The vision to preserve Shakesides as a Nature House is more than a looking-back at a great man worthy of remembering; it provides an opportunity to create a place where learning can take place through observation. The Mack Laing Heritage Society is committed to honouring the Will and Trust of Hamilton Mack Laing and endeavours to develop Shakesides as Mack envisioned. MLHS believes it is possible to develop a Nature House for the community to learn more about the natural world, and our heritage which includes the fascinating life of an important Canadian, and to "enjoy the quiet beauty of a nature park".

6. It is important to note that Mack Laing and Allen Brooks were long time professional collaborators and friends.

Mack Laing wrote Allen Brooks' biography; *Allan Brooks: Artist Naturalist*.

7. Laing, Hamilton Mack. *Black Death on the Shore*, BC Archives and MLHS Website. c. 1955 essay.

Affidavit of Jens Kristian Nielsen
sworn before me at the City of Courtenay,
Province of B.C. on the 30 day
of October 20 18

Comox, October 28th 2018

A1

A2

A3

Dear Mr Mayor and Councillors,
A Commissioner for taking Affidavits
within British Columbia

Congratulations on forming a bright new council with a great mix of experience and freshness. The Mack Laing Heritage Society, and myself, look forward to working with you. With no further Court action scheduled, we have a unique chance at setting a new course for the Mack Laing Saga, as I think it was expressed by the citizens of Comox during the recently completed Municipal Elections here.

Since April 20/17, a lot of water has gone down the Brooklyn Creek to the Comox estuary, and a lot of rain has fallen on the former home of Hamilton Mack Laing, named Shakesides. If we thought the house needed some TLC back in April of 2017, the TLC has now turned into a situation where urgent action is required.

At this point in time, the Mack Laing Historical Society (MLHS) would like to make following observations and add some suggestions for near future and the road forward.

Regarding the legal process our first and main point is that we hope to never get to court again on this, but instead to find a great solution to what to do with Shakesides and Mack Laing's trust property.

The legal process where Comox has sought to amend the Trust Conditions is now paused, with that petition not having yet been heard at all. Instead we have had 3 appearances at the Supreme Court of British Columbia, and on October 16, 2018, MLHS was awarded a much better version of Intervenor status than Comox's lawyer (and the AG) had been willing to give.

The result is that MLHS will very much be part of any hearings in the future on this matter. But, as we said above, we hope to never go back to court.

The MLHS would very much like to propose and set two goals:

- a) stop the ongoing deterioration of the structure Shakesides by tarping the roof, as suggested April 20/17, and

RECEIVED

OCT 29 2018

- b) create a time opportunity for negotiations between the Town of Comox and MLHS to reach an agreement for the benefit of all rate payers in this Town.

We are enclosing a work plan to repair the roof, and are willing to do the labour for free. We would very much like to meet with you to discuss the opportunity before us.

We at Mack Laing Heritage Society would like to propose the following Work-Plan and accompanying budget (+/- \$2000.00) to get the roof work done by MLHS volunteers, and get the funding from the Town of Comox. I have spent 35 years working in the masonry industry in Calgary, in roles such as journeyman bricklayer, foreman, field supervisor and overall safety coordinator at Ib Jensen Masonry Ltd. I am well versed in covering structures with tarps for extended periods due to the sub-zero temperatures during wintertime construction in the masonry discipline and industry.

The scope and tasks of the Work-Plan are as follows:

- ✓ To take down the parts of the 2 chimneys protruding through the roof, including the steel antenna still attached to the clay brick chimney at the peak of the roof.
- ✓ Cover the thereby created openings in the roof with ½" exterior grade sheeting.
- ✓ The 4" cast iron plumbing vent near the peak on the north side, will have to stay, but we will put an appropriate size tire around it, to prevent damaging the tarp that will cover the roof.
- ✓ The 2 dormers facing the bay to the south side will present a unique challenge due to periodic strong winds coming from the south-east. This is a challenge we feel we can minimize effectively.
- ✓ In order to execute the Work-Plan and affix the tarps (3) securely, we will need to rent an Elevating Work Platform, aka a Man Lift of the type with a built-in elbow feature. The one available in town has a reach of 45', divided in 2 sections of 20' and 25' respectively. I have experience with the aforementioned, but would need to re-certify my Operator's Ticket, as I have been retired some years now; the re-certification process is available in Courtenay.

Work-Plan Details:

- a) Coordinate a workable and compliant Work-Plan with the Town of Comox Parks department, as mandated by applicable Provincial Safety Regulations and guided by the Safety policies enacted by the Town of Comox.
- b) Put up Red "No Entry" tape around the job site, allowing enough space for the work to take place in a safe manner. Some nearby trail closures might/will be needed for a period of time.
- c) It will take a crew of minimum 3 to 4 people: 2 (1 Man Lift certified) for the actual work on the man lift and roof, plus 2 people on the ground to assist the work from the ground and act as 'spotters' to monitor potential foot traffic around the site. Working at 10' or 3m above ground level, basic Fall Arrest rules are in effect at all times, including Positive Tie-off; the Man Lift is an approved anchor point.
- d) Dismantle the clay and concrete brick chimneys above the roofline, bring material to the ground using the Man Lift (max. weight in the basket at all times is 500 lbs). Install plywood over the openings and secure with screws.
- e) The 1st tarp (30'x40') to be installed will be covering the west dormer and fastened to the roof, using some full length pieces of 1x3 lumber screwed into the roof structure (see tarp detail), just below the peak on the south roof. The 2nd tarp (also 30'x40') will be installed in the same manner, covering the east dormer. Both will have been folded (pleated) during installation to allow for a snug, but relaxed fit over the front of the 2 dormers. Additional padding to be added covering any sharp corners.
- f) Install small tire over plumbing vent.
- g) The 3rd tarp (30'x50') will cover the north-facing roof, but will initially be hanging over the south-side roof, fastened with a full-length 1x4 below the 1x2 on the south roof in order to create a weather proof seam on the overlap. Thereafter the tarp will be pulled back over the peak and the tire, to cover the north roof in its entirety.
- h) In order to prevent the tarp from becoming a balloon, we will strap 5 ropes across the tarps, 1 running east to west right below the front of the dormers, 4 running across north to south on either side of the same dormers. All ropes will be tied to a rope running the circumference of the exterior of the house, immediately below the eaves, with 10 loops positioned to allow for the placement of

the 5 ropes in the right strategic places, after the tarps are installed.

- i) Using the Man Lift we can now fasten all tarp edges around the perimeter of the house, using 1x3's and screws all around the structure, gable ends etc.
- j) Clean up job site and return the Man Lift.

PROJECTED BUDGET

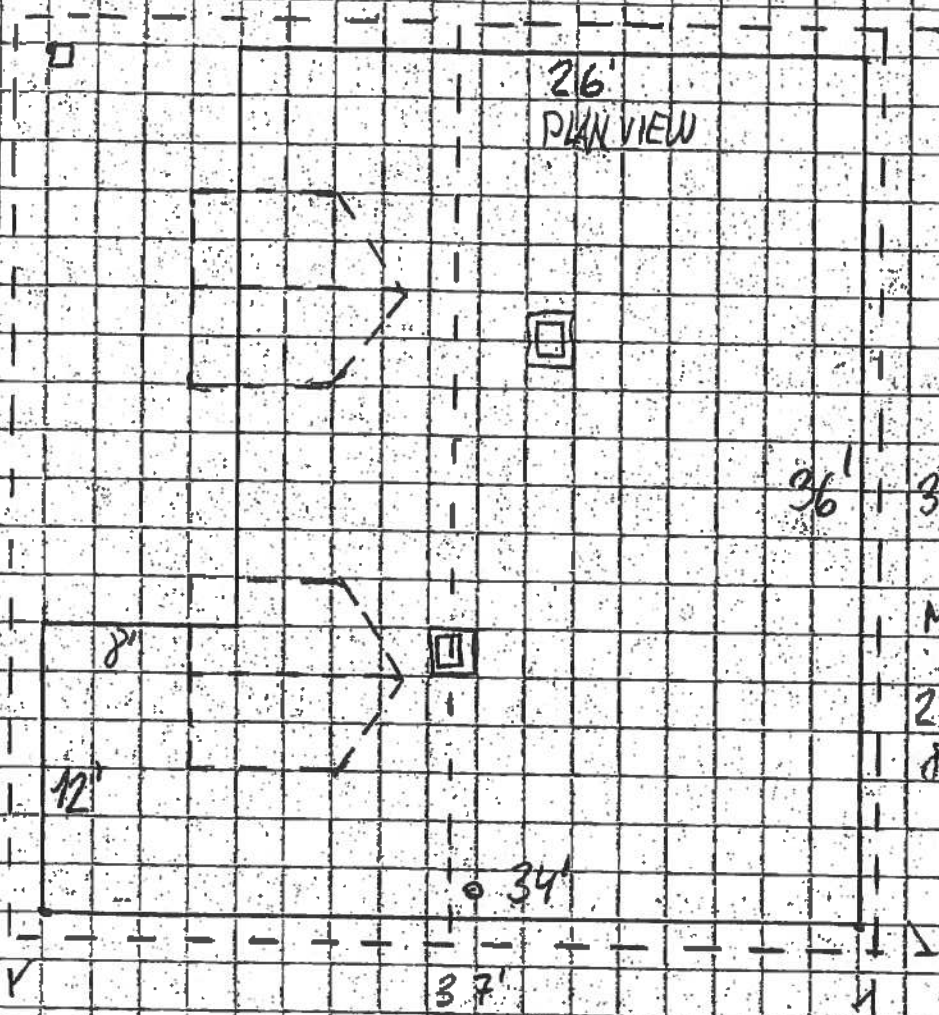
Man Lift	delivery and pick-up	\$130.00
	2 days rental	\$560.00
	Recertification	\$170.00
Rope (from Northern Ropes) 5/16x600'		\$50.00
3 Tarps (Midland Tool, Commercial #1 grade)		\$650.00
Lumber 1x4's & 1x6's		\$150.00
Screws		\$50.00
1 roll of Red "No Entry" tape		<u>\$15.00</u>
Total		\$1785.00
Applicable Taxes		\$ 214.20
<u>Grand Total</u>		\$1999.20

On behalf of the Mack Laing Heritage Society

Sincerely

J-Kris Nielsen
President of MLHS





26'
PLAN VIEW

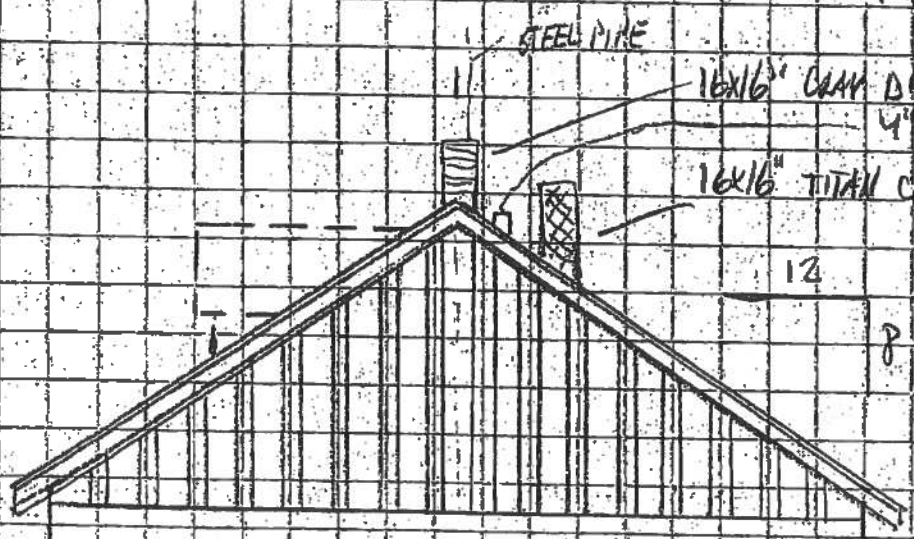
SHAKESIDES
PLAN VIEW & GABLE

36' 38'

MAIN FLOOR

26' x 36' = 936'
8' x 12' = 96'

1032'



STEEL PIPE

16x16" CANT DRIFT W/ STEEL PIPE

4" CAST IRON VENT PIPE

16x16" TITAN CANT DRIFT

12

8

8'6"

TARP 30' (23')

44' (38')

7

1x 30' x 50'

2x 30' x 40'

DORMER

WATER PROOF
TARP SEAM
@ PEAK

TARP DETAILS

1x3
HOLDING
TARP
@ EAVES &
GABLE ENDS

Mack Laing Nature Park

A1

A2

A3

Infosheet — July 2018



Situated on the shore of Comox Bay, Mack Laing Nature Park encompasses 8.3 acres of natural, coastal environs. The property was originally owned by Hamilton Mack Laing, who built his home (Shakesides) on the property in 1950. He gave the waterfront property to the Town of Comox to be used for the public's enjoyment as a nature park. Since 1983, the Town of Comox has operated Mack Laing Nature Park, adding trails and interpretive signs to foster the public's appreciation of nature.

In 2009, the Town of Comox, together with the Nature Trust of British Columbia, purchased three parcels of neighbouring land (including Laing's former property Baybrook) to expand the public greenspace along Brooklyn Creek and the Comox waterfront.

MACK LAING'S GIFTS TO COMOX

Hamilton Mack Laing (1883-1982) was a prolific naturalist, photographer, writer, artist and noted ornithologist, whose work from the Comox waterfront since 1922 earned him worldwide recognition.

In 1973, Mr. Laing deeded his property and home to the Town of Comox, in trust and in perpetuity, to be used as a public nature park for recreation and conservation, with the use of it to him for his lifetime. Mr. Laing lived at Shakesides until his death in 1982. When Mr. Laing died, through his will he gave the residual cash from his estate (approx. \$48,000) to the Town of Comox, in trust, "for the improvement and development of [his] home as a natural history museum" and to support the museum's ongoing operation.

The Town of Comox did not consider the funds to be sufficient for a museum and looked for other funding options. The funds were placed by the Town of Comox in the H.M. Laing Trust Fund.

The Town of Comox rented out Shakesides until 2012. Between 1982 and 2000, the Town spent some of the Trust Fund to maintain Shakesides, improve the surrounding park and memorialize Mack Laing.

In 2017, the Town repaid these expenditures plus interest as some of the expenditures were not authorized by the terms of the trust applicable to the money. The Trust Fund is presently \$256,000. The Town now seeks to use the Trust Fund, with the court's approval, to finance the construction of a viewing platform and the viewing platform's future maintenance and repair.



www.comox.ca/macklaingpark
250-339-2202 • info@comox.ca

DIFFICULT DECISIONS

In 2015, the Town announced its plans to demolish Shakesides, as it was not possible to carry out the charitable objectives of the will because of insufficient funds and the home's state of disrepair. The Attorney General of B.C. advised the Town of Comox that demolition should not proceed unless the terms of the trust were changed by the court.

FINDING A PATH FORWARD

In late 2015, the Town established the Mack Laing Nature House Advisory Committee, with members from Town Council and staff, the Mack Laing Heritage Society and community at large.

This advisory body to Council was tasked with: reviewing the will, reviewing the potential of converting Shakesides into a natural history museum, identifying funding opportunities to leverage the Trust Fund and identifying potential courses of action.

The Advisory Committee issued its report in June 2016, after having reviewed three options:

1. Restore the house and use the facility as a stand-alone natural history museum,
2. Retain and restore the house as a heritage property, and use it for tours and conferences,
3. Carefully disassemble the building and use the site and some materials to create a viewing site/platform in conjunction with the existing walkway

The Committee, by majority decision, recommended the third option as the most practical and feasible, while honouring the spirit and intent of Mack Laing's will. They also recommended that signage and permanent displays be erected to further honour the legacy and work of Mr. Laing. Two members of the Advisory Committee opposed the decision. Council accepted the Advisory Committee's recommendation and directed staff to begin the process to modify the terms of the trust.

CURRENT STATUS

A1

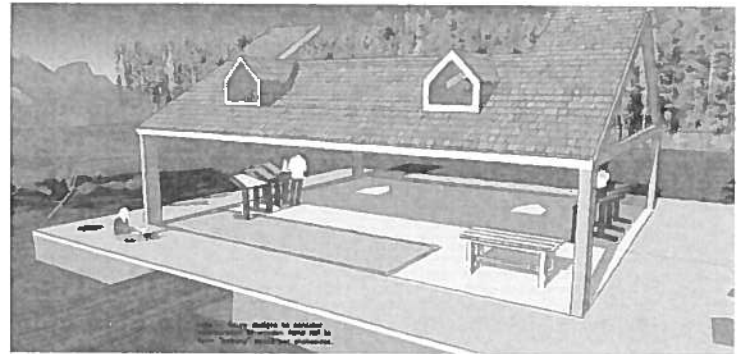
A2

A3

In early 2017, the Town of Comox made an application to the B.C. Supreme Court for an order varying the trust as it applies to the money in order to "further both the intention of the will-maker and the best interests of the Town". The Town of Comox proposes that the trust be varied to allow funds to be used for construction of a viewing platform on the site of Shakesides, once Shakesides has been removed.

The Town of Comox has obtained design and cost estimates for a platform that has a height and roofline replicating Shakesides, and which incorporates some of the materials from Shakesides. The Town of Comox plans to equip the viewing platform with information panels covering topics on local natural history for the benefit of users of the nature park. Funds remaining after construction would be held in a reserve fund for the maintenance and repair of the platform.

Currently, the Town of Comox's application remains before the Court, with the next court date scheduled for October 2018.



Rendering of the proposed viewing platform

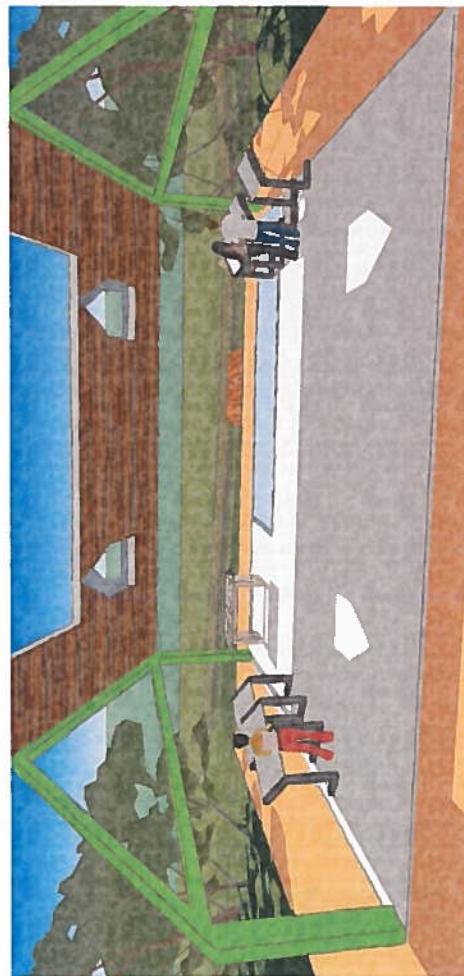
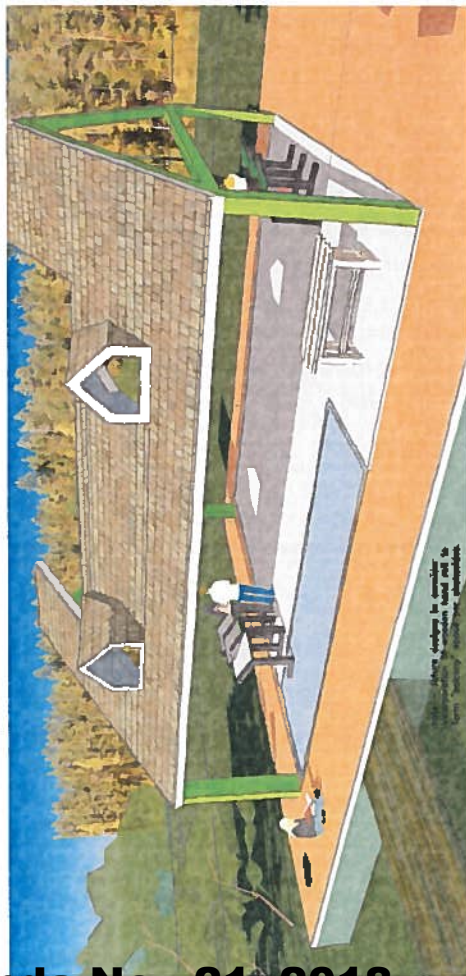
LEARN MORE

For updates about the park and Town's plans moving forward, visit www.comox.ca/macklaingpark

To learn more about Mack Laing and his legacy, visit the Mack Laing Heritage Society website at: www.macklaingsociety.ca

Or visit the Comox Museum and Archives at: www.comoxmuseum.ca





A1

A2

A3

March 2017

concept for shakesides viewpoint



OUTLOOK
ARCHITECTURE AND
LANDSCAPE ARCHITECTURE
Places People Love

1000 10th Ave
Suite 100
Boulder, CO 80502
303.440.1000
www.outlookarch.com



TOWN OF COMOX
Regular Meeting of Council

A1

A2

A3

STAFF REPORT

Meeting Date: December 6, 2017

TO: Mayor & Council	FILE:
FROM: Richard Kanigan, Chief Administrative Officer	DATE: Nov. 29, 2017
SUBJECT: Court Application to Modify the Terms of the Mack Laing Trust	

Prepared by: <i>R. KANIGAN</i>	Supervisor:	Financial Approved:	Report Approved:
		<i>Clive Freundlich Fin. Director</i>	<i>Richard Kanigan, CAO</i>

Recommendation(s) from the Chief Administrative Officer:

WHEREAS by resolution made February 1, 2017, the Council of the Town of Comox:

- (a) authorized an application be made to the British Columbia Supreme Court to seek a variation of the terms of the trust applicable to money held by the Town (the "Trust Funds") pursuant to the will of (Hamilton) Mack Laing that was probated on March 2, 1982;
- (b) proposed that the terms of the trust applicable to the Trust Funds be varied to permit the Town to use the money for the purpose of constructing a viewing platform in Mack Laing Park on the site of the dwelling known as Shakesides, once Shakesides has been removed; and
- (c) authorized the Town to pay the difference in the cost of constructing the proposed viewing platform and the amount of the Trust Funds, up to \$75,000.00.

AND WHEREAS Council recognizes that prior to 2001, the Town expended money from the Trust Funds for expenditures related to maintaining Shakesides, to improving the surrounding park lands and to memorializing Mack Laing, but that such expenditures did not go towards the establishment or maintenance of a museum in Shakesides as prescribed in Mack Laing's will;

AND WHEREAS Council considers it appropriate to reimburse the Trust Funds by paying in an amount that is equal to the expended money plus the interest the expended money would have earned had it been invested in the same manner as the unspent Trust Funds;

AND WHEREAS Council wishes to propose to the Court that if the trust is varied to permit the Trust Funds to be spent on constructing a viewing platform, any Trust Funds remaining after construction be placed in a reserve fund.

NOW THEREFORE, at open meeting assembled, the Council of the Town of Comox resolves THAT:

- (a) Council authorize the payment into the Trust Funds of \$178,000.00, consisting of \$103,000.00 to be taken from general revenue together with the \$75,000.00 that was previously allocated from general revenue for construction of the proposed platform by resolution made February 1, 2017;
- (b) The Town continue to seek a Court-ordered variation of the trust applicable to the Trust Funds to allow for the Trust Funds to be used to fund the demolition of Shakesides and the construction of the proposed viewing platform in its place; and
- (c) The Town propose to the Court that the variation of the trust be conditional on Council adopting a bylaw establishing a reserve fund under section 188 of the *Community Charter* for the specific purpose of funding the maintenance and repair of the proposed viewing platform and directing that the amount of the Trust Funds remaining after the construction of the viewing platform be placed in the reserve fund.

Background

The Town has filed a Petition with the Court following direction received by Council at its Regular meeting held February 1, 2017. The Attorney General has not yet filed a response to the Town's Petition. In the interim, a question has been raised regarding whether the Town will reimburse the trust funds for expenditures made prior to 2001 and whether this reimbursement will occur before the Petition is heard. The Town has not spent any of the trust funds since 2001.

It appears from Town records that between 1982 and 2000 that the Town spent money from the trust funds as follows:

- (i) \$46,512.36 in expenses, including materials and supplies, contract services, property insurance, staff wages, overhead and charges for use of Town equipment debited towards accounts in the Town's general ledger variously described as "Mack Laing Property", "Mack Laing Park" and "Mack Laing House";
- (ii) \$2,693.20 deducted in 1982 to cover costs for printing reproductions of Mack Laing black and white drawings in 1981;
- (iii) \$900 paid in 1983 to Richard Mackie as a partial contribution towards the cost to write an biographical manuscript on Mack Laing;
- (iv) \$1,000 in matching funds to a Federal program described in the General Ledger as N.E.E.D. and which appears to be directed towards Mack Laing Park development in 1983;
- (v) \$123.50 for the purchase of books about Mack Laing in 1987;
- (vi) \$3,680.00 for the purchase of nature panels for display in Mack Laing Park in 1987; and
- (vii) \$3,000.00 towards the repair of Brooklyn Creek Stairs in 1990;

It also appears from Town records that in 1983 the Town authorized the lawyer executing Mack Laing's estate to pay \$3,500.00 to Richard Mackie for manuscript costs from the Town's share of the estate to be held in trust and that the Town authorized the expenditure of an unspecified amount be spent from the trust funds for the cairn memorializing Mack Laing.

Discussion

Between 1982 and 2000, the Town spent some of the trust funds to maintain Shakesides, improve the surrounding park, and memorialize Mack Laing. These expenditures may not have been in strict accordance with the terms of the trust, which required the Town to use the funds to convert Shakesides into a museum. Rather than engaging in a debate today about the propriety of past expenditures, staff proposes that the Town pay an amount into the trust funds that equals the amount expended plus the interest that the Town would have earned had the money been invested in the same manner as the unspent trust funds. This payment would be added to the trust funds now and would remain part of the trust funds whether or not the trust is varied by the court.

Summary

Given the proposed payment into the trust funds as outlined on page 2, the cost of the proposed viewing platform is likely to be less than the amount of the trust funds. Staff recommends that the Town propose that the remaining money be placed in a reserve fund established by bylaw under section 188 of the *Community Charter* that could be used to fund the maintenance and repair of the viewing platform. As Council cannot bind itself to adopt a particular bylaw in the future and the Court will not make an order that Council adopt a particular bylaw, staff recommends that Council propose that the terms of trust be varied on the condition that a reserve fund be established.



TOWN OF COMOX
Regular Meeting of Council

A1

A2

A3

STAFF REPORT

Meeting Date: February 1, 2017

TO: Mayor & Council	FILE:
FROM: Richard Kanigan, Chief Administrative Officer	DATE: January 26, 2017
SUBJECT: Court Application to Modify the Terms of the Mack Laing Trust	

Prepared by: <u>R. KANIGAN</u>	Supervisor: _____	Financial Approved: _____	Report Approved: _____
		Don Jacquest, Fin. Director	Richard Kanigan, CAO

Recommendation(s) from the Chief Administrative Officer:

WHEREAS the Town of Comox holds money subject to a trust (the "Trust") under the terms imposed by the will of (Hamilton) Mack Laing that was probated on March 2, 1982;

AND WHEREAS the terms of the Trust contemplate the use of the money to develop the dwelling ("Shakesides") in Mack Laing Park as a natural history museum;

AND WHEREAS the natural history museum was not developed because the Town subsequently determined that the amount of money subject to the Trust was insufficient for that purpose;

AND WHEREAS the Council of the Town of Comox, in considering the best interests of the Town, has considered, among other factors, the report and recommendation of the Mack Laing Nature House Advisory Committee.

NOW THEREFORE, in open meeting assembled, the Council of the Town of Comox
RESOLVES:

THAT the Council finds the terms of the Trust to no longer be in the best interests of the Town;

THAT the Town's solicitors be directed to make an application to the British Columbia Supreme Court under section 184 of the *Community Charter* for an order varying the Trust so as to better further both the intention of the will-maker and the best interests of the Town;

THAT the Town propose that the Trust be varied to permit the Town to use the money subject to the Trust for the purpose of constructing a viewing platform in Mack Laing Park on the site of Shakesides, once Shakesides has been removed;

THAT the Town's staff be directed to obtain a design and cost estimate for a viewing platform that has a height and roofline replicating Shakesides' height and roofline and which design may incorporate the use of materials taken from Shakesides;

THAT, if the cost of constructing the proposed viewing platform exceeds the amount of money subject to the Trust, the Town shall pay the difference up to \$75,000; and

THAT, if the variation of the Trust for the purpose of constructing the proposed viewing platform is not accepted by the Court, that the Town propose to be released of the obligations under the Trust upon the Town's transfer of the money subject to Trust to the Attorney General of British Columbia.

Background

At the July 20, 2016 Regular meeting of Council, the following resolutions were passed:

That the Town receive the Mack Laing Nature House Advisory Committee provisional report and accept the recommended course of action of disassembling the Mack Laing House, and use the site and some materials to create a viewing platform in conjunction with the existing walkway.

That staff be directed to begin the process to modify, if necessary, the terms of the Trust.

Staff have identified that a court-ordered modification of the Trust is necessary to pursue the recommendation of the Mack Laing Nature House Advisory Committee. Section 184 of the *Community Charter* provides for an application to vary the Trust.

Property accepted in trust

184 (1) All money that is held by a municipality and is subject to a trust must be invested in accordance with section 183 until it is required for the purposes of the trust.

(2) If, in the opinion of a council, the terms or trusts imposed by a donor, settlor, transferor or will-maker are no longer in the best interests of the municipality, the council may apply to the Supreme Court for an order under subsection (3).

(3) On an application under subsection (2), the Supreme Court may vary the terms or trusts as the court considers will better further both the intention of the donor, settlor, transferor or will-maker and the best interests of the municipality.

(4) Section 87 [*discharge of trustee's duty*] of the *Trustee Act* applies to an order under subsection (3).

In order to authorize the court application and advise the court what the Council considers to be a variation that would be in the best interests of the Town, Council should consider making four key determinations and authorizations:

- (a) a finding by the Council that the Trust is not in the best interests of the municipality;
- (b) authorization of an application to the court for a variation of the Trust;
- (c) a proposal as to how the court could vary the Trust in a manner that would be in the best interests the Town, being mindful that the court will also consider the intention of the will maker in deciding whether and what variation is appropriate, and
- (d) authorization of any additional spending of Town funds in support of that proposal.



TOWN OF COMOX

STAFF REPORT

Meeting Date: June 22, 2016

TO:	Members of the Committee of the Whole	FILE:	0540-20
FROM:	Richard Kanigan, Chief Administrative Officer	DATE:	June 17, 2016
SUBJECT:	Mack Laing Nature House Advisory Committee		

Prepared by: <i>R. KANIGAN</i>	Supervisor:	Financial Approved:	Report Approved:
		<i>Don Jacquest, Fin. Director</i>	<i>Richard Kanigan, CAO</i>

Recommendation from the Chief Administrative Officer:

1. THAT the Town receive the Mack Laing Nature House Advisory Committee provisional report and accept the recommended course of action of disassembling the Mack Laing House and use the site and some materials to create a viewing platform in conjunction with the existing walkway.
2. THAT staff be directed to begin the process to modify the terms of the Mack Laing Trust

Background:

The Mack Laing Nature House Advisory Committee has submitted their provisional report to Council for review and consideration. Council has been receiving the minutes of their meetings since they commenced their deliberations in January of this year, however the report provides a quick summary of all the meetings and their three options as well as a recommended course of action. The three options considered were to:

- 1) Restore the house and use it as a standalone Nature House
- 2) Retain the house as a heritage property and use it for tours and conferences
- 3) Disassemble the building and repurpose some of the building materials to create a viewing site and structure.

The Advisory Committee is recommending Option 3.

Next Steps:

From a staff perspective, the Committee of the Whole has a series of possible next steps available for consideration:

- 1) Receive the report, accept the recommended course of action and thank the Advisory Committee volunteers for their efforts.
- 2) Direct the Advisory Committee to consider additional aspects related to this issue
- 3) Receive the report, do not accept any of the recommendations, and return the Trust Funds to the Attorney General's office

Should the Committee of the Whole accept the first option noted above, staff would take all the minutes and the provisional report and use it as the basis to apply to the Attorney General to modify the Trust. On behalf of the Town, we would explain that there never were sufficient funds

in the Trust to meet the wishes of Mack Laing as expressed in his will and that we would use the available funds to develop an alternative memorial to Mack Laing that could achieve some of his wishes.

Directing the Advisory Committee to consider additional aspects related to this issue is another avenue the Committee of the Whole can recommend. If that is a direction the Committee wishes to pursue, I would suggest that the direction provided as to what aspects you would like the Advisory Committee to look into should be quite specific.

Receiving the report and not accepting any of the recommendations, and returning the Trust Funds to the Attorney General is a step that can always be considered at a later date, something more of an option of last resort.

Recommended Course of Action:

I would recommend that the Committee receive the report, accept the recommended course of action and thank the Advisory Committee volunteers for their efforts. The Advisory Committee report shows that over the past five months of deliberations, it does not appear to be possible or practical to achieve the wishes of Mack Laing in establishing a Nature House. This comes as no surprise when one looks back to when Council first accepted this Trust; there were not sufficient funds available to achieve his wish at that time.

Should the Committee accept this as a recommended course of action, staff will begin the process of collecting the information required to apply to modify the Trust.

o - cfile

copies - Council / RK / AF

LOG:	REFER:	AGENDA:
FILE: 0540-20 /:	ACTION: MR	COW - Jun 22

RECEIVED

June 13, 2016

Mack Laing Nature House Advisory Committee

Provisional Report – June 10, 2016

TOWN OF COMOX

1. **General.** This document is a provisional report of the Ad Hoc committee struck by the Town of Comox to examine circumstances and make recommendations regarding the situation regarding the former residence of Mack Laing, called "Shakesides". This situation was created by the Council's requirement to address a letter received by the BC AG, that requires specific action on their part prior to moving forward on the issue. This report addresses the issue in accordance with the TOR, and provides our recommendations as to a way-ahead. It does not, however, propose a clear action or implementation plan as requested in the deliverable section of the TOR, nor does it contain cost estimates. The committee now needs to know in which direction the Council wishes to proceed before they can begin to flesh out that piece of the mandate. There are, however, some ideas and concepts contained in the recommendation section that could form part of that instruction.

2. **Setup.** The committee selected for this task was quite well balanced with appropriate representation from all stakeholders. As was to be expected, there were differences of opinion on the way ahead, some major, however decisions, where required, were made as instructed using the "majority of voters (50%)" principal. Founding documents are attached and need not be repeated herein, except in reference. The committee were able to establish their own schedule to enable sufficient time for research and discussion in between meetings and to accommodate the differing timetables of the members. Considerable work was completed by individual members between meetings, and the results then debated. For example, several websites that discussed the set up and operation of museums were used extensively by some members to form their opinions regarding the possibility of converting Shakesides. Private e-mail exchanges occurred between board members in-between meetings, but this was not found to be helpful. We received excellent clerical support and advice from Town staff in the conduct of our business.

3. **Report format.** The remainder of this report will follow the deliberations of the committee as they progressed through the seven meetings, pulling relevant decision items from the minutes, which should be read in concert with this report for context and clarity.

4. **Meeting One.** 22 Jan 16. This was primarily a set-up and "get to know you" meeting. The committee elected a chair by secret ballot, who was then responsible for the conduct of the meetings. Each committee member described what they wanted to get out of this process. A general discussion of the TOR ensued and a "strawman" approach to the task was developed. The committee thought that the "deliverables" that were provided might be a bit narrow and decided that they would examine more options than just the one provided. Several sources of documents that could provide more information were identified, with promises to bring those forward for future meetings.

5. **Meeting Two.** 12 Feb 16. In this meeting the committee examined and discussed the legal documents: The Deed of Transfer, the Will, and the letter from the BCAG. The committee agreed that the transfer of the land and buildings to the Town was straightforward but were puzzled that the Town would accept a small trust fund that applied to a structure that the Town owned and was nowhere near large enough to do anything with. Nevertheless, a majority agreed that it was not our job to do a post-mortem or assign responsibility, but to move forward. Our understanding of Mack Laing's intent in the will was that he "wished" and "desired" for the monies to be used towards a museum, but this was by no means explicit. The committee thought that the request letter from the BC Attorney General's office was reasonable and, given the situation, it seemed to leave the door open to finding a compromise solution to this difficult situation. We were able to determine that there had been at least two other attempts to determine the feasibility of this project, and neither had been completely conclusive. Several supporting documents were accepted and read.

6. **Meeting Three.** 26 Feb 16. The meeting commenced with a walk-through of the house and site, so committee members could apprise themselves of the situation on the ground. It was found to be as described, in a very run-down condition, but those with building experience described it as having "good bones" and thought it could be repaired. The basement wall showed signs of cracking, and there was evidence of flooding in the area, and termite damage to the exterior and foundation walls. It was agreed that our inspection was perfunctory at best, and noted that it would take a comprehensive examination including inspection of the internal structure before a realistic assessment of the potential for restoration would be possible. Neither the basement area or the attic were deemed to be useable, except perhaps as storage. The committee noted that as long ago as 1981 it had been determined that it would be difficult and expensive to make this structure into a museum, since then the situation has only deteriorated. The committee then analyzed the financial statements provided; a majority concluded the Town seemed to have exercised due diligence by investing the funds and looking after the building and site. The committee resisted attempts by one member to introduce the matter of rental income into the calculation, for two reasons; first, that matter was not in our mandate, secondly, the house and its maintenance were the responsibility of the town and outside the trust monies. Meeting Three concluded with a discussion of the way ahead, and it was decided the next meeting would be a "brainstorming session" of possible options that we could then prioritize and expand.

7. **Meeting Four.** 18 Mar 16. This was a very active meeting where we tossed around various ideas for how we could meet the intent of the trust. At this point, no ideas were rejected or dismissed as unworkable and, as they flowed, the options distilled around four possible ways ahead:

- Option 1 - Retain and restore Shakesides as a stand-alone natural history museum;
- Option 2 - Retain and restore Shakesides as a heritage building and provide hybrid solution with CAMS;
- Option 3 - Do not retain the building, and create a website as a virtual museum whilst working with CAMS to house some artifacts, and

- Option 4 - Move the building to some other location and restore it as a heritage building/and or museum.

A majority of the committee were satisfied that any one of these approaches could probably fulfill at least the intent of the trust. All were asked to conduct a SWOT analysis of the options and bring them to the next meeting.

8. Meetings Five and Six. 08 Apr 16 and 22 Apr 16. This meeting was broken into two sessions because of the sheer volume of work to be accomplished, and the fact that not all members were available at all times. Almost the entire first session was spent analyzing the first option, where the strengths, opportunities weakness and threats (risks) were discussed, weighed and noted. We were able to use extensive material obtained from the Internet regarding starting a Museum from scratch to inform our discussions about what our needs would be. During the second session, both option two and three were fleshed out some more, and a decision was made to eliminate further study and work on Option Four. Preliminary investigation of this option had revealed that in addition to having to find a new, more accessible site for it, the structure would either have to be cut up or barged out at considerable expense. It was thus deemed an unworkable option for our needs. Satisfied that we had addressed most of the issues and concerns, we adjourned for one week to study the analysis individually, to come back ready to make some recommendations.

9. Meeting Seven. 29 Apr 16. Decision meeting. This meeting was designed to be where we all openly spoke to the options and indicated which was our preference and, more importantly, why. Each speaker was asked to defend and outline their particular option and to express why they thought it would or could work. A ballot system determined the order of speaking. All members spoke openly about each of the options and indicated which one they preferred. Some chose to elaborate, others just stated their preference. The following represents an encapsulation of the ideas and comments that ensued, along with the decisions.

Discussions and Recommendations

a. Option One. Restore the house and use the facility as a stand-alone Natural History Museum. This option was unanimously deemed as unfeasible and unworkable given the location constraints and it was deemed potentially risky in terms of its long-term sustainability. The location was regarded as unsuitable for a museum because of difficult public access and traffic issues, security and fire protection and flooding issues. The building has been deemed unsuitable for this purpose since 2002, and although the the committee thought the building might be able to be restored, they were not all entirely convinced that it could be brought to a standard in terms of display and archiving facilities that would justify it becoming a permanent addition to the Comox Museum Society. The committee also thought that although it may be possible to raise funds to restore the building in the short to medium term, a comprehensive and defensible business plan needed to be created to attract those funds. There were significant concerns regarding the ongoing operation and long-term sustainability of this

option, particularly as the Comox museum operation is already stretched in terms of funding and staffing. The availability of volunteers to staff and maintain this facility could not always be guaranteed, and on-going funding for the operation would quickly deplete any reserves from the trust fund, necessitating either user fees or support from the Town. Accordingly, the committee unanimously believed that this proposal was unsustainable and it was **not recommended**.

b. Option Two. Retain and restore the house as a heritage property, and use it for tours and conferences. In this scenario, the building would be restored to its original state, but would not need the enhancements required for a museum. It would not have general public access, but would be operated and maintained by a team of volunteers, whilst remaining a Town building. The concept would see guided tours and nature talks in the facility. All agreed that the building would need to remain under the aegis of the CAMS, who would also assume responsibility for archiving and displaying some of Mack Laing's memorabilia in their own spaces. Two members of the committee chose this as their preferred option, citing how it would allow the retention of a piece of Comox history that could enhance the experience of those wishing to visit the site and learn more about Mack Laing's heritage and contributions. They suggested that funds for ongoing operations could be raised by charging access fees and donations. Concerns raised by other committee members included the physical location issues of Option One (accessibility, security, fire protection, flooding etc.), but most were apprehensive about the viability and sustainability of funding of this option over the long term, noting, for example, that it only has a wood stove for heating, so operation in the winter months would require someone there almost full-time or an expensive retrofit. A committee member also noted that it may be redundant to create a unique nature conference facility in Comox, since the Filberg Lodge can be rented for that purpose. Several committee members noted that the building is not especially unique in structure or appearance and the large cracked concrete foundation has become an eyesore in what is intended to be a nature park. Some members were concerned of the eco-sensitive nature of this site and what a re-build might do. Finally, the aspects of an additional load on the already burdened CAMS, the uncertainty of continued volunteer assistance over the long-term and the risk that this structure might become an encumbrance later on weighed heavily; accordingly, a majority of the Committee determined that, in their opinion, there were too many risks and uncertainties associated with this proposal to offset the positive aspects of keeping the structure intact, and it was **not endorsed**.

c. Option Three. Carefully disassemble the building and use the site and some of the materials to create a viewing site or platform in conjunction with the walkway structure already there. Signs and permanent displays such as benches could also be used, similar to those already in the park. Additionally, CAMS space could be reorganized to incorporate a Mack Laing exhibit and the museum website could be modified to include the history and heritage of this area pioneer. A majority of the committee endorsed this approach as being the most practical and feasible, whilst still honouring the spirit and intent of the trust. This approach would have the added benefit of bringing the Mack Laing story to a much wider audience via the internet, and in their

opinion, the risk to Comox taxpayers is lessened over the other two options. Committee members thought that if perhaps this were to become a Sesquicentennial project for the Town, local service clubs could be invited to participate, and it may be possible to "twin" sites and displays with the old Baybrook house location, (although it understood that there is a project well underway in this regard). A solid majority of the committee felt that this approach could have a very positive effect, if handled properly, and that, fleshed out and codified, could probably constitute grounds for a cy-pres application to the courts, (in that the trust funds are being applied to some other purpose as near as possible to the settlor's purposes.)

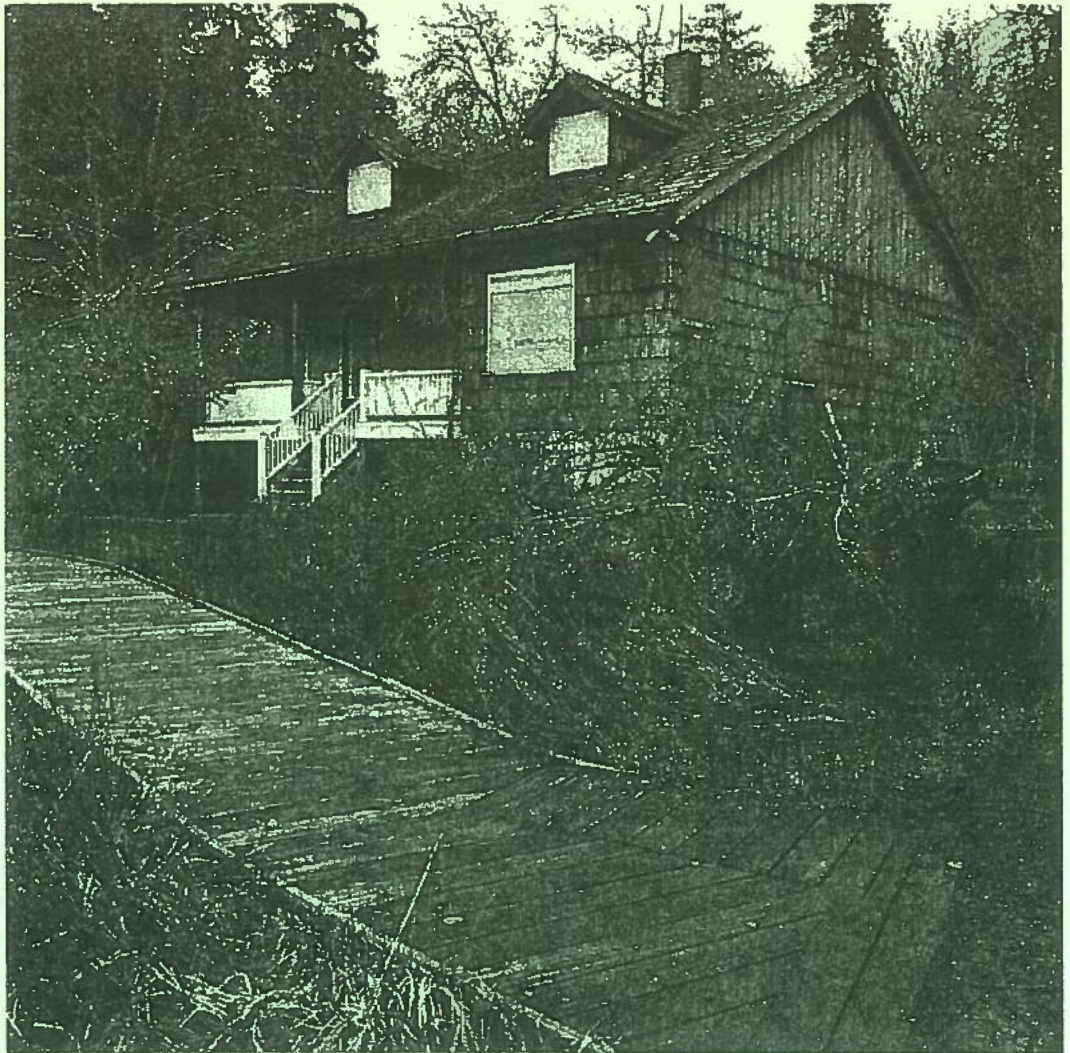
Decision. In accordance with the guidance provided in the founding documents, the committee reached a majority decision to recommend **Option Three** to the convening authority and await a decision on future actions.



March 07/2016.
This was caused by rainfall only.



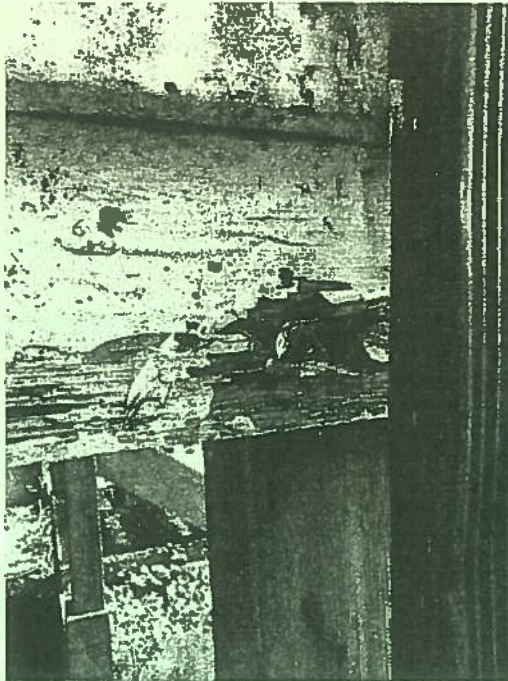
Jan 17th 2016.
The approaches are wet and unstable.



March 2016.
The façade is in bad repair.



Termite damage in basement sill.



Wood rot in veranda

Preliminary sketches of the viewing platform described in the proposed resolution are currently being prepared. Town staff estimate that the cost of constructing such a viewing platform will be in the range of \$100,000 to \$150,000. This exceeds the present amount of the Trust and will require an additional contribution by the Town. If an application to the court is authorized, Town staff will commission a formal design and cost estimate of the proposed structure.

{NOTE: see attached photograph of the Mack Laing house which shows the roof line that the Town is attempting to capture in the design of a new shelter, combined with the type of timber frame construction shown in the second image.}



COMOX VALLEY REGIONAL DISTRICT BOARD

Tuesday, October 2, 2018

Minutes of the meeting of the Comox Valley Regional District Board of Directors held on Tuesday, October 02, 2018
in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC
commencing at 6:45 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
	M. Theos	City of Courtenay
	B. Leigh	Oyster Bay – Buttle Lake (Area 'D')
	K. Grant	Town of Comox
Staff:	R. Dyson	Chief Administrative Officer
	B. Dunlop	Corporate Financial Officer
	S. Smith	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
	J. Martens	Manager of Legislative 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:

B. Wells/K. Grant: 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)(a) Personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the regional district or another position appointed by the regional district;

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

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;

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

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

ADOPTION OF MINUTES:

B. Wells/K. Grant: THAT the Comox Valley Regional District Board minutes dated August 28, 2018 be adopted.
208 Carried

B. Wells/K. Grant: THAT the Comox Valley Regional District Board minutes dated September 18, 2018 be adopted.
208 Carried

REPORTS:

BLACK CREEK - OYSTER BAY SERVICES COMMITTEE - SEPTEMBER 17, 2018

K. Grant/B. Leigh: THAT the Black Creek-Oyster Bay Services Committee minutes dated September 17, 2018 be received.
208 Carried

B. Leigh/B. Price: THAT a partnership between the Black Creek – Oyster Bay Fire Protection Service and the Greater Merville Fire Protection Service be approved that provides firefighter training for Merville volunteers on a cost-recovery basis;

AND FURTHER THAT annual financial plans incorporate a cost-recovery for volunteer recruitment and training in the Greater Merville Fire Protection Service at \$1100 per recruit per year, to be determined at the end of each calendar year.
209 Carried

B. Wells/B. Price: THAT the matter of the Black Creek - Oyster Bay Water Local Service Area new water supply well project be referred to a future meeting of the Black Creek - Oyster Bay Services Committee in January of 2019;

AND FURTHER THAT a meeting be arranged between representatives of the Comox Valley Regional District, Strathcona Regional District and the Black Creek - Oyster Bay Services Committee.
209 Carried

Director Leigh left the meeting at 6:50 pm.

ELECTORAL AREAS SERVICES COMMITTEE - SEPTEMBER 17, 2018

K. Grant/E. Grieve: THAT the Electoral Areas Services Committee minutes dated September 17, 2018 be received.
208 Carried

Grant Hyde, adjacent property owner, presented information regarding Development Variance Permit application DV 4B 18 for 1561 McDonald Road, (Swan).

The applicants, Michelle and Daryl Swan, provided information regarding Development Variance Permit application DV 4B 18 for 1561 McDonald Road, (Swan).

E. Grieve/R. Nichol: THAT the following presentations be received:

- Grant Hyde, adjacent neighbour; and
- Michelle and Daryl Swan, applicants.

208 and 213

Carried

E. Grieve/R. Nichol: THAT the board approve the Development Variance Permit DV 4B 18 (Swan) to vary the following zoning bylaw regulations:

- To reduce the rear setback of the proposed carriage house from 7.5 metres to 3.1 metres;
 - To reduce the left (northeast) side yard setback of the proposed carriage house from 3.5 metres to 3.1 metres;
 - To reduce the rear setback of the proposed eaves of the carriage house from 5.5 metres to 2.7 metres; and
 - To vary Section 313(6)(vi) of the zoning bylaw to permit the floor area of the ground level to be greater than the floor area of the second storey;
- for property described as Parcel A (DD 389220I) of Lot F, Section 5, Comox District, Plan 10028, PID 005-486-556 (1561 McDonald Road);

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

208 and 213

Carried

NAY: B. Jolliffe

E. Grieve/K. Grant: THAT the board approve the Development Permit DP 11B 18 (Jo-Ann Estates Ltd.) on the property described as Lot 2, District Lots 229 and 239, Comox District, Plan VIP85435, except Plan EPP78295, PID 027-590-887 (1690 Ryan Road E) for the development of an office building and related works;

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

208 and 213

Carried

B. Wells/B. Price: THAT the Comox Valley Regional District Board approve Development Permit DP 17B 18 on the property described as Lot 1, District Lot 114, Comox District, Plan 2280, PID 006-412-335 (1671, 1673 and 1675 Ryan Road East) for the construction of three mini-storage warehouse buildings subject to the development permit not being issued until a landscape security deposit in the amount of \$34,932.82 (125 per cent of the \$27,946.25 estimate) has been satisfactorily received by the Comox Valley Regional District;

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

208 and 213

Carried

B. Wells/K. Grant: THAT the board approve the Shoreline Protection Devices Development Permit DP 16B 18 (Wade/Busenius) for the property described as Lot 11, District Lot 209, Comox District, Plan 13961 (1476 Wilkinson Road) for the installation of a shoreline protection device as per the staff report dated September 7, 2018 and the permit;

AND FURTHER THAT the Corporate Legislative Officer be authorized to execute the permit.
208 and 213

Carried

K. Grant/B. Wells: THAT the board consider three readings of an amendment to Bylaw No.1567 being the “Denman Island Water Local Service Area Conversion and Establishment Bylaw No.1567, 1993” to exclude the property within the Denman Island Water Local Service Area indicated on the map provided as Appendix A to the staff report dated September 13, 2018;

AND FURTHER THAT the Electoral Area Director for Baynes Sound – Denman/Hornby Islands (Electoral Area A), as the participant in the Denman Island Water Local Service, consent to the amendment of the service establishment bylaw in writing;

AND FINALLY THAT the board consider adoption of the amending bylaw.

207

Carried

B. Wells/K. Grant: THAT the final draft of the Seal Bay Regional Nature Park and Forest Management Plan update (2018) be referred to the applicable government agencies, First Nations, affected community stakeholder groups, and internal regional district departments for comment and also posted on the Comox Valley Regional District website for final public review;

AND FURTHER THAT following the referral and comment period, the final Seal Bay Regional Nature Park and Forest Management Plan update (2018) be brought forward to the Electoral Areas Services Committee for final review and recommendation for board adoption.

209

Carried

K. Grant/B. Price: THAT the board proceed with expanding the purpose of the Denman Island Community Hall service in order to also provide funding for the Denman Activity Centre and increase the maximum requisition by 25 per cent and initiate the following:

1. A service amendment bylaw be submitted to the electors for approval by way of the Alternative Approval Process to be conducted for the Denman Island Community Hall service area being Denman Island (a defined portion of Electoral Area A);
2. The notice to electors (includes synopsis of proposed bylaw) attached to the staff report as Appendix A dated September 7, 2018 be approved;
3. The elector response form Appendix C attached to the staff report dated September 7, 2018 be approved;
4. The deadline for receiving the elector response forms be set at 4:30 pm on Thursday, January 17, 2019; and,
5. The total number of electors within the service area to which the alternative approval process applies is determined to be 926 of which 10 per cent or 93 must submit elector response forms to prevent the Comox Valley Regional District from adopting the Denman Island Community Hall Service Establishment Amendment Bylaw without first obtaining the assent of the electors by way of referendum.

207

Carried

B. Price/K. Grant: THAT an application be made to the Infrastructure Planning Grant Program for a feasibility study for a Hornby Island composting toilet residuals management service;

AND FURTHER THAT the 2019-2023 financial plan for Service 155, Hornby Island Feasibility Studies, include up to \$5,000 for the Hornby Island composting toilet residuals management service feasibility study for further consideration and approval.

207

Carried

R. Nichol/K. Grant: THAT the to subdivide lands known as Lot 1, Block 29, Comox District, Plan 24877, be forwarded to the Agricultural Land Commission for their consideration, without comment.
208 and 213 Carried

Due to a potential perceived conflict of interest in relation to his spouse's position as chair of the Agricultural Land Commission, R. Dyson, Chief Administrative Officer, did not participate in the discussion regarding Agricultural Land Reserve application ALR 4C 18 (Proctor).

K. Grant/R. Nichol: THAT the 2019 Electoral Areas services parkland workplan include consideration of the requests from Sharon Pickthorne, Back Country Horsemen of BC (BCHBC) - North Van Isl Chapter (NVI) liaison with CVRD and Director of Horse Council of BC (HCBC) as follows:

- continued collaboration on multi-use trail initiatives with the goal of continued access for equestrians;
- support for multi-use existing extended horse-bike trail to be re-routed/constructed away from busy Bates Road for the safety of everyone;
- support for re-routing the existing horse-bike trail away from private property edge (Langlois Road) for public safety and enhanced property privacy; and
- parking enhancements on Mitchell//Elmo Roads.

209 Carried

INTEGRATED REGIONAL TRANSPORTATION SELECT COMMITTEE - SEPTEMBER 17, 2018

E. Grieve/R. Nichol: THAT the Integrated Regional Transportation Select Committee minutes dated September 17, 2018 be received.
208 Carried

SEWAGE COMMISSION - SEPTEMBER 18, 2018

E. Grieve/K. Grant: THAT the Sewage Commission minutes dated September 18, 2018 be received.
208 Carried

COMOX VALLEY SPORTS CENTRE COMMISSION - SEPTEMBER 18, 2018

K. Grant/M. Theos: THAT the Comox Valley Sports Centre Commission minutes dated September 18, 2018 be received.
208 Carried

COMMITTEE OF THE WHOLE - SEPTEMBER 18, 2018

B. Price/K. Grant: THAT the Committee of the Whole minutes dated September 18, 2018 be received.
Carried

R. Nichol/B. Wells: THAT the final report on utilities governance for the Comox Valley Water Committee and Sewage Commission be referred to the Comox Valley Water Committee and Sewage Commission following the 2018 local government elections for further consideration of governance issues, concerns and options.
208 Carried

B. Wells/K. Grant: THAT the Comox Valley Regional District approve the application process for funding to continue the wood-stove exchange program in the Comox Valley Regional District;

AND FURTHER THAT staff submit an application for up to \$40,000.00 to the provincial wood stove exchange program;

AND FINALLY THAT the wood stove exchange program be continued in 2019, including additional incentives for cleaner heating sources, subject to funding being received from the provincial wood stove exchange program.

208

Carried

SOUTH SEWER SELECT COMMITTEE - SEPTEMBER 25, 2018

K. Grant/B. Wells: THAT the South Sewer Select Committee minutes dated September 25, 2018 be received.

208

Carried

COMOX VALLEY WATER COMMITTEE - SEPTEMBER 25, 2018

E. Grieve/B. Wells: THAT the Comox Valley Water Committee minutes dated September 25, 2018 be received.

208

Carried

BYLAWS AND RESOLUTIONS:

E. Grieve/R. Nichol: THAT Bylaw No. 564 being "Denman Island Community Facilities Service Establishment Bylaw, 1992, Amendment No. 2" be given first and second readings concurrently.

208

Carried

R. Nichol/E. Grieve: THAT Bylaw No. 564 being "Denman Island Community Facilities Service Establishment Bylaw, 1992, Amendment No. 2" be read a third time.

208

Carried

K. Grant/B. Price: THAT Bylaw No. 565 being "Denman Island Water Local Service Area Conversion and Establishment Bylaw, 1993, Amendment No. 3" be given first and second readings concurrently.

208

Carried

K. Grant/B. Wells: THAT Bylaw No. 565 being "Denman Island Water Local Service Area Conversion and Establishment Bylaw, 1993, Amendment No. 3" be read a third time.

208

Carried

K. Grant/B. Wells: THAT Bylaw No. 518 being the "King Coho Fees and Charges Bylaw, No. 518, 2018" be adopted.

207

Carried

K. Grant/B. Wells: THAT Bylaw No. 553 being "Sandwich Water Service Parcel Tax Bylaw No. 507, 2017, Amendment No. 1" be adopted.

207

Carried

B. Wells/K. Grant: THAT Bylaw No. 556 being "Electoral Areas Unsightly Premises and Nuisances Regulation Bylaw No. 377, 2015, Amendment No. 1" be adopted.

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 adopted.

208

Carried

K. Grant/R. Nichol: THAT Bylaw No. 560 being “King Coho Wastewater Service Capital Reserve Fund Establishment Bylaw No. 560, 2018” be adopted.

207

Carried

B. Wells/M. Theos: THAT Bylaw No. 561 being “Comox Valley Regional District Property Tax Exemption Bylaw No. 561, 2018” be adopted.

208

Carried

B. Price/B. Wells: THAT Bylaw No. 562 being “Comox Valley Regional District Property Tax Exemption Bylaw No. 562, 2018” be adopted.

208

Carried

NEW BUSINESS:

LAZO NORTH GRANT-IN-AID

K. Grant/B. Wells: THAT the correspondence from Director Nichol dated September 7, 2018 regarding a grant-in-aid request for Lazo North (Area B) be received.

208

Carried

R. Nichol/B. Wells: THAT the following grant-in-aid, payable from Lazo North – (Electoral Area B), be approved:

- \$2,000.00 for the L'Arche Comox Valley to assist with operating expenses for the L'Arche Comox Valley Outreach Centre.

208

Carried

ADJOURN TO IN-CAMERA:

The board adjourned to its in-camera session at 7:07 pm

RISE AND REPORT:

The board rose from its restricted in-camera session at 7:42 pm and reported on the following:

THAT the Comox Valley Regional District enter into a partnership with the Comox Valley Land Trust as outlined in the staff report dated August 1, 2018 and September 7, 2018 for the acquisition of a parcel of land within the Morrison Creek Headwaters, legally described as Lot A, Section 2, Plan VIP87724, for the purposes of managing it as a community park within the Comox Valley Regional District Baynes Sound, Electoral Areas B and C Parks and Greenways Service;

AND FURTHER THAT the Comox Valley Land Trust be included on title of the parcel of land within the Morrison Creek Headwaters, legally described as Lot A, Section 2, Plan VIP87724;

AND FURTHER THAT the 2019 budget in the 2018-2022 financial plan for the Baynes Sound, Electoral Areas B and C Parks and Greenways Service (621) be amended to increase land acquisition by \$325,000 to be funded by the Baynes Sound, Electoral Areas B and C Parks and Greenways Service land acquisition reserve

fund to support the acquisition of the property;

AND FURTHER THAT the Chair and Corporate Officer be authorized and directed to enter into an agreement with the Comox Valley Land Trust to outline expectations for management of the lands as a park;

AND FURTHER THAT the Chair and Corporate Officer be authorized and directed to enter into a contract of purchase and sale for the property for a purchase price not to exceed \$820,000 and with the Comox Valley Regional District contribution being \$325,000 or less;

AND FINALLY THAT the board rise and report on this partnership and property purchase.

TERMINATION:

B. Wells/K. Grant: THAT the meeting terminate.

208

Carried

Time: 7:42 pm.

Confirmed this _____ day of _____ 20__:

Bruce Jolliffe
Chair

Certified Correct and Recorded By:

Jake Martens
Manager of Legislative Services



**COMOX VALLEY REGIONAL DISTRICT (COMOX STRATHCONA WASTE MANAGEMENT)
BOARD**

Thursday, October 11, 2018

Minutes of the meeting of the Comox Valley Regional District (Comox Strathcona Waste Management) Board of Directors held on October 11, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 9:30 am.

MINUTES

Present:

Chair:

Directors:

B. Jolliffe	Baynes Sound-Denman/Hornby Islands (Area 'A')
J. Abram	Discovery Islands - Mainland Inlets (Area 'C')
M. Babchuk	City of Campbell River
J. Colborne	Village of Zeballos
C. Cornfield	City of Campbell River
L. Jangula	City of Courtenay
E. Grieve	Puntledge/Black Creek (Area 'C')
E. Eriksson	City of Courtenay
R. Kerr	City of Campbell River
B. Leigh	Oyster Bay – Buttle Lake (Area 'D')
J. MacDonald	Village of Sayward
R. Nichol	Lazo North (Area 'B')
L. Samson	City of Campbell River
M. Theos	City of Courtenay
B. Unger	Village of Gold River
B. Wells	City of Courtenay
G. Whalley	Kyuquot – Nootka/Sayward (Area 'A')
Alt. Directors: M. Lavelle	Cortes (Area 'B')
B. Overton	Village of Tahsis
C. Evans	City of Campbell River
M. Grant	Town of Comox
R. Kishi	Village of Cumberland
M. Swift	Town of Comox
Staff: B. Dunlop	Corporate Financial Officer
R. Dyson	Chief Administrative Officer
M. Rutten	General Manager of Engineering Services
J. Warren	General Manager of Corporate Services
L. Dennis	Legislative Services Assistant

ATTENDANCE:

Directors Colborne, Cornfield and Evans were not in attendance when the meeting began.

ADOPTION OF MINUTES:

B. Wells/M. Babchuk: THAT the minutes of the Comox Strathcona Waste Management Board meeting held September 6, 2018 be adopted.

PETITIONS AND DELEGATIONS:**MINISTRY OF ENVIRONMENT AND CLIMATE CHANGE STRATEGY**

Avery Gottfried and Luc Lachance, Ministry of Environment and Climate Change Strategy, presented information regarding the provincial regulations associated with waste to energy technologies.

Director Colborne entered the meeting at 9:38 am.

Director Evans entered the meeting at 9:40 am.

Director Cornfield entered the meeting at 9:41 am.

REPORTS:**COMOX STRATHCONA WASTE MANAGEMENT ADVISORY COMMITTEE MINUTES**

R. Kishi/J. Colborne: THAT the Comox Strathcona Waste Management Advisory Committee minutes dated September 20, 2018 be received.

208

Carried

Director Cornfield left the meeting at 10:37 am.

Director Whalley left the meeting at 10:37 am.

TIPPING WAIVER OUTREACH

B. Wells/B. Leigh: THAT the report dated October 4, 2018 regarding information requested by the CSWM Board regarding the communication strategy for the updated tipping waiver policy be received.

209

Carried

S. Valdal, Diversion and Operations Support Coordinator, presented information regarding the communication strategy for the updated tipping waiver policy and special events pilot project.

The meeting recessed at 10:38 am and resumed at 10:45 am.

Director Jangula was not in attendance when the meeting resumed.

Director Whalley returned to the meeting at 10:45 am.

COMOX VALLEY WASTE MANAGEMENT CENTER LANDFILL GAS BENEFICIAL END USE PROJECT

B. Wells/B. Leigh: THAT the report dated October 4, 2018 providing an update and recommendation on the future beneficial end use for landfill gas generated at the Comox Valley Waste Management Centre (CVWMC) be received.

209

Carried

G. Bau, Manager of CSWM Projects, provided an overview of the staff report regarding beneficial end use for landfill gas generated at the Comox Valley Waste Management Centre.

Director Cornfield returned to the meeting at 10:47 am.

Director Jangula returned to the meeting at 10:49 am.

Colton Aston, Fortis BC, presented information regarding beneficial end use for landfill gas generated at the Comox Valley Waste Management Centre.

Director Kerr left the meeting at 11:07 am.

Alternate Director Lavelle left the meeting at 11:09 am.

R. Kishi/M. Babchuk: THAT the Comox Valley Regional District (Comox Strathcona Waste Management) enter into a Memorandum of Understanding with Fortis Energy Inc. to determine the feasibility of the sale of landfill gas from the Comox Valley Waste Management Centre.

210

Carried

Alternate Director Lavelle returned to the meeting at 11:10 am.

Director Kerr returned to the meeting at 11:14 am.

CONTRACT AWARD REPORT

R. Kishi/M. Babchuk: THAT the report regarding solid waste contract awards that have occurred subsequent to the new procurement policy be received.

209

Carried

S. Hainsworth, Manager of Operating and Capital Procurement, provided an overview of the staff report regarding solid waste contract awards that have occurred subsequent to the new procurement policy.

COMPOST PILOT PROJECT MATERIAL UTILIZATION

B. Wells/E. Grieve: THAT the report dated October 2, 2018 regarding an update on material utilization from the compost pilot project since the inception of the project be received.

209

Carried

A. McGifford, Senior Manager of CSWM Services, provided an overview of the staff report regarding an update on material utilization from the compost pilot project since the inception of the project.

MANAGEMENT REPORT

E. Eriksson/M. Theos: THAT the CSWM management report dated October 2018 be received.

209

Carried

BYLAWS AND RESOLUTIONS:

B. Leigh/J. Abram: THAT Bylaw No. 558 being "Solid Waste Fees and Charges Bylaw No. 170, 2011, Amendment No. 11" be adopted.

209

Carried

NEW BUSINESS:

PROCUREMENT

E. Grieve/J. Colborne: That the CSWM Board request a delegation from the Association of Vancouver Island Coastal Communities (AVICC) to present on social community procurement at a future CSWM Board meeting.

208

Carried

TERMINATION:

R. Nichol/J. Colborne: THAT the meeting terminate.

208

Carried

Time: 11:35 am.

Confirmed this _____ day of _____ 20____:

Bruce Jolliffe
Chair

Certified Correct:

James Warren
General Manager of Corporate Services

Recorded By:

Lisa Dennis
Recording Secretary



COMOX STRATHCONA REGIONAL HOSPITAL DISTRICT BOARD

Thursday, October 11, 2018

Minutes of the meeting of the Comox Strathcona Regional Hospital District Board of Directors held on Thursday, October 11, 2018 in the boardroom of the Comox Valley Regional District offices located at 550B Comox Road, Courtenay, BC commencing at 1:00 pm.

MINUTES

Present:**Chair:**

C. Cornfield

City of Campbell River

Directors:

E. Eriksson

City of Courtenay

J. Abram

Discovery Islands - Mainland Inlets (Area 'C')

M. Babchuk

City of Campbell River

J. Colborne

Village of Zeballos

L. Jangula

City of Courtenay

B. Jolliffe

Baynes Sound-Denman/Hornby Islands (Area 'A')

E. Grieve

Puntledge/Black Creek (Area 'C')

R. Kerr

City of Campbell River

B. Leigh

Oyster Bay – Buttle Lake (Area 'D')

R. Nichol

Lazo North (Area 'B')

L. Samson

City of Campbell River

M. Theos

City of Courtenay

B. Unger

Village of Gold River

B. Wells

City of Courtenay

G. Whalley

Kyuquot – Nootka/Sayward (Area 'A')

J. MacDonald

Village of Sayward

Alt. Directors:

M. Lavelle

Cortes (Area 'B')

B. Overton

Village of Tahsis

M. Wright

City of Campbell River

M. Grant

Town of Comox

R. Kishi

Village of Cumberland

M. Swift

Town of Comox

Staff:

R. Dyson

Chief Administrative Officer

B. Dunlop

Corporate Financial Officer

J. Warren

General Manager of Corporate Services

L. Dennis

Legislative Services Assistant

Absent:**Other:**

S. Christiansen

Ka:'yu : 'k't'h / Che : k'tles7et'h First Nations

ATTENDANCE:

Director Babchuk was not in attendance when the meeting began.

ADOPTION OF MINUTES:

B. Unger/M. Theos: THAT the minutes of the Comox Strathcona Hospital District Board meeting held September 6, 2018 be received.

HDA (9)

Carried

PETITIONS AND DELEGATIONS:**RESIDENTIAL CARE - NORTH ISLAND**

Kim Slater, Vancouver Island Association of Family Councils, provided information regarding long term residential care within the region.

Director Babchuk entered the meeting at 1:09 pm.

B. Wells/J. Colborne: THAT the CSRHD Board send a letter to Adrian Dix, Minister of Health, requesting that the minister meet with the Vancouver Island Association of Family Councils and requesting that the ministry implement the best of care recommendations outlined in the report dated February 14, 2012 from the BC Ombudsperson.

HDA (9)

Carried

REPORTS:**NORTH ISLAND HOSPITALS**

Dermot Kelly, Executive Director, Island Health, Geography 1, presented information regarding the North Island Hospitals activities.

Director Jangula left the meeting at 2:27 pm.

Director Leigh left the meeting at 2:31 pm.

WATER FEATURES - CAMPBELL RIVER & COMOX VALLEY

B. Wells/E. Grieve: THAT the report dated October 9, 2018 regarding the proposed design and costs related to the installation of the water features at both the Comox Valley and Campbell River hospital campuses be received.

HDA (9)

Carried

J. MacDonald/M. Babchuk: THAT the CSRHD Board not proceed with water features at the hospitals at this time and that the board thank the efforts of the Commemorative Items Select Committee.

HDA (9)

E. Grieve/R. Kerr: THAT the motion to not proceed with water features at the hospitals at this time and to thank the efforts of the Commemorative Items Select Committee be deferred to a CSRHD Board meeting early in 2019.

HDA (9)

Carried NAY: C. Cornfield, R.

COMOX STRATHCONA REGIONAL HOSPITAL DISTRICT FINANCIAL PLANNING POLICY UPDATE

B. Wells/M. Theos: THAT the report dated October 2, 2018 regarding the Comox Strathcona Regional Hospital District financial planning policy be received.

HDA (9)

Carried

M. Babchuk/B. Wells: THAT the Comox Strathcona Regional Hospital District Board adopt the updated financial planning policy included with the staff report dated October 2, 2018.

HDA (9)

Carried

2019 PROVISIONAL BUDGET

M. Babchuk/B. Wells: THAT the report dated September 27, 2018 regarding the 2019 provisional budget for the Comox Strathcona Regional Hospital District be received.

HDA (9)

Carried

B. Wells/M. Babchuk: THAT the 2019 provisional budget for the Comox Strathcona Regional Hospital District (CSRHD) be adopted as presented.

LGA (196 and 197)

Carried

MANAGEMENT REPORT

B. Wells/M. Babchuk: THAT the Comox Strathcona Hospital District Board management report dated October 2018 be received.

HDA (9)

Carried

ADDENDUM - UPON APPROVAL OF THE BOARD:

E. Grieve/R. Kishi: THAT the addendum be considered.

HDA (9)

Carried

FREE HOSPITAL PARKING

M. Babchuk/B. Wells: THAT the letter dated October 9, 2018 from the City of Campbell River forwarding an email from Lois Jarvis to the Honourable Claire Trevena, Minister of Transportation and Infrastructure regarding free hospital parking, be received.

HDA (9)

Carried

M. Babchuk/G. Whalley: THAT all of the pay parking infrastructure be removed from the Cambell River and Courtenay hospital parking facilities;

AND FUTHER that any new capital parking projects not waste funds by painting numbered stalls.

HDA (9)

Carried NAY: E. Grieve, R. Kishi

TERMINATION:

B. Wells/M. Babchuk: THAT the meeting terminate.

HDA (9)

Carried

Time: 3:00 pm.

Confirmed this _____ day of _____ 20____:

Charles J. Cornfield
Chair

Certified Correct:

James Warren
General Manager of Corporate Services

Recorded By:

Lisa Dennis
Recording Secretary



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER REGINA BOZEROCKA, PLANNER I ELLIOT TURNBULL, PLANNING TECHNICIAN
SUBJECT:	DEVELOPMENT VARIANCE PERMIT APPLICATION: DVP 18-9 355 VICTORIA COURT
DATE:	NOVEMBER 21, 2018 – REGULAR COUNCIL MEETING


Submitted by


Concurrence


Approval

Recommendation:

That Development Variance Permit DVP 18-9 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 21, 2018 Planning Report on DVP 18-9.

Proposal:

The proposal is to vary Comox Zoning Bylaw 1850, to facilitate development of a secondary suite on the subject property by allowing a secondary suite side-by-side the main residence.

An Application Summary is contained in **Attachment 1**. The Applicant's Submission is contained in **Attachment 2**.

Background:

In accordance with standard procedures, notification was sent to abutting property owners and tenants regarding Council's intent to consider DVP 18-9 at the November 21, 2018 Regular Council Meeting.

Public submissions received prior to the November 21, 2018 Regular Council Meeting will be distributed to Council.

OCP Implications:

The subject property's OCP designation is Residential: Ground Oriented Infill. This designation is intended to accommodate the following land uses: single detached dwellings, secondary suites, coach houses, duplexes, triplexes and patio homes.

NOVEMBER 21, 2018

The subject property is located in Development Permit Areas #2 Ground Oriented Infill and #17 Coach Houses. The proposal meets the exemption criteria of DPA #2 under Section 3.2.4(F) and 3.2.4(F) and DPA #17 under Section 3.17.4 (B and C).

Zoning Implications:

The subject property is zoned R1.1 – Single Family under Comox Zoning Bylaw 1850. The subject property is situated on a cul-de-sac and is 1393m² with an existing single-storey, approximately 130m² single-family home.

The applicant is proposing to construct a 90m² addition in the rear and side yards consisting of an approximately 55m² secondary suite and 35m² of additional living space for the main dwelling.

Secondary suite zoning regulations encourage compatibility with surrounding single-family development. The intent of the existing requirement to locate secondary suites above or below the primary unit is to avoid exterior indications of a suite, thereby maintaining a single-family streetscape.

The acceptability of this variance is directly tied to the building design and appearance from the street and adjacent properties. The proposed secondary suite will have a minimal impact on the neighbourhood as it will be constructed in the rear/side yard with an entrance set back from the street. The Applicant has confirmed that the proposed siding material (vinyl) will match the existing material on the rest of the building.

The existing driveway will accommodate two parking spaces and a paved walkway will be provided from the existing driveway to the front door of the suite.

An existing variance, DVP 43, was issued in to legalize the reduced front setback of 6.27 metres. This variance will be left on title.

The Applicant has confirmed that no trees will be removed and no alterations to mature vegetation are proposed.

MK/RB/ET

Attachments:

1. Application Summary
2. Applicants' Submission
3. Site Photo

cc: Alan Phillips, 355 Victoria Crt, Comox, BC. V9M 2Y6. 250 729 0873

NOVEMBER 21, 2018

SCHEDULE 1
DEVELOPMENT VARIANCE PERMIT CONDITIONS

- (1) Development in accordance with drawings in Attachment 2;
- (2) This Development Variance Permit is to vary the Comox Zoning Bylaw 1850:

a. Section 3.2 Definition of Secondary Suite

From:

A dwelling unit that is secondary to another dwelling unit.
Single-family dwellings containing a secondary suite shall be owner occupied.
Secondary suites shall:

- (1) be located only in single-family dwellings;
- (2) be limited to one (1) per single-family dwelling;
- (3) be completely contained within the principal building;
- (4) have a dwelling unit gross floor area not exceeding 40% of the gross floor area of the principal building or 90 m² whichever is the lesser;
- (5) be located above or below the other dwelling unit, shared utility and storage areas are excluded from this requirement; and
- (6) have their own entrance separate from that of the other dwelling unit.

To:

A dwelling unit that is secondary to another dwelling unit.
Single-family dwellings containing a secondary suite shall be owner occupied.
Secondary suites shall:

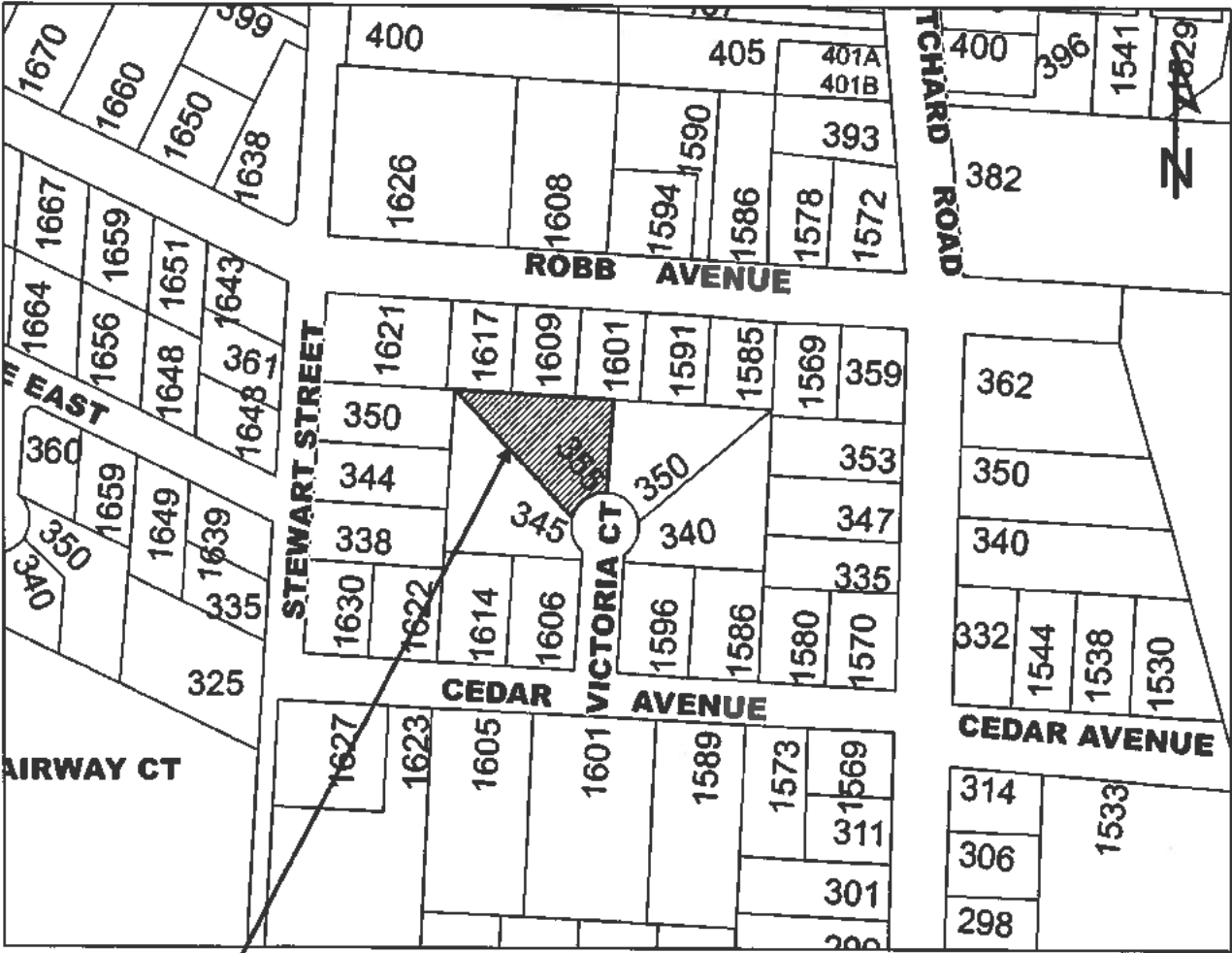
- (1) be located only in single-family dwellings;
- (2) be limited to one (1) per single-family dwelling;
- (3) be completely contained within the principal building;
- (4) have a dwelling unit gross floor area not exceeding 40% of the gross floor area of the principal building or 90 m² whichever is the lesser;
- (5) be located side-by-side to the other dwelling unit, shared utility and storage areas are excluded from this requirement; and
- (6) have their own entrance separate from that of the other dwelling unit.

- (3) Exterior materials and colours of the secondary suite addition (siding, window trim, shingles, etc.) shall match the existing building.

NOVEMBER 21, 2018

ATTACHMENT 1

APPLICATION SUMMARY



Subject Property:
355 Victoria Court
PID: 004-234-235
LOT 12, SECTION 76, COMOX DISTRICT, PLAN 14580

NOVEMBER 21, 2018

Proposal	The proposal is to vary Comox Zoning Bylaw 1850, to facilitate development of a secondary suite on the subject property by allowing a secondary suite beside the main residence.	
Owner/ Applicant:	Alan Phillips	
Legal Description:	LOT 12, SECTION 76, COMOX DISTRICT, PLAN 14580	
Civic Address:	355 Victoria Court	
OCP:		
Land Use Designation:	Residential: Ground Oriented Infill	
DPA's	DPA #2 Ground Oriented Infill (exempt), DPA #17 Coach Houses (exempt)	
Zoning Bylaw:	R1.1 Single Family	
Permitted Uses Include:	Accessory structures and uses, Bed and Breakfast accommodations, Coach houses, Home occupations, Secondary Suites, Single-family dwellings.	
	Existing	Proposed Variance
Location of secondary suite	Above or below the other dwelling unit.	Side-by-side to the other dwelling unit.
Front Setback	7.5m (6.3m existing)	
Rear Setback	7.5m	
Interior Side Setback	2.0m	
Parcel Coverage	35%	
Surrounding Uses:	Single-family dwellings to the north, east, south, and west.	

NOVEMBER 21, 2018

**ATTACHMENT 2
APPLICANT SUBMISSION**

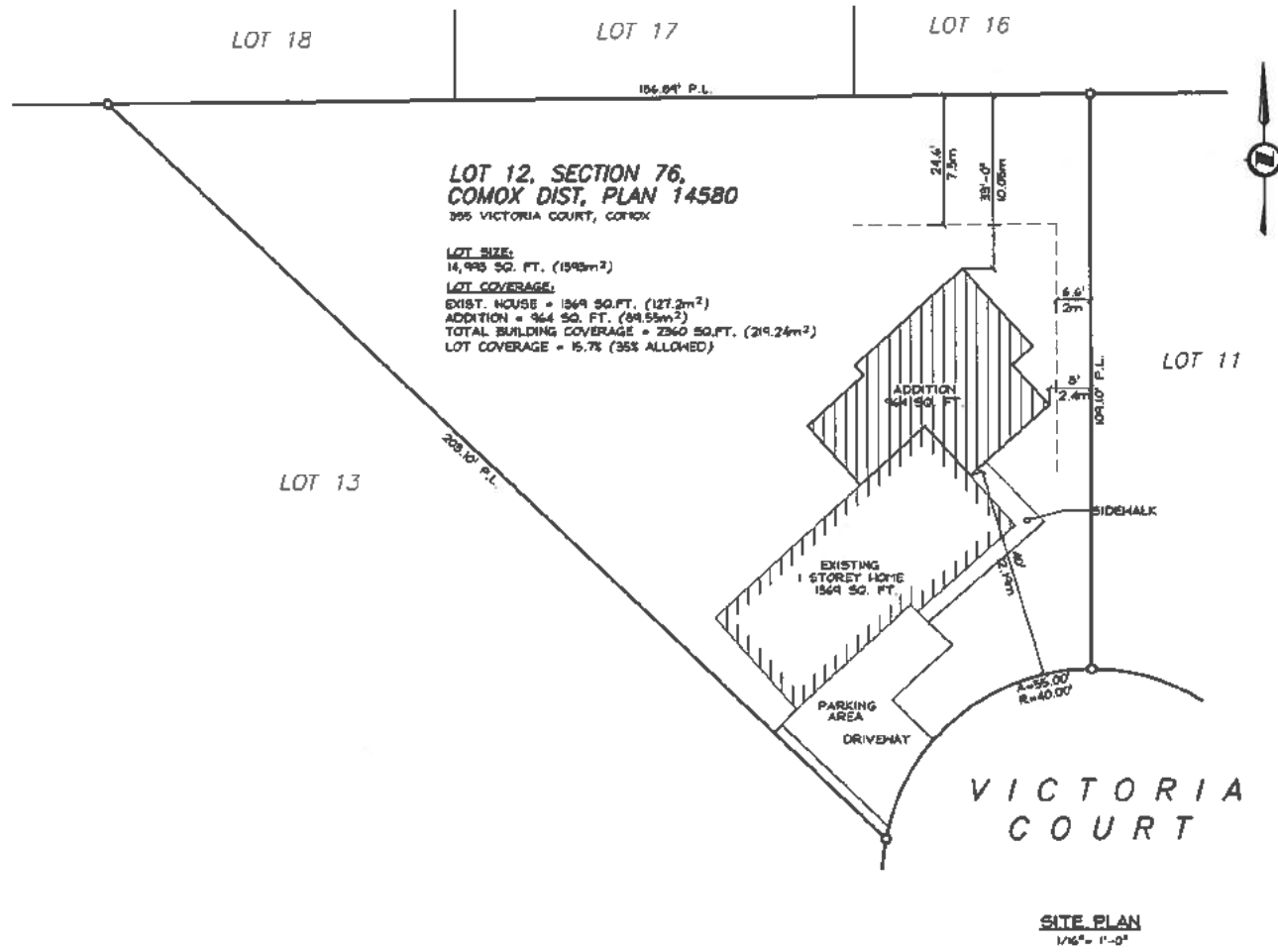
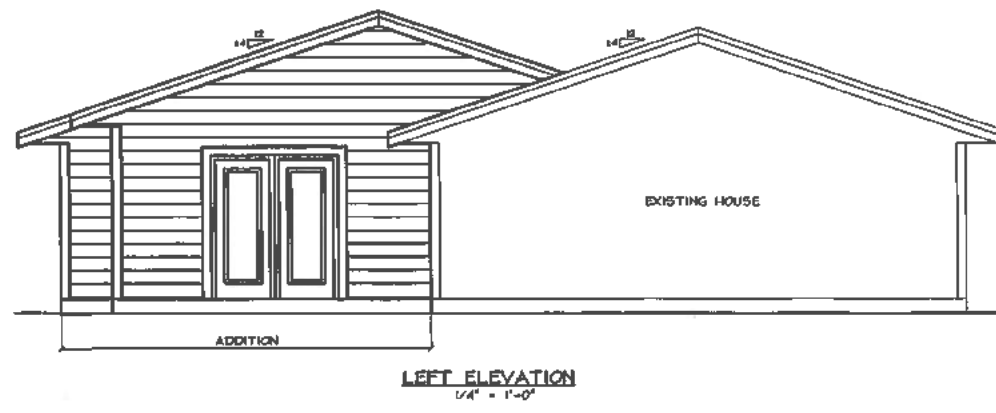
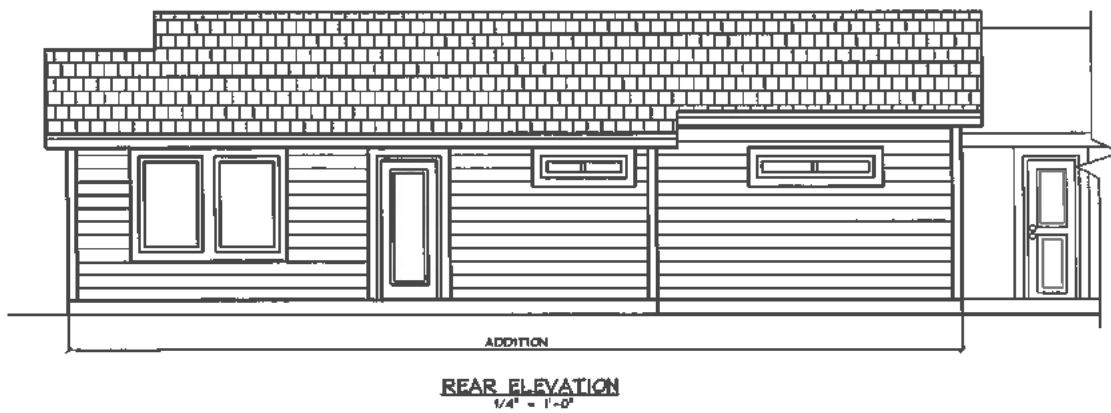
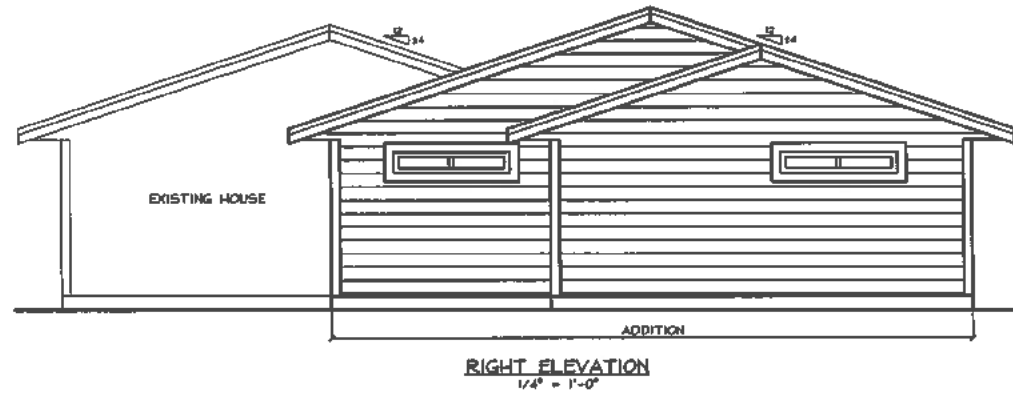
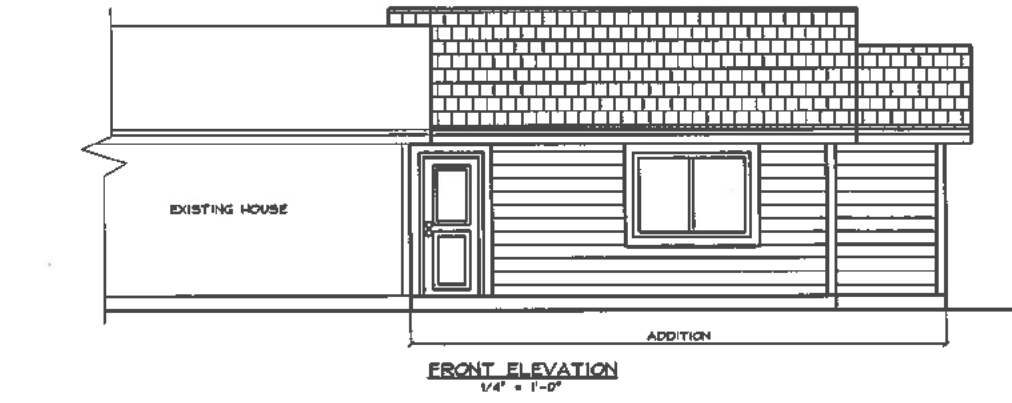
Application Rationale
355 Victoria, crt. Comox B.C.

We Alan Phillips and Brenda Russell are the current owners and live at the above address. We are applying for a "Development Variance Permit" on this property to allow us to add an addition on the side/back of our existing rancher style home. The current bylaw in Section 3, Para 3.2 Pg 28 of 276 "Secondary Suite #5" states that "**secondary suites shall be located above or below the other dwelling unit**". The following are the reasons we are asking for a "Development Variance Permit:

1. Provide a home for our aging parent to ensure a place to live and remain close to family while enabling her to continue being independent.
2. Provide a dwelling that is free of stairs to provide easy access for our parent in her new suite and into our house which would not be possible if we had to build up or below due to the installation of stairs/step's.
3. Less of a visual impact to the existing neighborhood.
4. Future rental for those requiring a place to live in Comox who may require a home with no steps.

We have communicated our renovation plans to our adjacent property owners and there has been no expressed concerns. The property has all public infrastructure in place.

Alan Phillips



D. Bell Designs

EXCELLENT TECHNOLOGY. DESIGN & COMMUNICATION

PHONE: (250) 338-2748

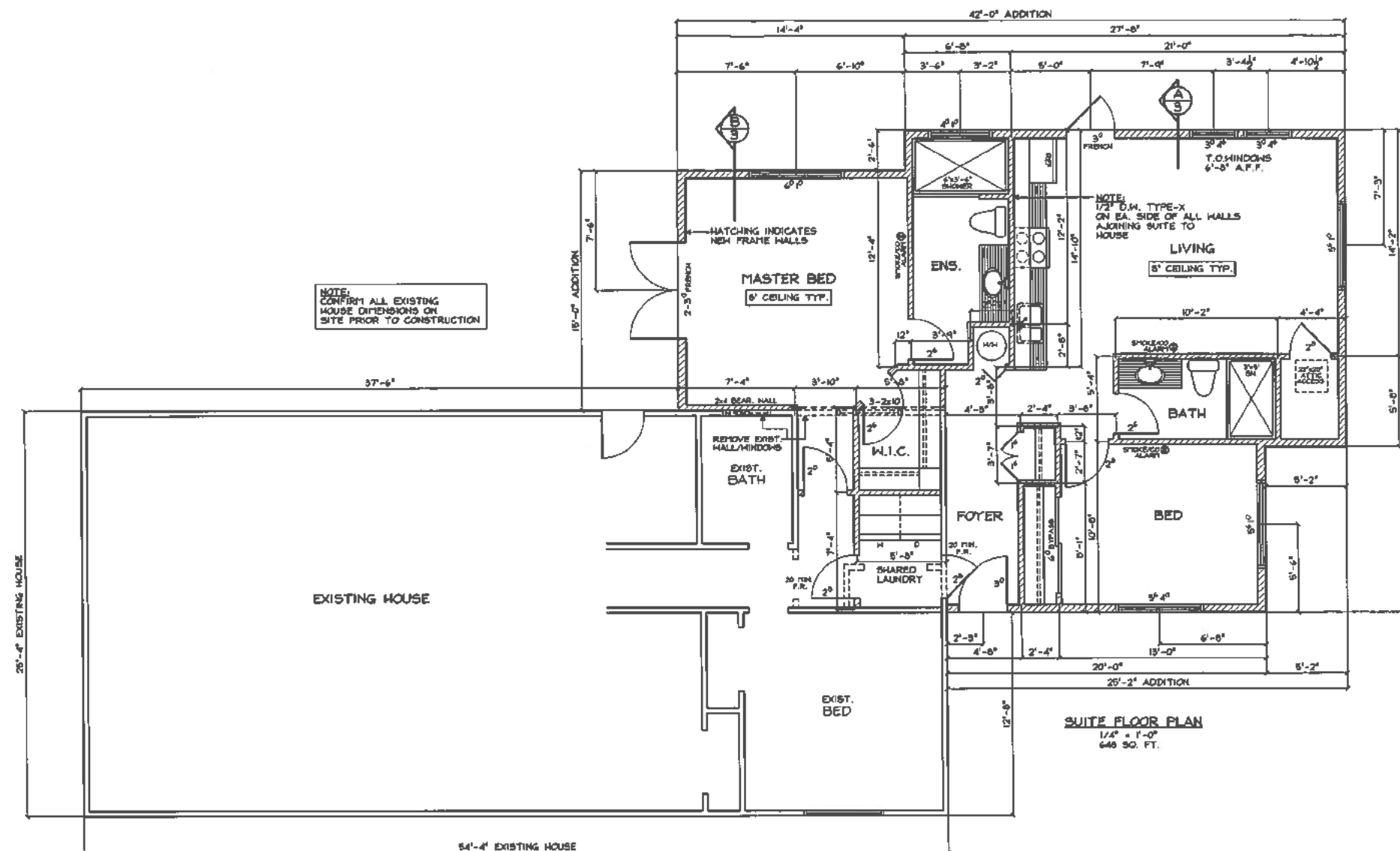
EMAIL: d@dbelldesigns.ca

CLIENT:

PHILLIPS RESIDENCE
ADDITION PLANS
395 VICTORIA COURT, COMOX

ELEVATIONS
& SITE PLAN

DATE	DWG. NO.	DWG. RD.
JULY 6, 2018	DLS	1 OF 3



NOTE:
CONFIRM ALL EXISTING
HOUSE DIMENSIONS ON
SITE PRIOR TO CONSTRUCTION

SUITE FLOOR PLAN
1/4" = 1'-0"
648 SQ. FT.

MAIN FLOOR PLAN
1/4" = 1'-0"
1377 SQ. FT. EXISTING
317 SQ. FT. HOUSE ADDITION
1694 SQ. FT. TOTAL HOUSE

G.F.A. 1694 x 0.38 = 648 SQ. FT. SUITE ALLOWED. SUITE
SHOWN = 648 SQ. FT. (38%)

GENERAL NOTES

VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION.
ALL CONSTRUCTION TO COMPLY TO THE B.C.B.C 2012
FLOOR JOISTS, LINTELS (2-2x10) BUILT UP BEAMS TO BE SPF #2 OR BETTER.
FLASH, RAINGUARD & CAULK AS REQUIRED TO ENSURE A WEATHER TIGHT BUILDING.
ELECTRICAL, MECHANICAL AND PLUMBING TO BE SPEC'D BY OWNER.

CONSTRUCTION NOTES

1. INTERIOR ROOM DIMENSIONS MAY VARY SLIGHTLY FROM PLAN. CONFIRM WITH CONTRACTOR.
2. WINDOW GRIDS ON ELEVATIONS MAY DIFFER FROM ACTUAL DEPENDING ON BUILDER'S SPECIFICATIONS.
3. REFER TO TRUSS SUPPLIER LAYOUT FOR POINT LOAD LOCATIONS AND GIRDER TRUSSES. ENSURE PROPER BEARING AS REQUIRED.

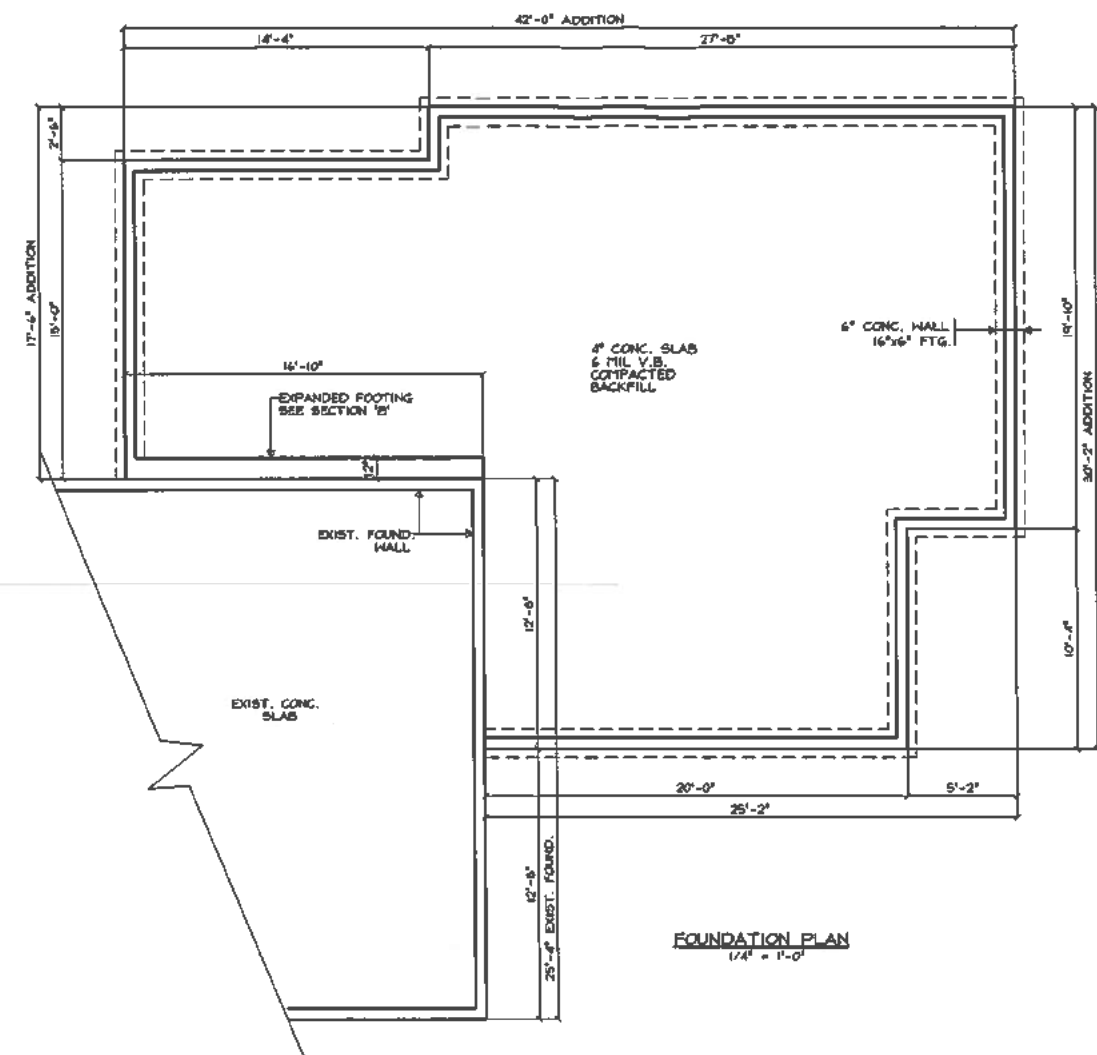
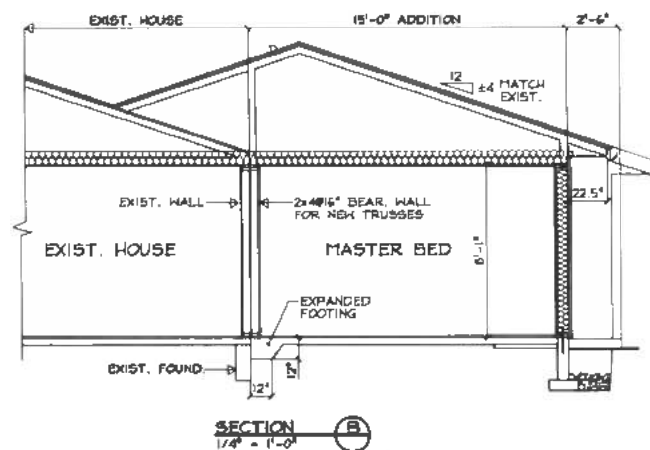
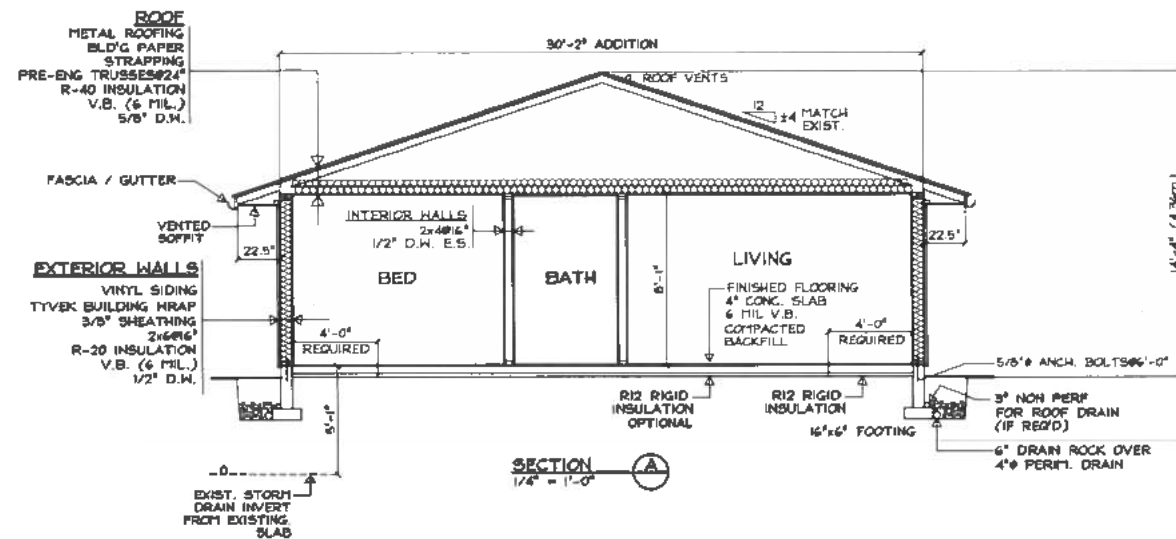
**D. Bell
Designs**
EXCELLENT TECHNOLOGY. DESIGN & COMMUNICATION

PHONE: (250) 338-2748
EMAIL: d@dbelldesigns.ca

CLIENT:
**PHILLIPS RESIDENCE
ADDITION PLANS**
555 VICTORIA COURT, CONOX

MAIN FLOOR PLAN

DATE: JULY 6, 2018
OWN: DLB
DWG. NO: 2 OF 3





D. Bell
Designs

EXCELLENT TECHNOLOGY. DESIGN & CONSTRUCTION

PHONE: (350) 338-2748
EMAIL: dbell@belldesigns.com



CLIENT:

PHILLIPS RESIDENCE
ADDITION PLANS
355 VICTORIA COURT, CORNOX

FOUNDATION PLAN
& SECTIONS

DATE: JULY 6, 2018

DRAWN: DLB

CHECKED: DLB

3 OF 3

NOVEMBER 21, 2018

**ATTACHMENT 3
SITE PHOTOS**



Front Elevation



East Elevation

NOVEMBER 21, 2018



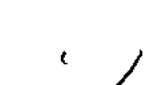
West Elevation



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER REGINA BOZEROCKA, PLANNER I ELLIOT TURNBULL, PLANNING TECHNICIAN
SUBJECT:	DEVELOPMENT VARIANCE PERMIT APPLICATION: DVP 18-11 1954 MARTEN AVE
DATE:	NOVEMBER 21, 2018 – REGULAR COUNCIL MEETING


Submitted by


Concurrence


Approval

Recommendation:

That Development Variance Permit DVP 18-11 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 21, 2018 Planning Report on DVP 18-11.

Proposal:

The proposal is to vary Comox Zoning Bylaw 1850, to facilitate development of a secondary suite on the subject property by allowing a secondary suite side-by-side the main residence.

An Application Summary is contained in **Attachment 1**. The Applicant's Submission is contained in **Attachment 2**. **Attachment 3** contains staff photos of the existing single-family dwelling.

Background:

In accordance with standard procedures, notification was sent to abutting property owners and tenants regarding Council's intent to consider DVP 18-11 at the November 21, 2018 Regular Council Meeting.

Public submissions received prior to the November 21, 2018 Regular Council Meeting will be distributed to Council.

OCP Implications:

The subject property's OCP designation is Residential: Detached. This designation is intended to accommodate the following land uses: a single detached dwelling and, on the same parcel, a secondary suite or a coach house.

NOVEMBER 21, 2018

The subject property is located in Development Permit Area #17 Coach Houses and the proposal meets the exemption criteria of DPA #17 under Section 3.17.4 (B and C).

Zoning Implications:

The subject property is zoned R1.1 – Single Family under Comox Zoning Bylaw 1850. The subject property is situated on a cul-de-sac and is 846m² with an existing two-storey, approximately 228m² single-family home with a crawl space.

The applicant is proposing to construct a three storey addition in the rear yard. The lowest storey would be partially underground, with its ceiling approximately one metre above existing grade, and used as a storage area for the main dwelling. Access to the 45m² storage area from the main dwelling would be through the main dwelling crawl space.

The proposed 90m² secondary suite would occupy the upper two floors of the addition.

Secondary suite zoning regulations encourage compatibility with surrounding single-family development. The intent of the existing requirement to locate secondary suites above or below the primary unit is to avoid exterior indications of a suite, thereby maintaining a single-family streetscape.

The acceptability of this variance is directly tied to the building design and appearance from the street and adjacent properties. The proposed secondary suite will have a minimal impact on the neighbourhood as it will be constructed in the rear yard with a main entrance from the side yard. The roof peak of the proposed addition would be approximately 0.5 m higher than that of the existing building; no variance to the 9.0 m maximum building height is proposed. The proposed addition would have vinyl siding to match the existing main dwelling. The rear yard is currently well screened by fencing and vegetation.

No alteration of mature vegetation or trees is required to facilitate the addition.

MK/RB/ET

Attachments:

1. Application Summary
2. Applicants' Submission

cc: Jerome Bourget, 1954 Marten Ave, Comox, BC, V9M 2K2, 250-792-0246

NOVEMBER 21, 2018

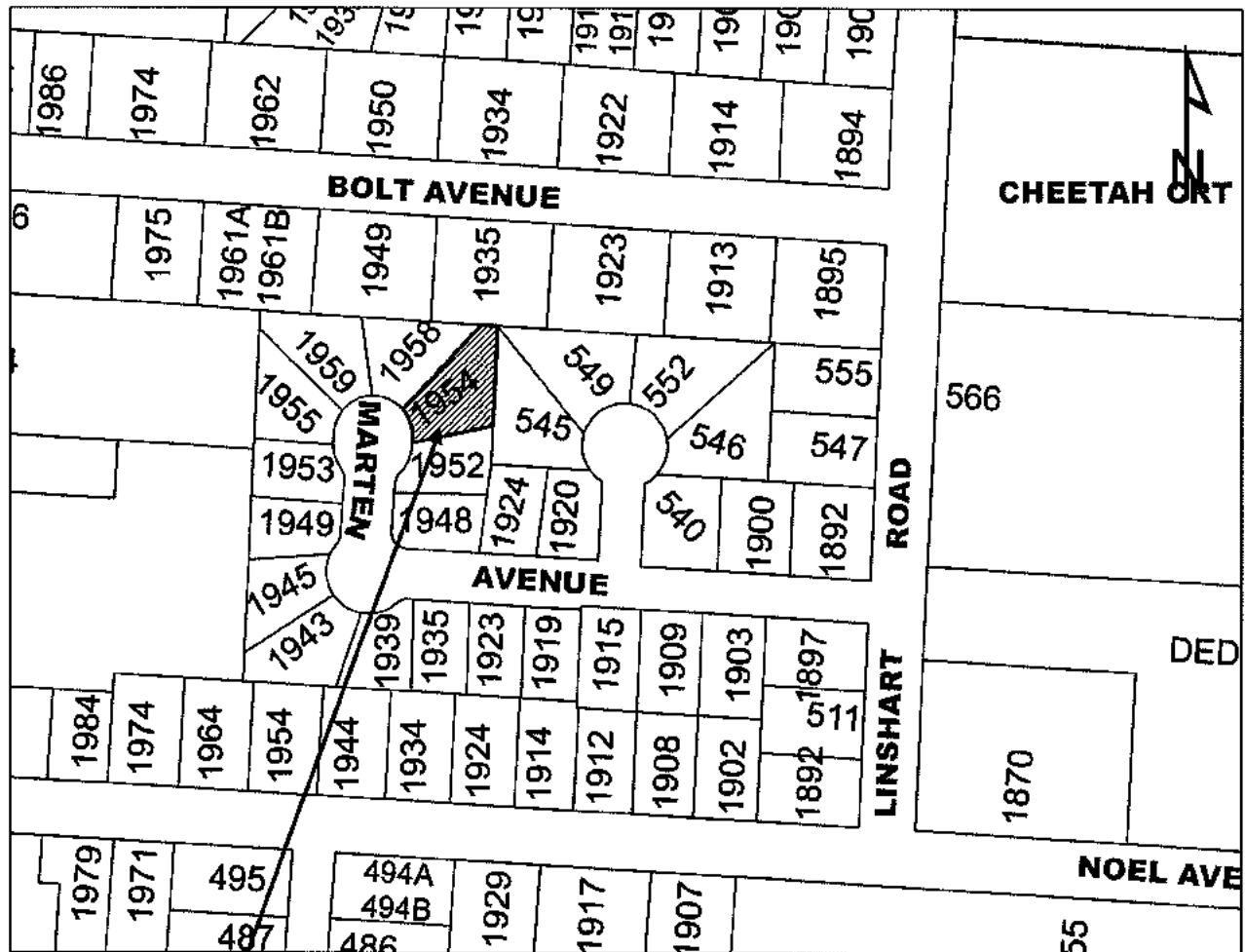
SCHEDULE 1
DEVELOPMENT VARIANCE PERMIT CONDITIONS

- (1) Development in accordance with drawings in Attachment 2;
- (2) This Development Variance Permit is to vary the Comox Zoning Bylaw 1850:
 - a. Section 3.2 Definition of Secondary Suite
From:
A dwelling unit that is secondary to another dwelling unit.
Single-family dwellings containing a secondary suite shall be owner occupied.
Secondary suites shall:
 - (1) be located only in single-family dwellings;
 - (2) be limited to one (1) per single-family dwelling;
 - (3) be completely contained within the principal building;
 - (4) have a dwelling unit gross floor area not exceeding 40% of the gross floor area of the principal building or 90 m² whichever is the lesser;
 - (5) be located above or below the other dwelling unit, shared utility and storage areas are excluded from this requirement; and
 - (6) have their own entrance separate from that of the other dwelling unit.
To:
A dwelling unit that is secondary to another dwelling unit.
Single-family dwellings containing a secondary suite shall be owner occupied.
Secondary suites shall:
 - (1) be located only in single-family dwellings;
 - (2) be limited to one (1) per single-family dwelling;
 - (3) be completely contained within the principal building;
 - (4) have a dwelling unit gross floor area not exceeding 40% of the gross floor area of the principal building or 90 m² whichever is the lesser;
 - (5) be located side-by-side to the other dwelling unit, shared utility and storage areas are excluded from this requirement; and
 - (6) have their own entrance separate from that of the other dwelling unit.
- (3) The entire building (i.e. existing portion to be retained and new addition) to be sided in matching materials.

NOVEMBER 21, 2018

ATTACHMENT 1

APPLICATION SUMMARY



Subject Property:
1954 MARTEN AVENUE
PID: 025-948-563
LOT 12 SECTION 70 COMOX DISTRICT PLAN VIP77055

NOVEMBER 21, 2018

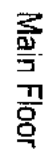
Proposal	The proposal is to vary Comox Zoning Bylaw 1850, to facilitate development of a secondary suite on the subject property by allowing a secondary suite side-by-side the main residence.	
Owner/ Applicant:	Jerome Bourget	
Legal Description:	LOT 12 SECTION 70 COMOX DISTRICT PLAN VIP77055	
Civic Address:	1954 Marten Avenue	
OCP:		
Land Use Designation:	Residential: Detached	
DPA's	DPA #17 Coach Houses	
Zoning Bylaw:	R1.1 Single Family	
Permitted Uses Include:	Accessory structures and uses, Bed and Breakfast accommodations, Coach houses, Home occupations, Secondary Suites, Single-family dwellings.	
	Existing	Proposed Variance
Location of secondary suite	Above or below the other dwelling unit.	Side-by-side to the other dwelling unit.
Front Setback	7.5m	
Rear Setback	7.5m	
Interior Side Setback	2.0m	
Parcel Coverage	35%	
Surrounding Uses:	Single-family dwellings to the north, east, south, and west. Comox Community Centre, Ecole, Au-Coeur-De-L'Ile, Tot Lot Park, and Village Park further to the east.	

NOVEMBER 21, 2018

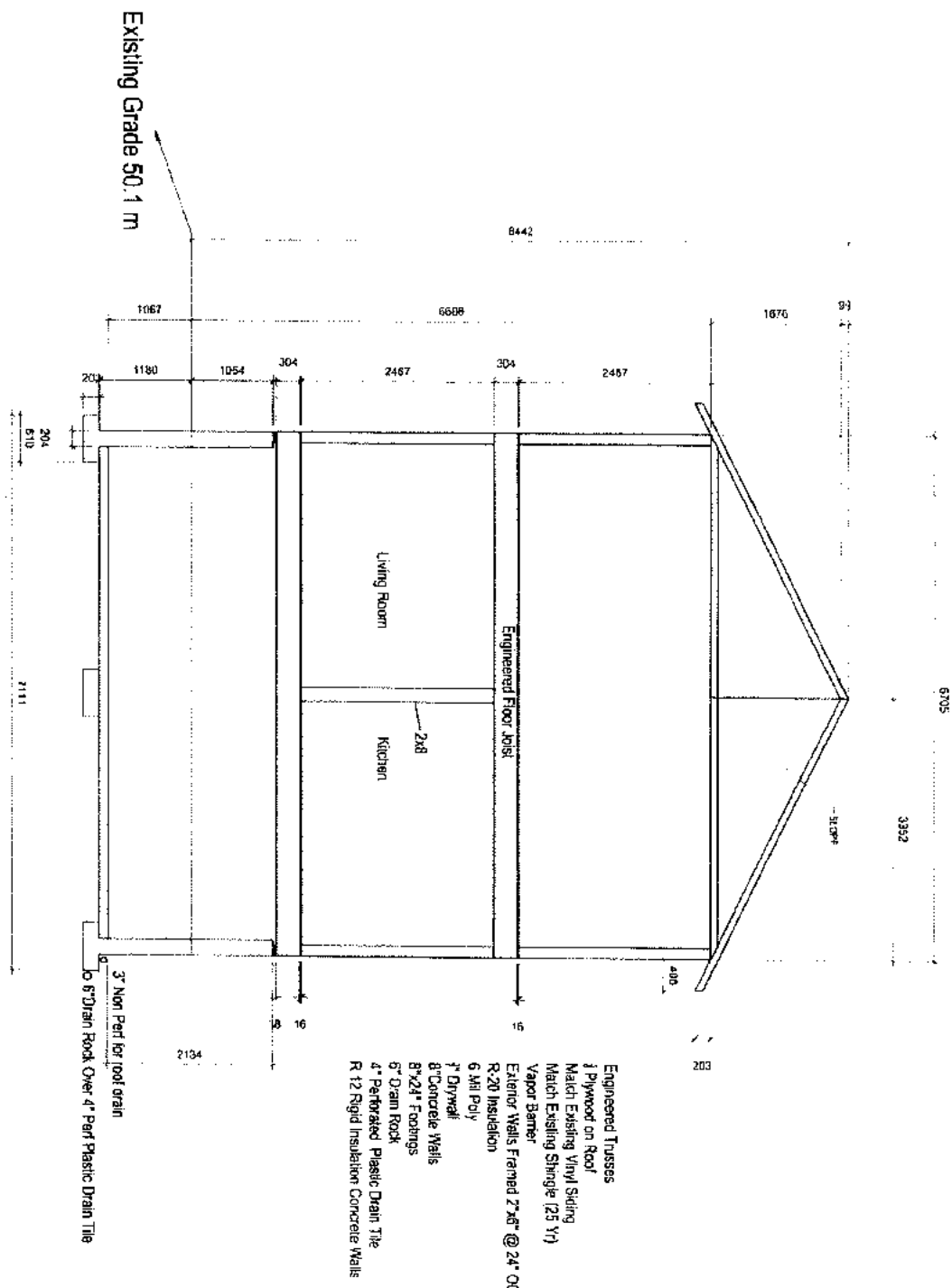
**ATTACHMENT 2
APPLICANT SUBMISSION**

Development Rationale

The primary dwelling on 1954 Marten avenue is a 2400 square foot two storey detached home that offers just enough room for our family of 6. The size of our family and the layout of the actual home can't engulf a secondary suite. The only way to successfully achieve our goal is to build a three storey annex attached to the primary dwelling. The first storey will be part of the primary dwelling and will connect to the primary crawl space via an opening that will be cut in the existing foundation to provide access from the primary dwelling and run the utilities. The second and third floor of the proposed project will provide living space for a small family. The parking area will be extended so it can accommodate parking on-site. The proposed project will be utilized as a rental for small family. Legal secondary suites assist the community in addressing its perceived housing diversity and affordability issues.







BRITISH COLUMBIA LAND SURVEYOR'S
BUILDING LOCATION CERTIFICATE COVERING

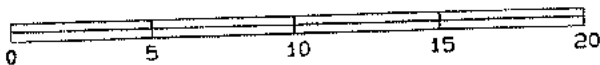
LOT 12
SECTION 70
COMOX DISTRICT
PLAN VIP77050

PARCEL IDENTIFIER NUMBER : 025 948 563
BOUNDARY DIMENSIONS ARE DERIVED FROM
LAND TITLE OFFICE PLAN VIP77050
OFFSETS TO PROPERTY LINES ARE TO FOUNDATION WALLS

THIS DOCUMENT SHOWS THE RELATIVE STRUCTURES
AND FEATURES WITH RESPECT TO THE BOUNDARIES
OF THE DESCRIBED PARCEL. THIS DOCUMENT, SHALL
NOT BE USED TO DEFINE PROPERTY LINES OR
PROPERTY CORNERS

BP 6964
1959 Marten Ave
R.I.I.
Jun 28/04

SCALE 1:250



All Dimensions shown are in Metres

Current building 141.8 m²
proposed building 44.89 m²
141.8 + 44.89 = 186.69 m²

11

Lot size 9106 sq² (845.98 m²)

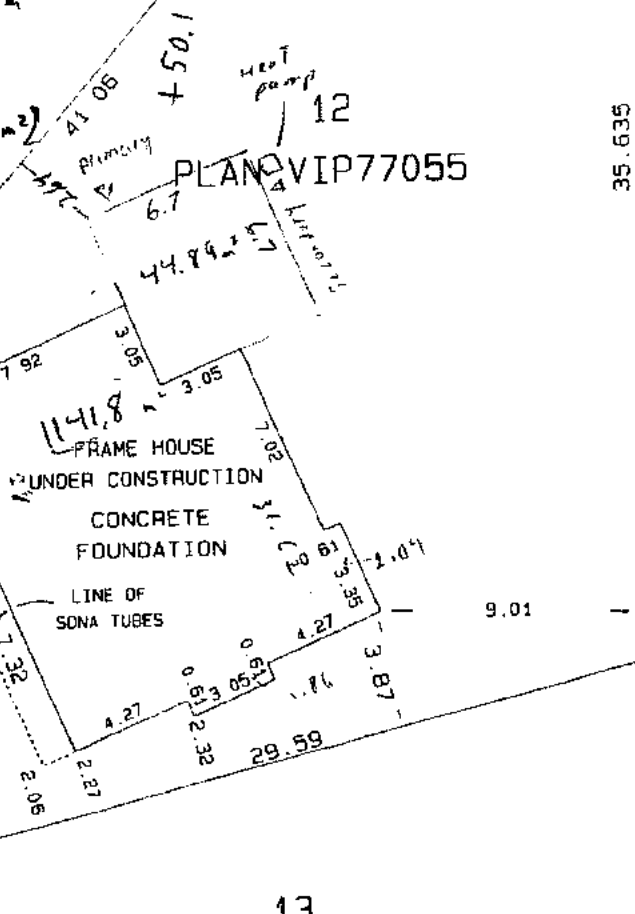
186.69 x 100 = 18.669 m²

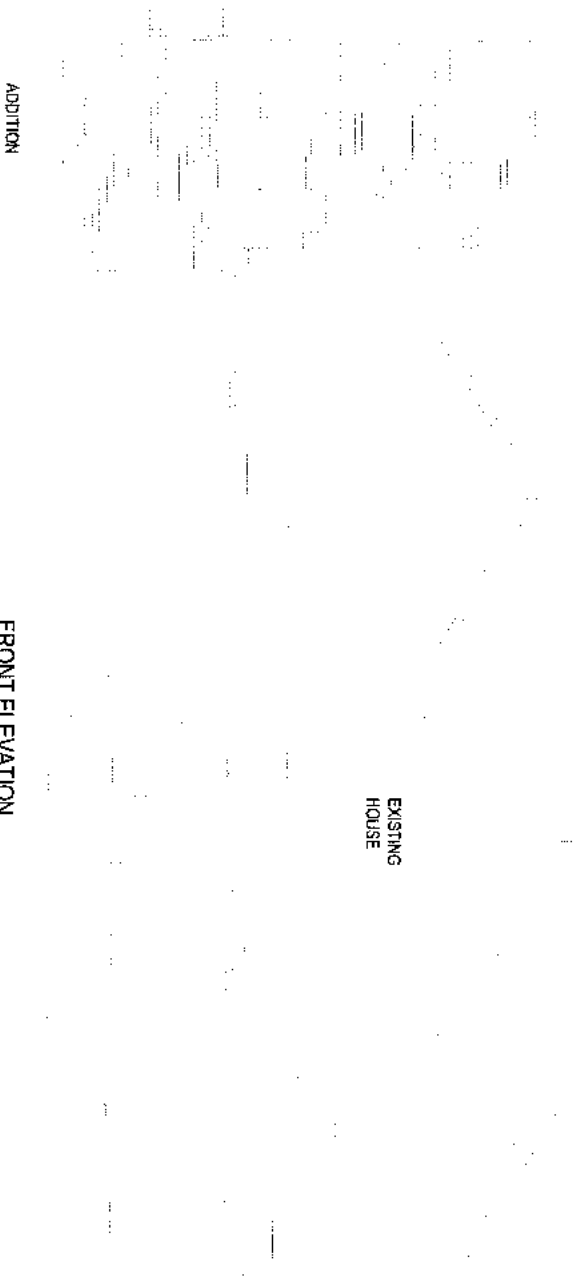
18.669 ÷ 845.98 = 22.07

% of surface cover
by new building
22.07%

approx.
location
of shed to
be removed.

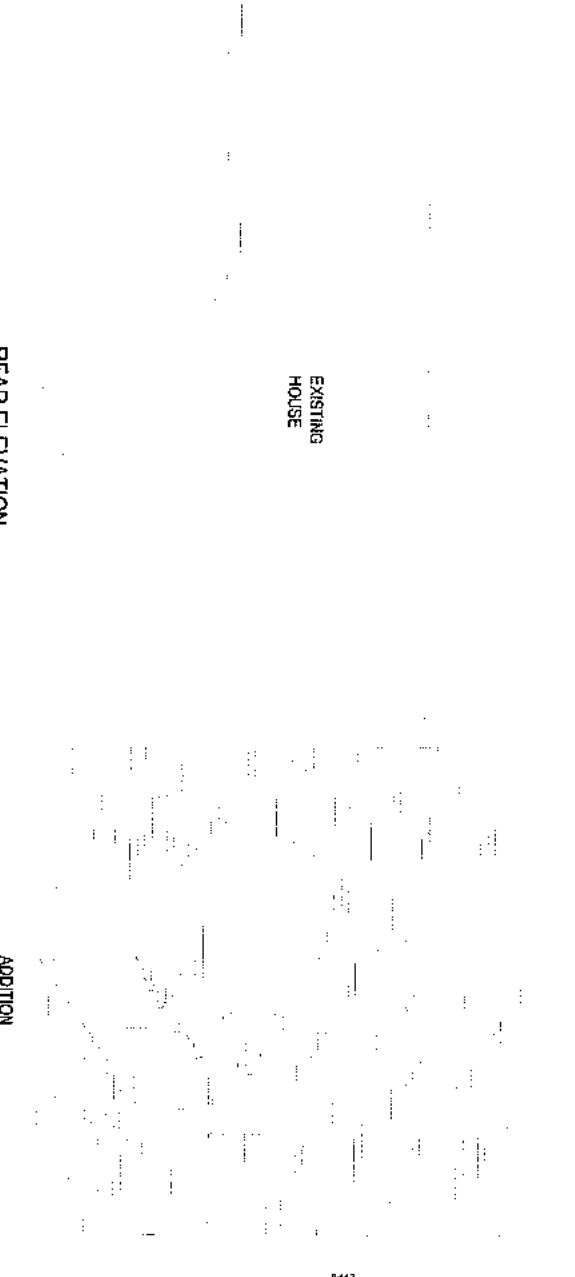
MARTEN
PLACE





FRONT ELEVATION

ADDITION



REAR ELEVATION

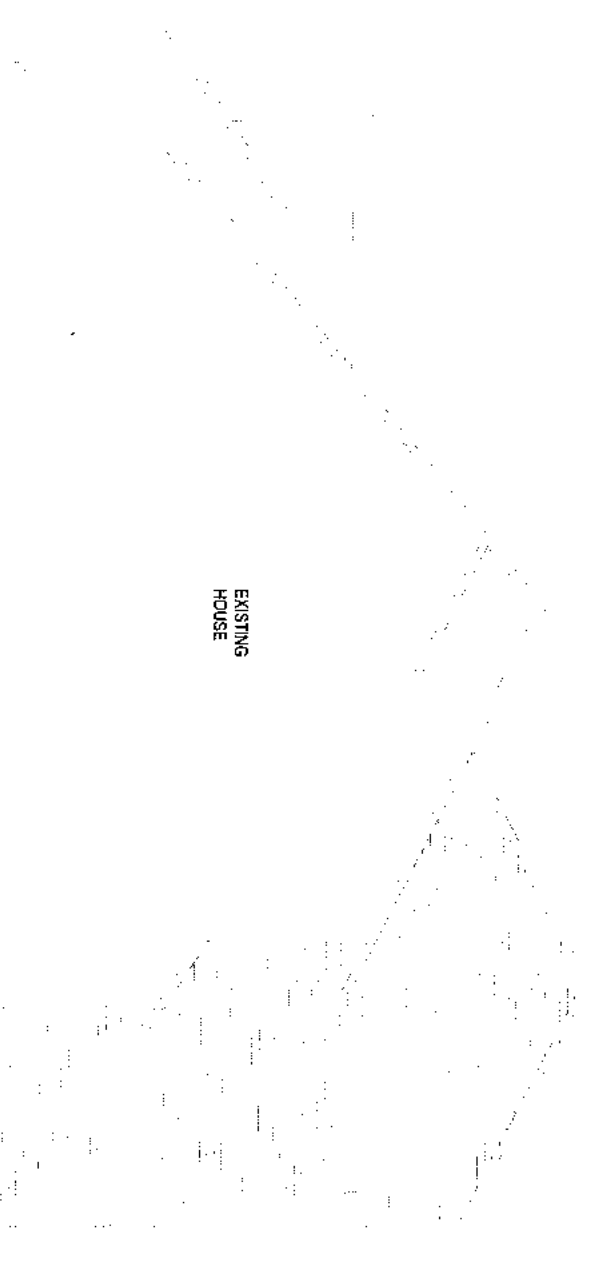
ADDITION

ADDITION
5710

0442



LEFT ELEVATION (NORTH)



RIGHT ELEVATION (SOUTH)



PROPOSED ADDITION - 1954 MARTEN AVENUE, COMOX
MR. JEROME BOURGET
2018 11 13

NOVEMBER 21, 2018

ATTACHMENT 3
SITE PHOTOS



Front Elevation



Rear Elevation

NOVEMBER 21, 2018



Side Yard



TOWN OF COMOX PLANNING REPORT

TO:	RICHARD KANIGAN, CHIEF ADMINISTRATIVE OFFICER
FROM:	MARVIN KAMENZ, MUNICIPAL PLANNER REGINA BOZEROCKA, PLANNER I ELLIOT TURNBULL, PLANNING TECHNICIAN
SUBJECT:	DEVELOPMENT VARIANCE PERMIT APPLICATION: DVP 18-13 1824 ROBB AVENUE
DATE:	NOVEMBER 21, 2018 – REGULAR COUNCIL MEETING


Submitted by


Concurrence


Approval

Recommendation:

That Development Variance Permit DVP 18-13 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the November 21, 2018 Planning Report on DVP 18-13.

Proposal:

The proposal is to vary Comox Zoning Bylaw 1850, to facilitate development of a secondary suite on the subject property by allowing a secondary suite side-by-side the main residence.

An Application Summary is contained in **Attachment 1**. The Applicant's Submission is contained in **Attachment 2**.

Background:

In accordance with standard procedures, notification was sent to abutting property owners and tenants regarding Council's intent to consider the DVP 18-13 at the November 21, 2018 Regular Council Meeting.

Public submissions received prior to the November 21, 2018 Regular Council Meeting will be distributed to Council.

OCP Implications:

The subject property's OCP designation is Residential: Detached. This designation is intended to accommodate the following land uses: a single detached dwelling and, on the same parcel, a secondary suite or a coach house.

NOVEMBER 21, 2018

The subject property is located in Development Permit Area #17 Coach Houses and the proposal meets the exemption criteria of DPA #17 under Section 3.17.4 (B and C).

Zoning Implications:

The subject property is zoned R1.1 – Single Family under Comox Zoning Bylaw 1850. The subject property an approximately 729m² lot with an existing single-family dwelling and an attached garage.

The applicant is proposing to replace the existing garage with a one-storey, approximately 65m² secondary suite on the east side of the building. The existing garage currently encroaches into the rear setback. The proposed addition for the secondary suite will meet the required R1.1 setbacks.

Secondary suite zoning regulations encourage compatibility with surrounding single-family development. The intent of the existing requirement to locate secondary suites above or below the primary unit is to avoid exterior indications of a suite, thereby maintaining a single-family streetscape.

The acceptability of this variance is directly tied to the building design and appearance from the street and adjacent properties. The applicant proposes to replace the building's existing stucco with new hardie stucco panels. The same siding will also be used on the secondary and improve the home's overall character (currently, the existing garage does not match the home). In addition, the suite's entry will be located in the side yard and will not be visible from the street.

The back and side yard of the subject property are well-screened with a 1.8m high fence and vegetation.

Parking will be provided in the existing driveway in accordance with Section 6 of the Zoning Bylaw.

No alteration of mature vegetation or trees is proposed.

MK/RB/ET

Attachments:

1. Application Summary
2. Applicants' Submission
3. Site Photos

cc: Heather Houston, 1824 Robb Ave, Comox, BC, V9M 2E4.

NOVEMBER 21, 2018

SCHEDULE 1 DEVELOPMENT VARIANCE PERMIT CONDITIONS

- (1) Development in accordance with drawings in Attachment 2;
- (2) This Development Variance Permit is to vary the Comox Zoning Bylaw 1850:

a. Section 3.2 Definition of Secondary Suite

From:

A dwelling unit that is secondary to another dwelling unit.

Single-family dwellings containing a secondary suite shall be owner occupied.

Secondary suites shall:

- (1) be located only in single-family dwellings;
- (2) be limited to one (1) per single-family dwelling;
- (3) be completely contained within the principal building;
- (4) have a dwelling unit gross floor area not exceeding 40% of the gross floor area of the principal building or 90 m2 whichever is the lesser;
- (5) be located above or below the other dwelling unit, shared utility and storage areas are excluded from this requirement; and
- (6) have their own entrance separate from that of the other dwelling unit.

To:

A dwelling unit that is secondary to another dwelling unit.

Single-family dwellings containing a secondary suite shall be owner occupied.

Secondary suites shall:

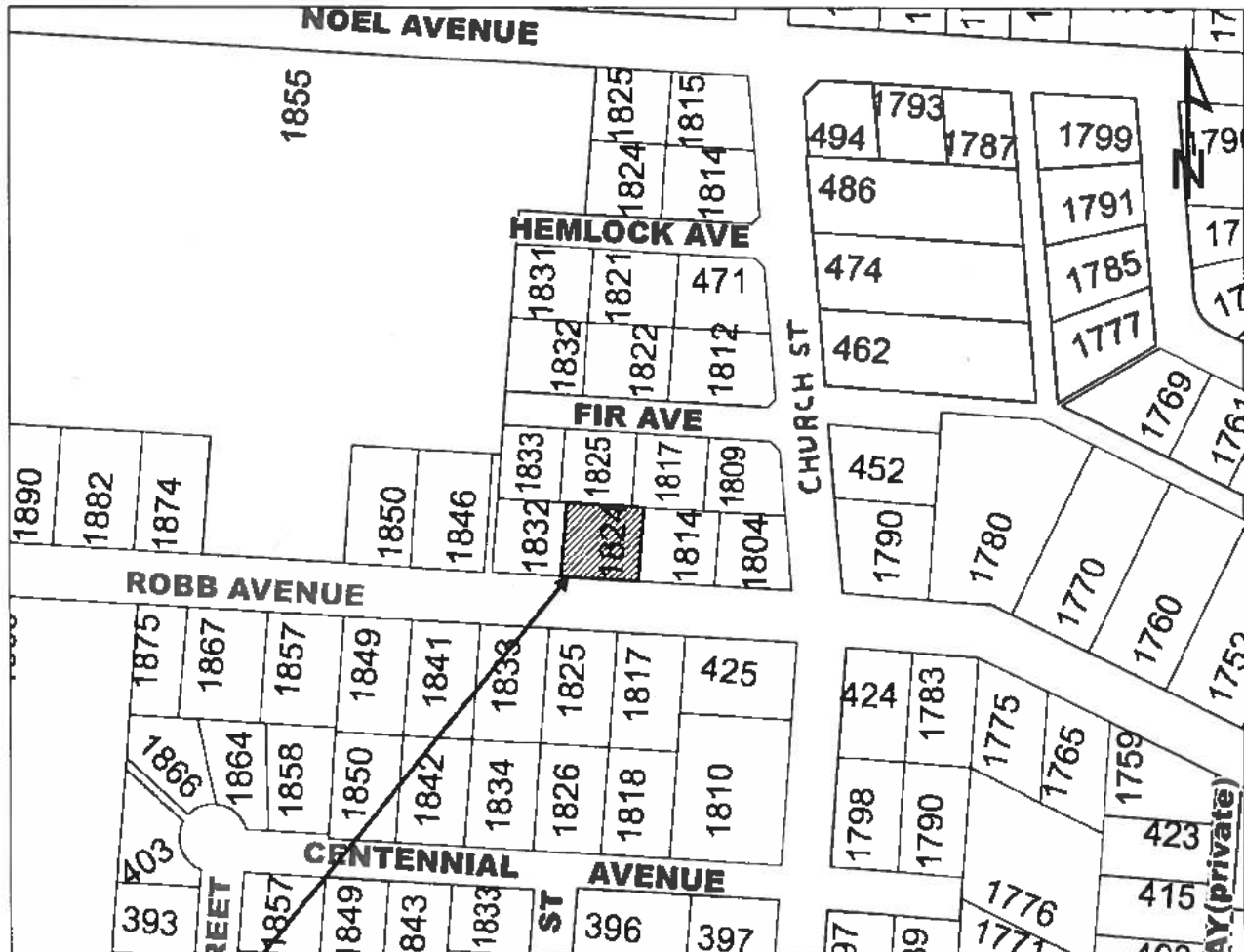
- (1) be located only in single-family dwellings;
- (2) be limited to one (1) per single-family dwelling;
- (3) be completely contained within the principal building;
- (4) have a dwelling unit gross floor area not exceeding 40% of the gross floor area of the principal building or 90 m2 whichever is the lesser;
- (5) be located side-by-side to the other dwelling unit, shared utility and storage areas are excluded from this requirement; and
- (6) have their own entrance separate from that of the other dwelling unit.

- (3) The entire building (i.e. existing portion to be retained and new addition) to be sided in matching trim and hardiplank. The secondary suite shall have wood siding accent elements as shown in **Attachment 2**.

NOVEMBER 21, 2018

ATTACHMENT 1

APPLICATION SUMMARY



Subject Property:
 1824 ROBB AVENUE
 LOT 2, SECTION 56, COMOX DISTRICT, PLAN 11916

NOVEMBER 21, 2018

Proposal	The proposal is to vary Comox Zoning Bylaw 1850, to facilitate development of a secondary suite on the subject property by allowing a secondary suite side-by-side the main residence.	
Applicant:	Heather Houston	
Legal Description:	LOT 2, SECTION 56, COMOX DISTRICT, PLAN 11916	
Civic Address:	1824 Robb Avenue	
OCP:		
Land Use Designation:	Residential: Detached	
DPA's	DPA #17 Coach Houses	
Zoning Bylaw:	R1.1 Single Family	
Permitted Uses Include:	Accessory structures and uses, Bed and Breakfast accommodations, Coach houses, Home occupations, Secondary Suites, Single-family dwellings.	
	Existing	Proposed Variance
Location of secondary suite	Above or below the other dwelling unit.	Side-by-side to the other dwelling unit.
Front Setback	7.5m	
Rear Setback	7.5m (5.07m existing)	
Interior Side Setback	2.0m	
Parcel Coverage	35%	
Surrounding Uses:	Single-family dwellings to the north, east, south, and west. Comox Community Centre and Tot Lot Park to the west.	

NOVEMBER 21, 2018

ATTACHMENT 2
APPLICANT SUBMISSION

1824 Robb Ave. DVP**Checklist #12**

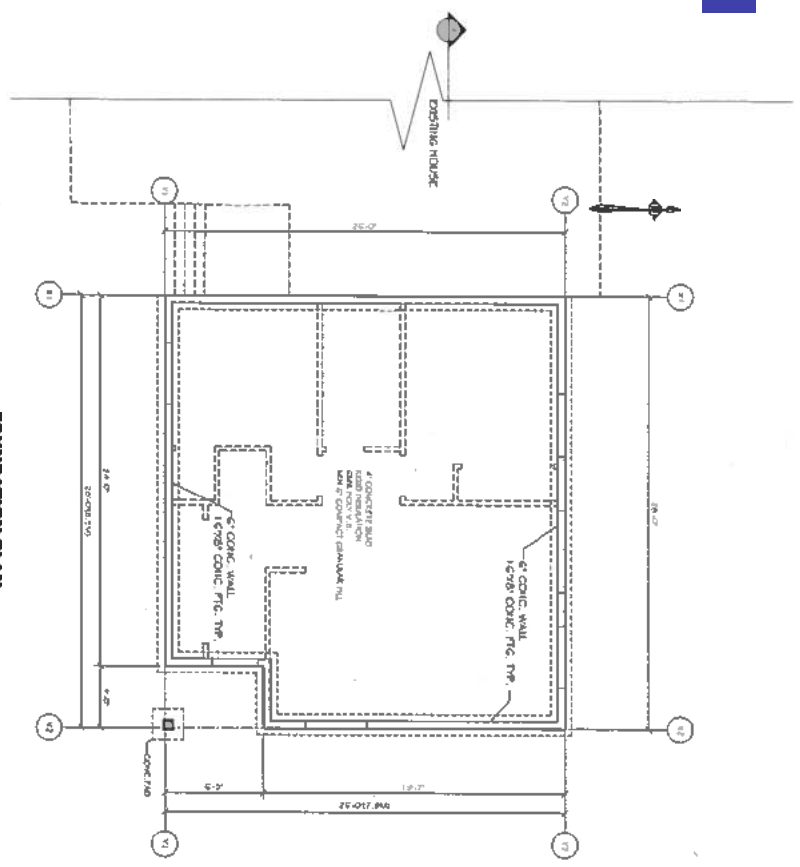
The property is currently single family residential. It is proposed to replace the existing garage with a 700 sq. ft. secondary suite which will help to increase the housing stock in the Town. The current house is stucco so rather than try to match the existing siding, it is proposed to cover both the main house and suite in matching hardiplank. There will be a small area near the suite's entry that will be cedar or other wood siding for visual interest and to eliminate a long expanse of wall. There will still be parking for 3 to 4 vehicles in the driveway after the build is completed which will be sufficient for both units. Public infrastructure already in place will be adequate to accommodate the extra services required. All surrounding neighbors have been advised of the proposal and there has been no negative response.

1824 Robb Ave DVP**Checklist #13**

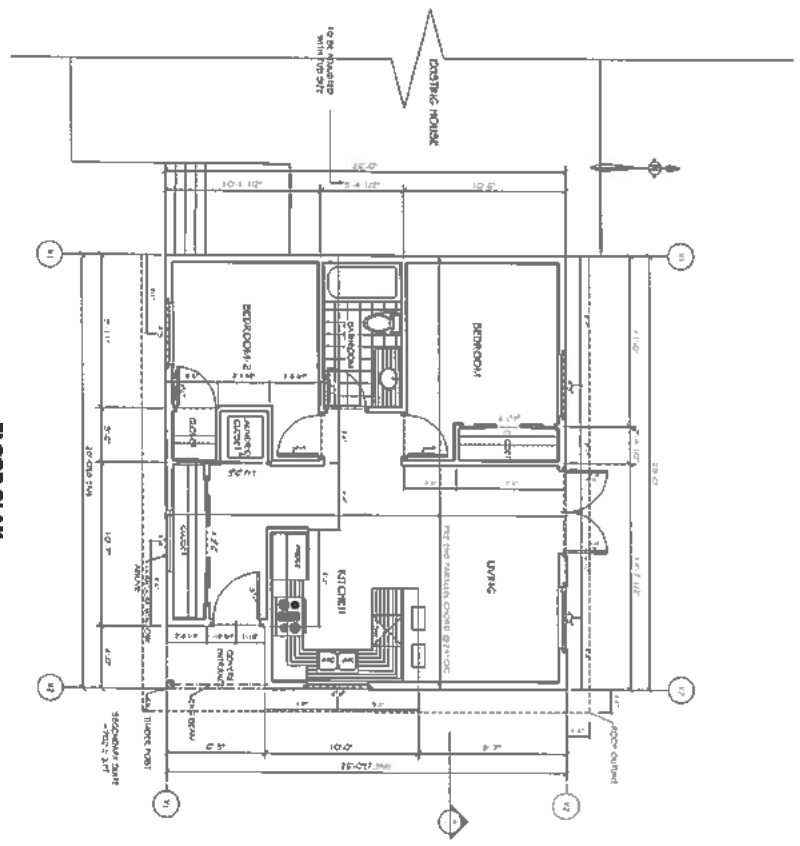
The proposed suite will be 702 sq. ft. (65.22 sq m) and will have 2 bedrooms. Parcel coverage of both the main dwelling and the proposed suite would be $184.13/721.12 = 25\%$ of the parcel area. The Zoning Bylaw requires 1 parking space each for the main dwelling and the secondary suite and there will still be 3 to 4 parking spaces in the existing driveway after the suite is constructed which will be sufficient for both dwellings.

1824 Robb Ave.**Checklist #17**

The secondary suite will replace the existing garage beside the main dwelling. The entry door won't be visible from the street as it will be located on the east side of the suite facing the garden which has recently been fenced to maintain privacy for the neighbors. Since the main dwelling is sided with stucco, it is proposed to cover both the main dwelling and the secondary suite with matching hardiplank, with the addition of cedar or other wood siding on a small section of the suite to visually distract from a long plain expanse of wall.



FOUNDATION PLAN
1/4"=1'-0"



FLOOR PLAN
1/4"=1'-0"

NOTES:
1. FOUNDATION PLAN SHALL BE SUBMITTED TO THE CITY OF CHICAGO FOR REVIEW AND APPROVAL.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
6. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
7. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
8. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
9. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.

PROJECT:		1614 CUNY AVENUE, CHICAGO, IL
SECONDARY SUITE		
FOUNDATION PLAN		
FLOOR PLAN		
PROJECT NUMBER:		1614 CUNY AVENUE, CHICAGO, IL
PROJECT NAME:		1614 CUNY AVENUE, CHICAGO, IL
PROJECT ADDRESS:		1614 CUNY AVENUE, CHICAGO, IL
PROJECT CITY:		CHICAGO, IL
PROJECT STATE:		IL
PROJECT ZIP:		60641
PROJECT PHONE:		(773) 555-1234
PROJECT FAX:		(773) 555-1234
PROJECT EMAIL:		info@shizehome.com
PROJECT WEBSITE:		www.shizehome.com
PROJECT SOCIAL MEDIA:		Facebook: ShizeHome, Twitter: ShizeHome, Instagram: ShizeHome
PROJECT CONTACT:		Shize Home Design, LLC
PROJECT ADDRESS:		1614 CUNY AVENUE, CHICAGO, IL
PROJECT CITY:		CHICAGO, IL
PROJECT STATE:		IL
PROJECT ZIP:		60641
PROJECT PHONE:		(773) 555-1234
PROJECT FAX:		(773) 555-1234
PROJECT EMAIL:		info@shizehome.com
PROJECT WEBSITE:		www.shizehome.com
PROJECT SOCIAL MEDIA:		Facebook: ShizeHome, Twitter: ShizeHome, Instagram: ShizeHome
PROJECT CONTACT:		Shize Home Design, LLC

NO.	DATE	DESCRIPTION
1	08/11/18	ISSUED FOR PERMIT
2	08/11/18	ISSUED FOR PERMIT
3	08/11/18	ISSUED FOR PERMIT
4	08/11/18	ISSUED FOR PERMIT
5	08/11/18	ISSUED FOR PERMIT
6	08/11/18	ISSUED FOR PERMIT
7	08/11/18	ISSUED FOR PERMIT
8	08/11/18	ISSUED FOR PERMIT
9	08/11/18	ISSUED FOR PERMIT
10	08/11/18	ISSUED FOR PERMIT
11	08/11/18	ISSUED FOR PERMIT
12	08/11/18	ISSUED FOR PERMIT
13	08/11/18	ISSUED FOR PERMIT
14	08/11/18	ISSUED FOR PERMIT
15	08/11/18	ISSUED FOR PERMIT
16	08/11/18	ISSUED FOR PERMIT
17	08/11/18	ISSUED FOR PERMIT
18	08/11/18	ISSUED FOR PERMIT
19	08/11/18	ISSUED FOR PERMIT
20	08/11/18	ISSUED FOR PERMIT
21	08/11/18	ISSUED FOR PERMIT
22	08/11/18	ISSUED FOR PERMIT
23	08/11/18	ISSUED FOR PERMIT
24	08/11/18	ISSUED FOR PERMIT
25	08/11/18	ISSUED FOR PERMIT
26	08/11/18	ISSUED FOR PERMIT
27	08/11/18	ISSUED FOR PERMIT
28	08/11/18	ISSUED FOR PERMIT
29	08/11/18	ISSUED FOR PERMIT
30	08/11/18	ISSUED FOR PERMIT
31	08/11/18	ISSUED FOR PERMIT
32	08/11/18	ISSUED FOR PERMIT
33	08/11/18	ISSUED FOR PERMIT
34	08/11/18	ISSUED FOR PERMIT
35	08/11/18	ISSUED FOR PERMIT
36	08/11/18	ISSUED FOR PERMIT
37	08/11/18	ISSUED FOR PERMIT
38	08/11/18	ISSUED FOR PERMIT
39	08/11/18	ISSUED FOR PERMIT
40	08/11/18	ISSUED FOR PERMIT
41	08/11/18	ISSUED FOR PERMIT
42	08/11/18	ISSUED FOR PERMIT
43	08/11/18	ISSUED FOR PERMIT
44	08/11/18	ISSUED FOR PERMIT
45	08/11/18	ISSUED FOR PERMIT
46	08/11/18	ISSUED FOR PERMIT
47	08/11/18	ISSUED FOR PERMIT
48	08/11/18	ISSUED FOR PERMIT
49	08/11/18	ISSUED FOR PERMIT
50	08/11/18	ISSUED FOR PERMIT
51	08/11/18	ISSUED FOR PERMIT
52	08/11/18	ISSUED FOR PERMIT
53	08/11/18	ISSUED FOR PERMIT
54	08/11/18	ISSUED FOR PERMIT
55	08/11/18	ISSUED FOR PERMIT
56	08/11/18	ISSUED FOR PERMIT
57	08/11/18	ISSUED FOR PERMIT
58	08/11/18	ISSUED FOR PERMIT
59	08/11/18	ISSUED FOR PERMIT
60	08/11/18	ISSUED FOR PERMIT
61	08/11/18	ISSUED FOR PERMIT
62	08/11/18	ISSUED FOR PERMIT
63	08/11/18	ISSUED FOR PERMIT
64	08/11/18	ISSUED FOR PERMIT
65	08/11/18	ISSUED FOR PERMIT
66	08/11/18	ISSUED FOR PERMIT
67	08/11/18	ISSUED FOR PERMIT
68	08/11/18	ISSUED FOR PERMIT
69	08/11/18	ISSUED FOR PERMIT
70	08/11/18	ISSUED FOR PERMIT
71	08/11/18	ISSUED FOR PERMIT
72	08/11/18	ISSUED FOR PERMIT
73	08/11/18	ISSUED FOR PERMIT
74	08/11/18	ISSUED FOR PERMIT
75	08/11/18	ISSUED FOR PERMIT
76	08/11/18	ISSUED FOR PERMIT
77	08/11/18	ISSUED FOR PERMIT
78	08/11/18	ISSUED FOR PERMIT
79	08/11/18	ISSUED FOR PERMIT
80	08/11/18	ISSUED FOR PERMIT
81	08/11/18	ISSUED FOR PERMIT
82	08/11/18	ISSUED FOR PERMIT
83	08/11/18	ISSUED FOR PERMIT
84	08/11/18	ISSUED FOR PERMIT
85	08/11/18	ISSUED FOR PERMIT
86	08/11/18	ISSUED FOR PERMIT
87	08/11/18	ISSUED FOR PERMIT
88	08/11/18	ISSUED FOR PERMIT
89	08/11/18	ISSUED FOR PERMIT
90	08/11/18	ISSUED FOR PERMIT
91	08/11/18	ISSUED FOR PERMIT
92	08/11/18	ISSUED FOR PERMIT
93	08/11/18	ISSUED FOR PERMIT
94	08/11/18	ISSUED FOR PERMIT
95	08/11/18	ISSUED FOR PERMIT
96	08/11/18	ISSUED FOR PERMIT
97	08/11/18	ISSUED FOR PERMIT
98	08/11/18	ISSUED FOR PERMIT
99	08/11/18	ISSUED FOR PERMIT
100	08/11/18	ISSUED FOR PERMIT

NOVEMBER 21, 2018

ATTACHMENT 3
SITE PHOTOS



Front Elevation

NOVEMBER 21, 2018

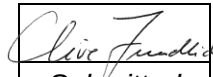


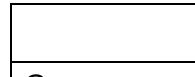
Rear Elevation

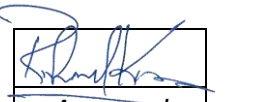


TOWN OF COMOX REGULAR COUNCIL MEETING

FROM:	Clive Freundlich, Director of Finance
SUBJECT:	Proposed 2019 Annual Flat Rate for Water Increase
MEETING DATE:	November 21, 2018
REPORT DATE:	November 16, 2018


 Submitted
by


 Concurrence


 Approval

RECOMMENDATIONS:

1. That the annual flat rate for water be increased by \$12 to \$387 per year (\$32.25 per month) for each residential and commercial customer for the 2019 calendar year.
2. That Bylaw No. 1904, Comox Water Rates and Regulations Bylaw Amendment No. 25, 2018, be given First, Second and Third Readings.

Background

In our current Financial Plan (2019-2022), Council provides for a flat rate water rate increase in 2019 to \$387 from \$375 / unit (\$12 increase, 3.2%). During those budget deliberations, discussion included the Regional District plans for large expenditures to build and operate a deep-water intake from Comox Lake, a water treatment plant, and a new pipeline to deliver the treated water to the current regional water system.

CVRD Bulk Water	Cost per cubic meter	Increase	Percentage Increase
2019	0.80	\$0.05	6.67%
2018	0.75	\$0.04	5.63%
2017	0.71	\$0.05	7.58%
2016	0.66		

The Town's two customer groups that pay user fees to cover the operating expenses of the water fund are:

- 1) Flat rate residential and commercial customers.
The recommended user fee rate increases will impact these customers.
90% of the total water user fees come from these customers.
For consumption equal to or exceeding the annual threshold of 500 m³ rate it is suggested that the rate remain the same at \$1.45 /m³.

Town Rate Payers	Annual Flat Rate	Increase	Percentage Increase
2019	\$ 387	\$ 16.00	4.31%
2018	\$ 371	\$ 20.00	5.70%
2017	\$ 351	\$ 24.00	7.34%
2016	\$ 327		

- 2) Metered billed customers – it is suggested that these remain the same as 2018. Monthly minimum amount of \$15, which includes 14 m3, plus a rate of \$1.12 per cubic meter for consumption over 14 m3. Consumption over the annual threshold of 500 m3 is charged at an additional \$0.33 per cubic meter.

Town Rate Payers	Charge per cubic meter	Increase	Percentage Increase
2019	\$ 1.12	n/c	n/c
2018	\$ 1.12	n/c	n/c
2017	\$ 1.12	n/c	n/c
2016	\$ 1.12		

The 2018 bulk water purchases (approx. \$1.8 million) is about 2/3rds of the total operating costs (\$2.7 million) of the Water Fund.

TOWN OF COMOX**BYLAW NO. 1904****A BYLAW TO AMEND THE COMOX
WATER RATES AND REGULATIONS BYLAW**

WHEREAS the Community Charter empowers the Town, by bylaw, to set rates for the supply and use of water, and to impose connection charges;

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

1. Title

This bylaw may be cited as “Comox Water Rates and Regulations Bylaw Amendment No. 25, 2018”

2. Amendment

Bylaw No. 529 (Comox Water Rates and Regulations Bylaw, 1979) is hereby amended as follows:

- (a) By replacing the text “thirty-one dollars and twenty-five cents (\$31.25)”, in Part II, Section 1(a) of Schedule “A”, with the text “thirty-two dollars and twenty-five cents (\$32.25)”.
- (b) By replacing the text “thirty-one dollars and twenty-five cents (\$31.25)”, in Part II, Section 4 of Schedule “A”, with the text “thirty-two dollars and twenty-five cents (\$32.25)”.

3. Adoption

- (1) READ A FIRST, SECOND AND THIRD
time this _____ day of _____, 2018
- (2) ADOPTED this _____ day of _____, 2018

MAYOR

CORPORATE OFFICER

RECEIVED

OCT 01 2018

TOWN OF COMOX
on file 5460-06
copy Mayor's Council
RK/ER/SA/AF

Mayor Paul Ives and the Comox Town Council
Town Hall
Comox, British Columbia

September 17, 2018

LOG: 18326	REFER:	AGENDA:
FILE: 5460-06	ACTION: NR	COW Nov 14 '18

on file

Your Worship and Council,

I have been directed by the Board of Directors of the d'Esterre Seniors' Centre Association to communicate with you about a matter of importance to our constituency.

We have heard expressions of concern about the speed at which some vehicles entering Wilcox Street are travelling, particularly those making a right hand turn from Beaufort Avenue. It seems that some operators view Wilcox as a continuation of Beaufort. At 50 km/hr or more, it is probable a vehicle rounding the corner has insufficient distance to stop safely for a pedestrian, and the pedestrian insufficient time to avoid being struck.

Wilcox serves as the NW boundary of Marina Park, yet vehicular traffic is not required to reduce speed to 30 km/hour as is the case along the Port Augusta Street approach to the park on its SE side. There exists a common practice throughout the community requiring vehicles to reduce speed from 50 to 30 when driving alongside a park including Port Augusta Park, notwithstanding that this particular park offers no tot lot attraction for children.

Many of the Association's members use the parking lot behind the Town Hall when visiting the Centre. Crossing Wilcox can be a daunting endeavour for someone who is mobility challenged when facing a car that rounds on them quickly from Beaufort. Similarly, children frequently cross Wilcox to enter the park to play in the tot lot or water park. It would be calamitous if a senior or a child was injured or worse yet, killed while crossing the street when a required reduction in speed might prevent an accident.

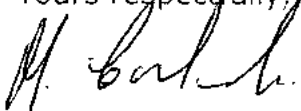
The Association's board has a history of dialogue with the Town about the safety of its members and the public when using the d'Esterre Centre. A year ago, in a meeting with the Mayor, I was impressed that the Town agreed that a flashing warning light at the intersection of Beaufort and Wilcox would be a beneficial safety initiative.

Similarly, we have in the past asked that the tree on the bend of Beaufort opposite Town Hall be pruned of its lower branches in order to improve the visibility of the approaching marked crossing at the front of d'Esterre. Regrettably no action has been taken to address these simple expedients.

Accordingly, we urge the Town to take these concerns seriously and take steps to improve the safety of pedestrians using the approaches to the d'Esterre Centre and Marina Park by implementing the above recommendations. No one wishes to be required to explain why we failed to act in order to prevent an accident that may have been otherwise preventable.

Thank you for your consideration.

Yours respectfully,



Mike Corkish

President

Comox, October 28th 2018

Dear Mr Mayor and Councillors,

Congratulations on forming a bright new council with a great mix of experience and freshness. The Mack Laing Heritage Society, and myself, look forward to working with you. With no further Court action scheduled, we have a unique chance at setting a new course for the Mack Laing Saga, as I think it was expressed by the citizens of Comox during the recently completed Municipal Elections here.

Since April 20/17, a lot of water has gone down the Brooklyn Creek to the Comox estuary, and a lot of rain has fallen on the former home of Hamilton Mack Laing, named Shakesides. If we thought the house needed some TLC back in April of 2017, the TLC has now turned into a situation where urgent action is required.

At this point in time, the Mack Laing Historical Society (MLHS) would like to make following observations and add some suggestions for near future and the road forward.

Regarding the legal process our first and main point is that we hope to never get to court again on this, but instead to find a great solution to what to do with Shakesides and Mack Laing's trust property.

The legal process where Comox has sought to amend the Trust Conditions is now paused, with that petition not having yet been heard at all. Instead we have had 3 appearances at the Supreme Court of British Columbia, and on October 16, 2018, MLHS was awarded a much better version of Intervenor status than Comox's lawyer (and the AG) had been willing to give.

The result is that MLHS will very much be part of any hearings in the future on this matter. But, as we said above, we hope to never go back to court.

The MLHS would very much like to propose and set two goals:

- a) stop the ongoing deterioration of the structure Shakesides by tarping the roof, as suggested April 20/17, and

RECEIVED

Oct 28 2018

18-351

2430-20

MLK

RCM

Nov 21 18

0- cfile 2430-20 ML
copies - Council
- RK/AF

- b) create a time opportunity for negotiations between the Town of Comox and MLHS to reach an agreement for the benefit of all rate payers in this Town.

We are enclosing a work plan to repair the roof, and are willing to do the labour for free. We would very much like to meet with you to discuss the opportunity before us.

We at Mack Laing Heritage Society would like to propose the following Work-Plan and accompanying budget (+/- \$2000.00) to get the roof work done by MLHS volunteers, and get the funding from the Town of Comox. I have spent 35 years working in the masonry industry in Calgary, in roles such as journeyman bricklayer, foreman, field supervisor and overall safety coordinator at Ib Jensen Masonry Ltd. I am well versed in covering structures with tarps for extended periods due to the sub-zero temperatures during wintertime construction in the masonry discipline and industry.

The scope and tasks of the Work-Plan are as follows:

- ✓ To take down the parts of the 2 chimneys protruding through the roof, including the steel antenna still attached to the clay brick chimney at the peak of the roof.
- ✓ Cover the thereby created openings in the roof with ½" exterior grade sheeting.
- ✓ The 4" cast iron plumbing vent near the peak on the north side, will have to stay, but we will put an appropriate size tire around it, to prevent damaging the tarp that will cover the roof.
- ✓ The 2 dormers facing the bay to the south side will present a unique challenge due to periodic strong winds coming from the south-east. This is a challenge we feel we can minimize effectively.
- ✓ In order to execute the Work-Plan and affix the tarps (3) securely, we will need to rent an Elevating Work Platform, aka a Man Lift of the type with a built-in elbow feature. The one available in town has a reach of 45', divided in 2 sections of 20' and 25' respectively. I have experience with the aforementioned, but would need to re-certify my Operator's Ticket, as I have been retired some years now; the re-certification process is available in Courtenay.

Work-Plan Details:

- a) Coordinate a workable and compliant Work-Plan with the Town of Comox Parks department, as mandated by applicable Provincial Safety Regulations and guided by the Safety policies enacted by the Town of Comox.
- b) Put up Red "No Entry" tape around the job site, allowing enough space for the work to take place in a safe manner. Some nearby trail closures might/will be needed for a period of time.
- c) It will take a crew of minimum 3 to 4 people: 2 (1 Man Lift certified) for the actual work on the man lift and roof, plus 2 people on the ground to assist the work from the ground and act as 'spotters' to monitor potential foot traffic around the site. Working at 10' or 3m above ground level, basic Fall Arrest rules are in effect at all times, including Positive Tie-off; the Man Lift is an approved anchor point.
- d) Dismantle the clay and concrete brick chimneys above the roofline, bring material to the ground using the Man Lift (max. weight in the basket at all times is 500 lbs). Install plywood over the openings and secure with screws.
- e) The 1st tarp (30'x40') to be installed will be covering the west dormer and fastened to the roof, using some full length pieces of 1x3 lumber screwed into the roof structure (see tarp detail), just below the peak on the south roof. The 2nd tarp (also 30'x40') will be installed in the same manner, covering the east dormer. Both will have been folded (pleated) during installation to allow for a snug, but relaxed fit over the front of the 2 dormers. Additional padding to be added covering any sharp corners.
- f) Install small tire over plumbing vent.
- g) The 3rd tarp (30'x50') will cover the north-facing roof, but will initially be hanging over the south-side roof, fastened with a full-length 1x4 below the 1x2 on the south roof in order to create a weather proof seam on the overlap. Thereafter the tarp will be pulled back over the peak and the tire, to cover the north roof in its entirety.
- h) In order to prevent the tarp from becoming a balloon, we will strap 5 ropes across the tarps, 1 running east to west right below the front of the dormers, 4 running across north to south on either side of the same dormers. All ropes will be tied to a rope running the circumference of the exterior of the house, immediately below the eaves, with 10 loops positioned to allow for the placement of

the 5 ropes in the right strategic places, after the tarps are installed.

- i) Using the Man Lift we can now fasten all tarp edges around the perimeter of the house, using 1x3's and screws all around the structure, gable ends etc.
- j) Clean up job site and return the Man Lift.

PROJECTED BUDGET

Man Lift	delivery and pick-up	\$130.00
	2 days rental	\$560.00
	Recertification	\$170.00
Rope (from Northern Ropes) 5/16x600'		\$50.00
3 Tarps (Midland Tool, Commercial #1 grade)		\$650.00
Lumber 1x4's & 1x6's		\$150.00
Screws		\$50.00
1 roll of Red "No Entry" tape		<u>\$15.00</u>
Total		\$1785.00
Applicable Taxes		\$ 214.20
<u>Grand Total</u>		<u>\$1999.20</u>

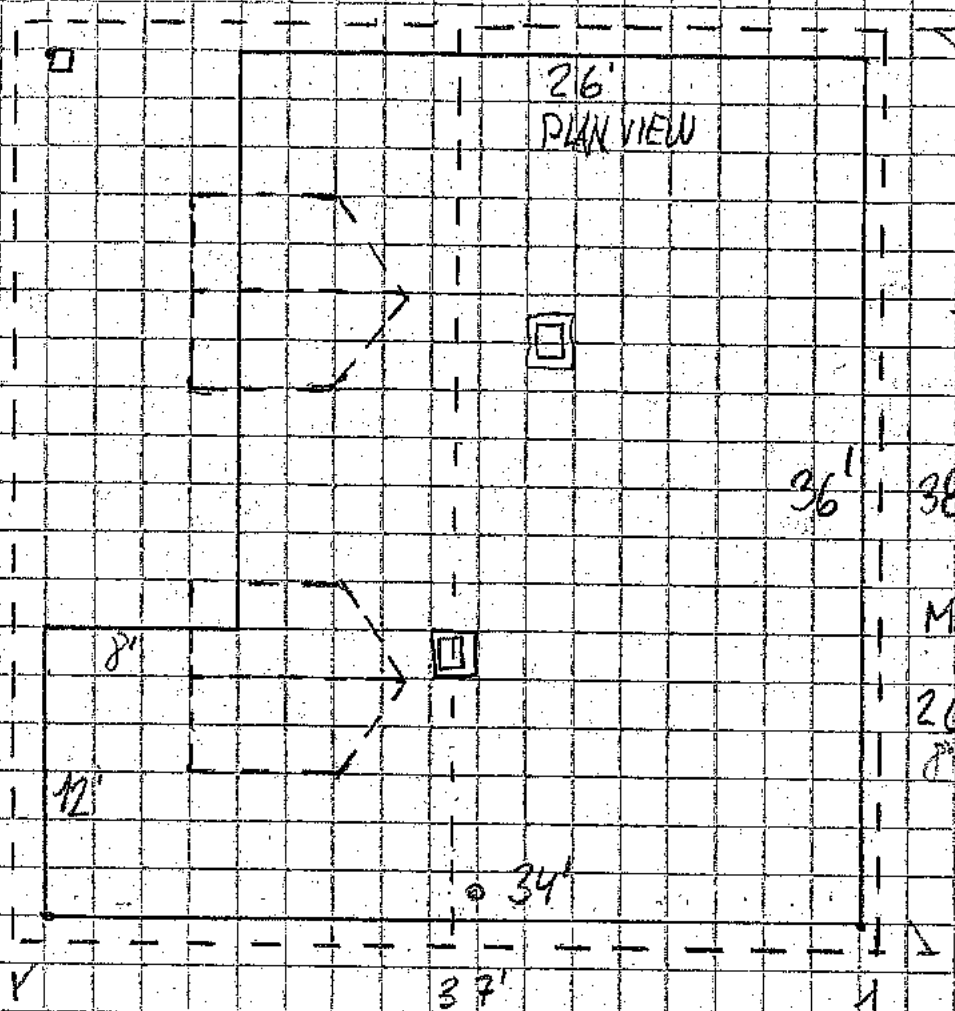
On behalf of the Mack Laing Heritage Society

Sincerely

J-Kris Nielsen

President of MLHS





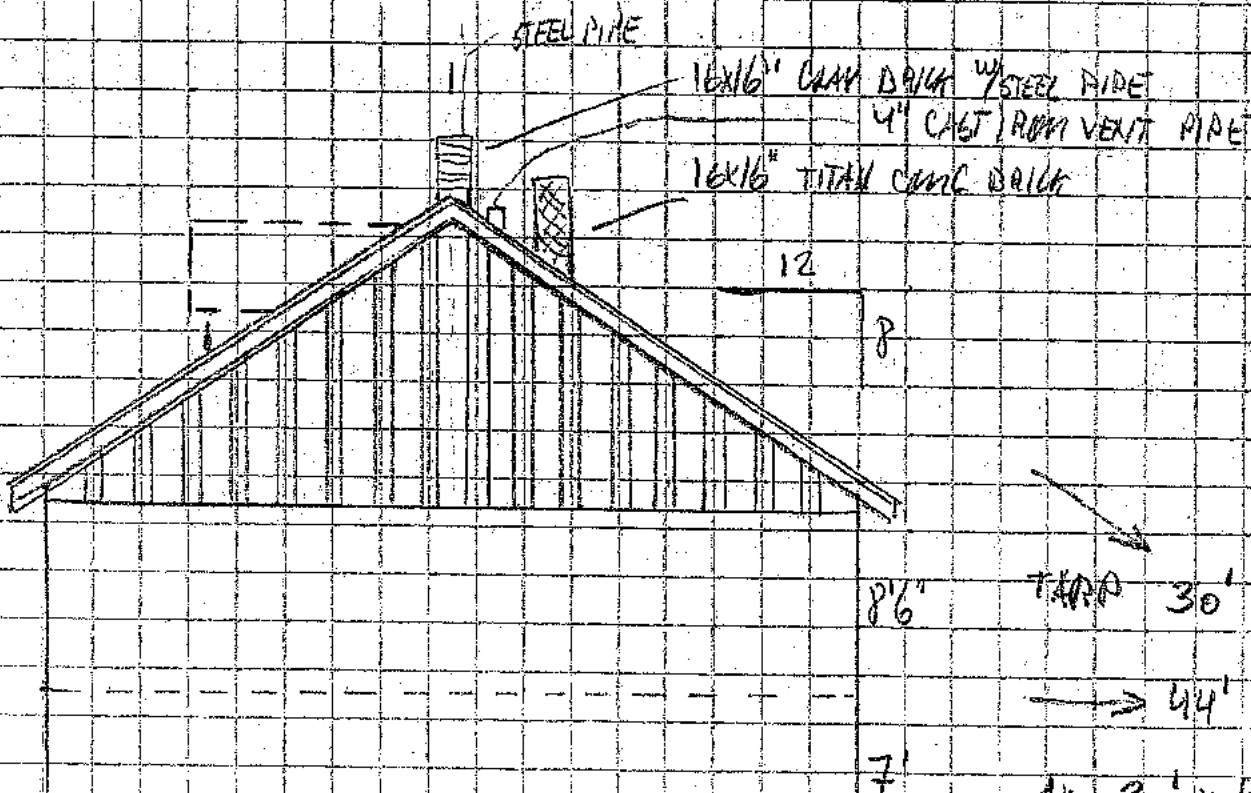
SHAKESIDES

PLAN VIEW & GABLE

MAIN FLOOR

$$\begin{array}{r}
 26 \times 36 = 936' \\
 8 \times 12 = 96' \\
 \hline
 1032'
 \end{array}$$

1032'

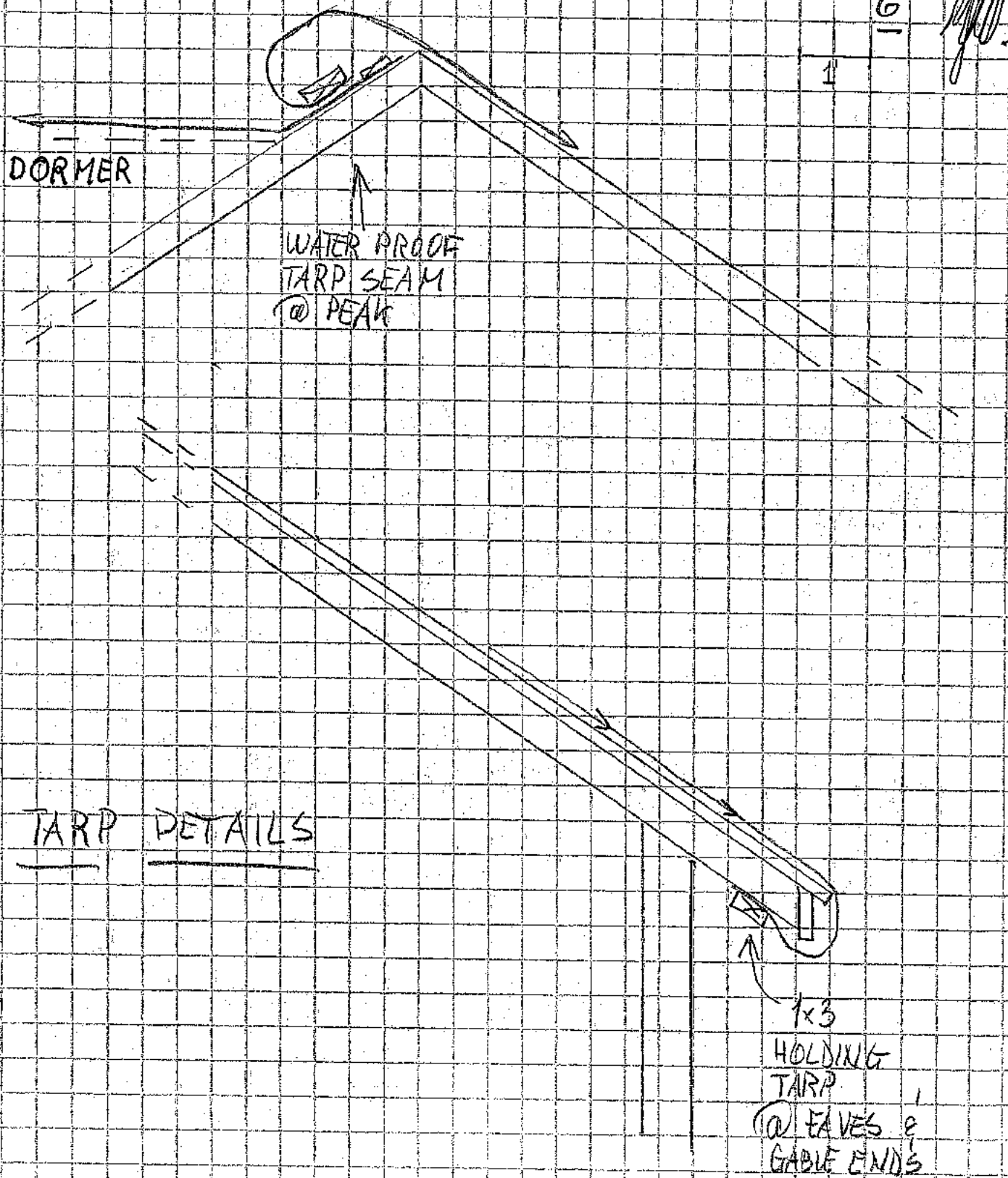


TARA 30' (23')

44' (38')

1x 30' x 50'

2x 30' x 40'



Twyla Slonski

From: Angela Peterson <angelagallant999@hotmail.com>
Sent: November 9, 2018 4:42 PM
To: council
Subject: Attn: Deputy Corporate Administrator - Applic DVP 18-11

RECEIVED

November 9, 2018

TOWN OF COMOX

Good day Sir/Ma'am,

My name is Angela Peterson, I reside at 1958 Marten Ave, Comox. My neighbor, Mr Jerome Bourget, residing at 1954 Marten Ave, Comox, has previously informed me of his plans to expand on his household with a secondary suite. His plans are well thought out and will raise the economy in our area. I don't foresee any issues at all with this expansion. Therefore, I fully support his request for a Development Variance Permit to vary Sect. 3.2 of Comox Zoning Bylaw 1850 to amend the definition of a secondary suite and proceed with his construction plans.

Please don't hesitate to contact me if you have any questions or concerns, either by replying to this e-mail, or by calling or texting 778-585-0934.

Have a great evening,

Angela Peterson

LOG: 18-353	REFER:	AGENDA:
FILE: DVP 18-11	ACTION: Planning	RCM - Nov. 21

o ~ planning DVP 18-11
 copy ~ Mayor & Council
 RK / SR / MK / agenda

Twyla Slonski

From: brad mielke <bradmielke@hotmail.com>
Sent: November 9, 2018 4:14 PM
To: council
Subject: DVP 18-11

RECEIVED

November 9, 2018

TOWN OF COMOX

Dear Mayor and Council, I am writing in reference to the development variance permit application we recieved in the mail this week. Jerome Bourget and his family have lived next door to us for the past 4 years. He has been very open to us about his plan to make changes to his property with us and other neighbours. We believe his plan has been well thought out and will have minimal impact on our street. It will also be beneficial to our community, which is experiencing a lack of housing availability. It is our hope that council has listened to the housing concerns of the town in the past election and approves plans such as Jerome's which aim help address the issues Comox is experiencing with regards to affordable housing.

Sincerely, Brad Mielke, Delphine Guerineau
 Owners of 1952 Marten Ave
 Comox, BC

Get [Outlook for Android](#)

LOG: 18-352	REFER:	AGENDA:
FILE: DVP 18-11	ACTION: Planning	RCM - Nov. 21

o ~ planning DVP 18-11
 copy ~ Mayor & Council
 RK / SR / MK / agenda

Twyla Slonski

From: Chris Burton <chrisb42@shaw.ca>
Sent: November 6, 2018 1:37 PM
To: council
Subject: Development Variance Permit Application DVP 18-9
Attachments: Permit Application DVP 18-9 (Side A).pdf; Permit Application DVP 18-9 (Side B).pdf

Categories: Completed

RECEIVED

November 6, 2018

TOWN OF COMOX

Christopher R. Burton
 Violet (Patti) P. Burton
 350 Victoria Court
 Comox, BC. V9M 2Y6
 Tel: 250-339-0919

Township Of Comox
 1809 Beaufort Avenue
 Comox, BC V9M 1R9

6th November 2018

Mayor And Council

I Christopher R. Burton and my wife Patti Burton have lived next door to Al Philips & Brenda Russell since August 2006.

We wholeheartedly support them in applying for the variance application to build a side-by-side dwelling unit.

Also during construction of the unit should they require access to their property through our property as well as limited use of our driveway they have our permission.

Yours truly,

Christopher R. Burton

LOG: 18-354	REFER:	AGENDA:
FILE: DVP 18-9	ACTION: Planning	RCM Nov. 21

o ~ planning

copy ~ Mayor & Council

RK / SR / MK / agenda



WE WANT TO HEAR FROM YOU



1809 Beaufort Avenue
Comox, BC V9M 1R9



council@comox.ca



speak as a
delegation

Development Variance Permit Application DVP 18-9

Highlights

Proposed variance to amend the definition of secondary suite to allow the construction of a secondary suite beside an existing single family dwelling.

Details

The subject property is zoned R1.1 Single Family. Development Variance Permit Application DVP 18-9 is to vary Section 3.2 of Comox Zoning Bylaw 1850 to amend the definition of secondary suite from "secondary suites shall be located above or below the other dwelling unit" to "secondary suites shall be located side-by-side to the other dwelling unit" to allow a secondary suite addition in the rear and side yard.

More Information

Copies of the proposed Development Variance Permit, as well as existing relevant reports and documents, are available for inspection at Town Hall, **1809 Beaufort Avenue, Comox** between the hours of **8:30am – 4:30 pm Monday through Friday** (except Statutory Holidays) up to and including November 21, 2018.

Council Meeting

November 21, 2018, 5:30 PM
Council Chambers
1801B Beaufort Avenue, Comox

Subject Property:
355 Victoria Court
shown shaded on Map on Reverse



We're listening. Please submit your comments

Delegation Requests

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

1. is received before noon on November 15, 2018;
2. is addressed to the Deputy Corporate Administrator;
3. identifies the application number DVP 18-9 in the subject line; and
4. includes the name and address of the person making the request to appear as a delegation.

M. Kamenz, Municipal Planner

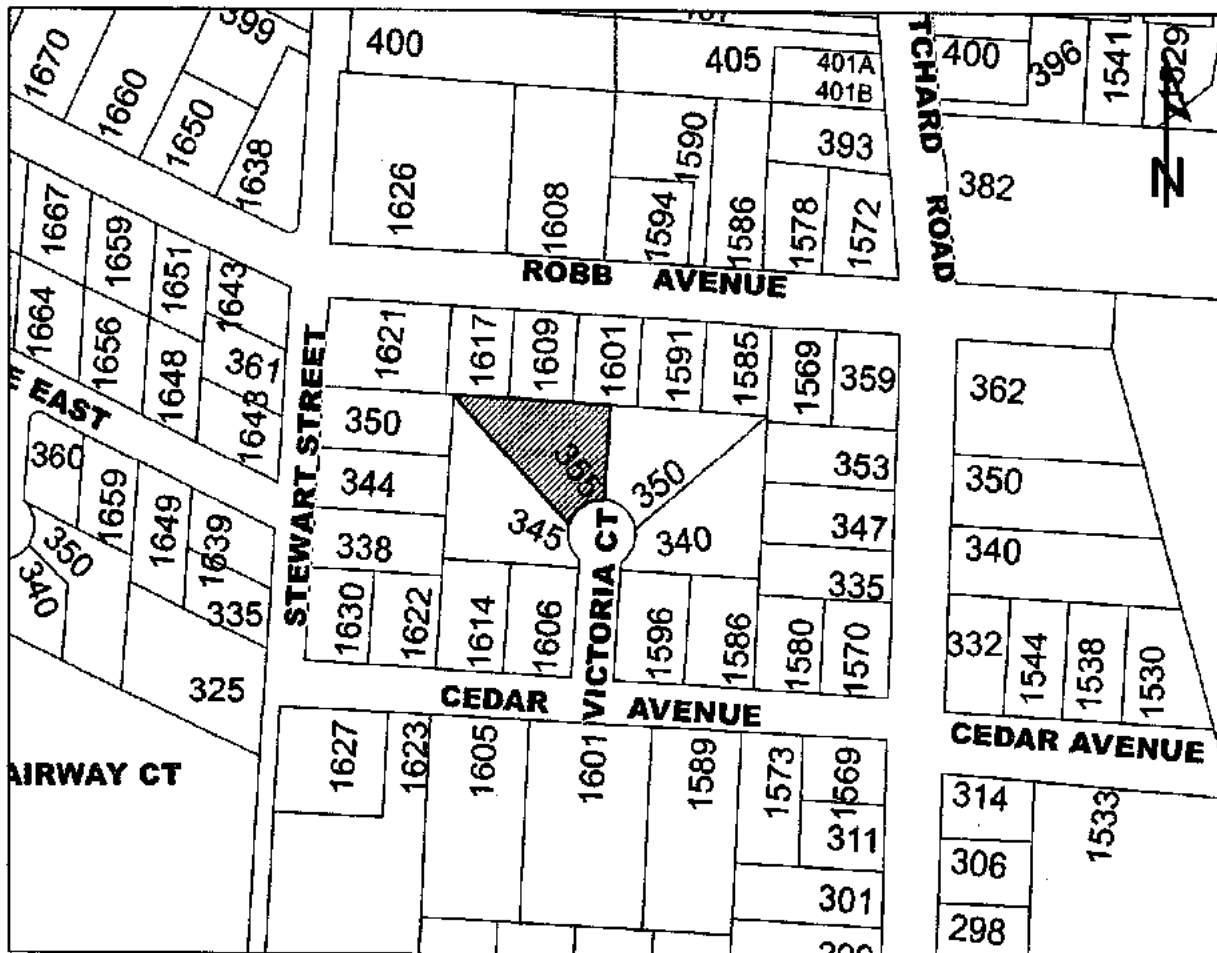
Written Submissions

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

1. is received before 4:00 pm on the Council meeting date;
2. is addressed to Mayor and Council;
3. identifies the application number DVP 18-9 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.

speak as a
 delegation



Development Variance Permit Application No. DVP 18-9

Subject Property shown shaded on the Map:

355 Victoria Court

LOT 12, SECTION 76, COMOX DISTRICT, PLAN 14580

Twyla Slonski

From: Gaetane Palardy <gaetane.palardy@telus.net>
Sent: November 15, 2018 10:04 AM
To: council
Subject: DVP 18-13 from Gaetane Palardy. 1832 Robb Avenue

RECEIVED

November 15, 2018

TOWN OF COMOX

Mayor and Council member,

I **agree** that the Section 3.2 of Comox Zoning Bylaw 1859 to be amend to «**secondary suites shall be located side-by-side to the other dwelling unit**» to allow a secondary suite next to the main dwelling.

I believe that it is a good way to increase population density in our town and encouraging multi-generational dwellings is a positive way to do it .

I think it should be amend not only for this request but should be part of Comox bylaws in the future to encourage other family to do the same .

Gaetane Palardy
 owner of 1832 Robb Avenue

LOG: 18-358	REFER:	AGENDA:
FILE: DVP 18-13	ACTION: Planning	RCM - Nov. 21

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

Gaetane Palardy
 GPS Gaetane Palardy Solutions
 Training and Consulting
 Tourism and Hospitality

T: 250-890-9312 C: 250-650-1956
 F: 250-890-9311
 gaetane.palardy@telus.net



Where journeys begin.

RECEIVED

November 8, 2018

TOWN OF COMOX

07 November 2018

Distribution List

Dear Mayors, Chair, Councils and Board,

LOG: 18-350	REFER:	AGENDA:
FILE: 0230-20	ACTION: MR	RCM - Nov. 21

o ~ cfile

copy ~ Mayor & Council

RK / SR / TS / agenda

In accordance with the Comox Valley Airport Commission's (CVAC) by-law 3.2, the Board Secretary is to contact you to advise that the term of Director Martin Crilly is up for reappointment and is due to expire on February 20, 2019.

As part of CVAC's appointment process, Mr. Crilly has informed us of his willingness to continue to serve the Commission for a subsequent term. Mr. Crilly serves as a nominee to the Airport Commission for Local Governments and as such CVAC is seeking input from all Local Governments on this reappointment.

Mr. Crilly brings a high standard of leadership and management skills to the CVAC Board. His experience as a BC Ferries Commissioner and as the Regional Transportation Commissioner, as well as his Fellowship in the Chartered Institute of Logistics and Transportation allows him to offer expert guidance to the Board and the CEO on all manner of transportation issues. Similarly, his experience in overseeing major public transportation infrastructure planning has been a huge help in developing the Airport Commission's long term financial plan that will meet our community's needs well into the future.

Aside from his dedicated participation in Board work, Mr. Crilly is an active participant in the Audit and Finance Committees.

May I request that you signal your concurrence to this reappointment no later than December 21st 2018. In the mean time, if you have any questions about this request or our nomination process as a whole, please contact me at storesdahl@shaw.ca

Yours truly,

Susan Toresdahl
CVAC Secretary

Distribution List:

Mayor Leslie Baird and Councilors, Village of Cumberland
Mayor Russ Arnott and Councilors, Town of Comox
Mayor Bob Wells and Councilors, City of Courtenay
Chair and Board Members, Comox Valley Regional District

Twyla Slonski

From: Twyla Slonski
Sent: November 15, 2018 11:29 AM
To: Twyla Slonski
Subject: FW: AVICC October Update - nominations for Electoral Area Representative, LGLA Sessions in February

Participants confirmed to date:

Mayor Russ Arnott
 Councillor Minions
 Councillor Swift

RECEIVED

November 5, 2018

TOWN OF COMOX

o ~ T. Slonski
 copy ~ Mayor & Council
 RCM - Nov. 21, 2018

Twyla Slonski
 Executive Coordinator
 Office of the Mayor & CAO

Town of Comox
 1809 Beaufort Avenue
 Comox, BC V9M 1R9
 Telephone: 1.250.339.2202 ext. 238
 Facsimile: 1.250.339.7110
 Email: twyla@comox.ca

This email and any attachments are for the use of the intended recipient only and may be confidential and privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, printing, copying, circulation or other use of this message and any attachment, is prohibited. If you received this message in error, please notify me by return email and delete the message, any attachments and any copy of the message and attachments from your system. Thank you.

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

From: AVICC <avicc@ubcm.ca>
Sent: October 31, 2018 3:12 PM
To: AVICC <avicc@ubcm.ca>
Subject: AVICC October Update - nominations for Electoral Area Representative, LGLA Sessions in February

Please forward to elected officials, the CAO and Corporate Officer:

Congratulations to those who have been returned to office, and welcome to all the new members of the Association of Vancouver Island and Coastal Communities as you begin to serve in your new roles.

LGLA Sessions in Parksville, February 2019

The Local Government Leadership Academy (LGLA) is holding an Elected Officials Seminar for AVICC members. The seminars are open to newly elected and returning elected officials, as well as to senior staff from local governments and First Nations communities.

Since AVICC is the largest of the UBCM area associations, there will be two overlapping sessions for AVICC members. Members can sign up to either of the sessions:

AVICC Session #1: February 12-14, Parksville – 2019 AVICC SESSION #1 EOS AGENDA – DRAFT

AVICC Session #2: February 13-15, Parksville – 2019 AVICC SESSION #2 EOS AGENDA – DRAFT

Please contact Shawna Deagle-Leung at info@lgla.ca with any questions about the LGLA seminars.