



## 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 6, 2019**

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

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

Call to Order: 5:30 p.m.

Adoption of the Agenda

**NOTICE is hereby given that a Public Hearing has been scheduled for  
06:30 PM at Council Chambers, in order to consider the following:  
Rezoning Application 19-8: Cannabis Retail Store Regulation Update**

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

- (7) a. [Russell Dyson & Marc Rutten \(CVRD\) Update on Regional Organics](#)
- (8) b. [Dr. Charmaine Enns \(North Island Medical Health Officer\) Report on local population health](#)

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

- (9) a. [Regular Council Meeting Minutes](#)  
*That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday October 16, 2019, be Approved.*

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

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

- (13) a. [Management Report - November 6, 2019](#)  
*That the Management Report for November 6, 2019 be received and filed for information.*

#### **5. SPECIAL REPORTS: NIL**

#### **6. BYLAWS: NIL**



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

- (19) a. Heritage Alteration Permit HAP 19-1: Little Red Church
1. *Chief Administrative Officer's Recommendation:  
That Heritage Alteration Permit HAP 19-1 be issued subject to the Heritage Alteration Permit Conditions listed in Schedule 1 of the November 6, 2019 Planning Report on Hap 19-1.*
- OR
2. *Planner's Recommendation:  
That Heritage Alteration Permit HAP 19-1 be denied.*
- (34) b. PR 19-18 Childcare Space Creation Funding Applications
1. *That the Town of Comox Council endorse the creation of additional childcare spaces in the Town Comox and indicate support for the current proposed activities and willingness to provide overall grant management.*
  2. *That the Town of Comox Council instruct staff to apply to the Union of BC Municipalities, Community Child Care Space Creation Program and the Ministry of Children and Family Development, Childcare BC New Spaces Fund, for funding to:*
    - a) *Purchase a commercial unit in a proposed mixed-use commercial-residential building at 695 Aspen Road, consisting of approximately 190 m2 of indoor floor area and approximately 200 m2 of outdoor space, and*
    - b) *Undertake necessary tenant improvements, including design, engineering and equipment purchase for a 28-space childcare facility comprised of 12 spaces for under 36 months, and 16 under 5 years of age, in the event that the proposed development is approved by Council, in its sole and unfettered discretion.*
  3. *That the Town of Comox Council authorize the expenditure of Town funds for professional services necessary to complete applications to the Union of BC Municipalities, Community Child Care Space Creation Program and the Ministry of Children and Family Development, Childcare BC New Spaces Fund which include legal and appraisal costs.*
  4. *That staff, in consultation with the Town's solicitor to ensure the protection of the public interest, be directed to negotiate an option to purchase a commercial unit in a proposed mixed-use commercial-residential building at 695 Aspen Road, consisting of approximately 190 m2 of indoor floor area and approximately 200 m2 of outdoor space, dependent upon the seller securing all necessary permits and approvals including rezoning, development permit and building permit and the Town securing funding from the Union of BC Municipalities, Community Child Care Space Creation Program and/ or the Ministry of Children and Family Development, Childcare BC New Spaces Fund, for the creation of a 28-space childcare facility, subject to the proposed development being approved by Council, in its sole and unfettered discretion.*



**TOWN OF COMOX**

**REGULAR COUNCIL MEETING AGENDA OF WEDNESDAY NOVEMBER 6, 2019**

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- (34) b. [PR 19-18 Childcare Space Creation Funding Applications](#)
  - 5. *5. That staff, in consultation with the Town's solicitor to ensure the protection of the public interest, be directed to negotiate a potential lease agreement with the Comox Valley Children's Day Care Society for the operation of a 28-space childcare facility in accordance with the Community Charter sections 24 and 26, subject to the proposed development being approved by Council, in its sole and unfettered discretion.*
  
- (75) c. [Records Management System Bylaw](#)  
*That the Records Management System Bylaw No. 1932, 2019 be given First, Second and Third Readings.*
  
- (81) d. [Disposal of Comox Fire Rescue Surplus Equipment](#)  
*That Council authorizes the disposal of Comox Fire Rescue's surplus self-contained breathing apparatus (SBCA) units to smaller local fire dipartments.*

**8. CORRESPONDENCE:**

- (83) a. [Ronna-Rae Leonard \(Legislative Assembly of British Columbia\) Second intake of both planning grants and space creation grants for Child Care.](#)

**9. LATE ITEMS: NIL**

**10. DELEGATIONS: NIL**

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

**12. BUSINESS ARISING FROM PUBLIC HEARING:**

- (84) a. [Comox Zoning Amendment Bylaw 1929](#)
  - 1. *That Comox Zoning Amendment Bylaw 1929 be given Third Reading.*
  - 2. *That Comox Zoning Amendment Bylaw 1929 be Adopted.*
  
- (86) b. [Business Regulation Amendment bylaw 1930](#)  
*That Comox Business Regulation Amendment Bylaw No. 1930, 2019 be Adopted.*

**13. PUBLIC QUESTION PERIOD:**

**14. MEDIA QUESTION PERIOD:**

**15. EXCLUDE THE PUBLIC:**

**ADJOURNMENT**

  
\_\_\_\_\_  
Deputy Corporate Administrator





RECEIVED



**REQUEST TO APPEAR AS A DELEGATION**

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

AUG 22 2019

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: Dr. Charmaine Enns, North Island Medical Health Officer

Organization you are representing: Island Health

Primary purpose of Organization: Public Health Number of members: 1

Mailing address: 355 11th St.

City: Courtenay Postal Code: V9N 1S4

Contact name: Jen Stigter (Admin Assistant) Email: jennifer.stigter@viha.ca

Phone: 250-331-8591 Fax: 250-331-8513

Subject matter: Medical Health Officer report on local population health - PowerPoint presentation.

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

Requested meeting and date: November 6, 2019

Audio-visual equipment required: Computer, projector, screen

Date of application: Aug 22, 2019 Signature of applicant: \_\_\_\_\_

Please Note: or Print Name: Jen Stigter on behalf of Dr. C. Enns

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: 19-447	REFER:	AGENDA: RCM Nov. 6'19
FILE: 0550-20	ACTION: ✓	

on file 0550-20-DEL  
copy ~ Mayor & Council  
RK/RS/agenda

**TOWN OF COMOX**  
**Minutes of the Regular Council Meeting,**  
**held in Council Chambers on Wednesday October 16, 2019**

**Present:** Mayor R. Arnott  
Councillors A. Bissinger, K. Grant, S. McGowan,  
P. McKenna, M. Swift  
Staff A. Kenning, Chief Administrative Officer  
S. Russwurm, Deputy Corporate Administrator  
C. Freundlich, Director of Finance  
M. Kamenz, Municipal Engineer  
T. Hagmeier, Recreation Director

**Absent:** N. Minions

**Call to Order:**

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

The Agenda was Adopted.

There was 1 visitor in attendance.

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**1. DELEGATIONS:**

- a. **Renee Hamel and Jeremy Dunn (Mowi Canada West) ASC Certification Update  
Technology and Innovation Advancements**

**Mowi Canada Certification**

Ms. Hamel and Mr. Read described their operation and their efforts toward ASC Certification.

- b. **Bunny Shannon and Joanne Schroeder (CV Social Planning Society): Society Update**

**Social Planning Society  
Update**

Ms. Shannon and Ms. Schroeder provided a brief history of social planning in the Comox Valley, summarized their priorities and actions for 2019 and invited Council to their social planning workshop on November 7, 2019.

**2. MINUTES OF MEETINGS:**

- a. **Regular Council Meeting Minutes**

**RCM Minutes**

1. *That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday September 18, 2019, be Approved as amended.*

(2019.297) -- CARRIED

2. *That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday October 2, 2019, be Approved.*

(2019.298) -- CARRIED

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

**COW Minutes**

*That the Minutes of the Committee of the Whole Meeting, held in Council Chambers on Wednesday October 9, 2019, be Received.*

(2019.299) -- CARRIED

**3. COMMITTEE REPORTS: NIL**

**4. UNFINISHED BUSINESS:**

**a. Management Report - October 16, 2019**

**Management Report**

*That the Management Report for October 16, 2019 be received and filed for information.*

(2019.300) -- CARRIED

**5. SPECIAL REPORTS:**

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

**CVRD Meeting Minutes**

*That the following Comox Valley Regional District meeting minutes be received for information:  
- Comox Valley Regional District Board held on Tuesday, October 1, 2019.*

(2019.301) -- CARRIED

**6. BYLAWS:**

**a. Permissive Property Tax Exemption for 2020**

**Permissive Property Tax Exemptions**

*That Bylaw No. 1931 (Comox Permissive Tax Exemption Bylaw, 2019) be Adopted.*

(2019.302) -- CARRIED

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

**a. Proposal for CAO Executive Search and Strategic Planning**

**CAO Executive Search and Strategic Planning**

1. *That Jerry Berry Consultants Inc. be hired to provide executive search services to assist with the recruitment of a new Chief Administrative Officer, for a total cost not to exceed \$12,500 plus applicable taxes, disbursements and expenses.*

(2019.303) -- CARRIED

2. *That Jerry Berry Consultants Inc. be hired to provide facilitation services to assist Mayor and Council with the review of its 2020 Strategic Priorities, for a total cost not to exceed \$7,200 plus applicable taxes, disbursements and expenses.*

(2019.304) -- CARRIED

**b. Low Income Regional Recreation All Access Pass Program**

**Regional Recreation All Access Pass**

*That staff participate with the Regional District and other local municipalities to investigate options for a regional, low-income, all access pass and report to Council with the operational and policy implications.*

(2019.305) -- CARRIED

**c. Rezoning Application RZ 19-6: Restriction of Water Bottling**

**Water Bottling**

1. *That Comox Zoning Amendment Bylaw 1927 be given First and Second Readings.*

(2019.306) -- CARRIED

2. *That a Public Hearing in respect of Bylaw 1927 be scheduled for 6:30 pm, November 20, 2019, at Council Chambers, 1801B Beaufort Avenue, and staff be instructed to publish the requisite notices as required by the Local Government Act.*

(2019.307) -- CARRIED

**d. Big Island Building Services Amendment Agreement**

**Janitorial Services**

*That the Janitorial Services Agreement with Big Island Building Services be amended to include cleaning services at 1797 Comox Avenue two days per week, at a cost of \$418.29 per month.*  
(2019.308) -- CARRIED

**e. Councillor Bissinger: BC Energy Step Code**

**BC Energy Step Code**

1. *That all new Part 3 (large and complex buildings) and Part 9 (houses and small buildings) construction in the Town of Comox require a minimum of BC Energy Step Code 2, effective 01 Mar 2020 to provide staff and industry sufficient time and notification to prepare for change, subject to satisfactory consultation with the public and stakeholders.*  
(2019.309) -- DEFEATED  
[Opposed: Mayor Arnott, Councillors KGrant PMcKenna MSwift]
2. *That the Town of Comox engage with the development community and the public on the implementation of BC Energy Step Code 2 for all Part 3 and Part 9 construction, and that staff provide a report back to Council on the results of the engagement prior to implementation.*  
(2019.310) -- CARRIED
3. *That planning staff be encouraged to seek opportunities for BC Energy Step Code 3 or 4 as amenity contributions to extract during any rezonings, effective immediately, excluding instream applications.*  
(2019.311) -- CARRIED  
[Opposed: Mayor Arnott, Councillor MSwift]
4. *That planning staff provide a report within 12 months, with the possibility of increasing requirement for all new construction to minimum BC Energy Step Code 3 by 2022.*  
(2019.312) -- WITHDRAWN

**8. CORRESPONDENCE:**

**a. Susan Toresdahl (Comox Valley Airport Commission): Director Re-Appointment**

**CVAC Board Re-Appointment**

*That the September 26, 2019 letter from Susan Toresdahl of the Comox Valley Airport Commission, advising that Director Joe Schommer's board term is up for re-appointment, be received and that Council concur with the re-appointment.*  
(2019.313) -- CARRIED

**b. Bill Toews (Comox BIA) Downtown Comox Business in Action Association Bylaw**

**Comox BIA Renewal**

*That the October 1, 2019 letter from Bill Toews, President of the Comox Business in Action, requesting that Council initiate the renewal of the business improvement area, be received and filed for information.*  
(2019.314) -- CARRIED

**c. Robyn Fyfe (Pacific Pro Dive) Underwater Pumpkin Carving Contest**

**Underwater Pumpkin Carving**

*That the October 11, 2019 letter from Robyn Fyfe of Pacific Pro Dive Ltd, requesting the use of half of the boat ramp at Marina Park between 10:00 a.m. and 2:00 p.m. on Sunday, October 27, 2019 for their Underwater Pumpkin Carving Contest, be received and that permission be granted.*  
(2019.315) -- CARRIED

**9. LATE ITEMS: NIL**

**10. DELEGATIONS: NIL**

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

**a. Councillor McGowan**

Councillor McGowan advised that she attended Lush Valley's Eat Think Vote Forum.

**b. Councillor Swift**

Councillor Swift advised that she attended the regional district board and sports commission meetings.

**c. Councillor McKenna**

Councillor McKenna advised that he:

- visited Port McNeil and Port Hardy communities and attended their Council meetings,
- attended the Glacier View presentation on housing collaboration,
- attended the Community Justice Centre's volunteer appreciation dinner, and
- will be participating in a mobility tour next week.

**d. Councillor Bissinger**

Councillor Bissinger advised that she participated in discussions with builders on the Energy Step Code requirements and attended a Climate Action group meeting.

**e. Councillor Grant**

Councillor Grant advised that he attended the regional district board and sports commission meetings.

**f. Mayor Arnott**

Mayor Arnott advised that he attended:

- the regional district sewer commission meeting,
- an RCMP meeting, and
- the cheque presentation meeting regarding the Mayor's Golf Tournament.

**14. EXCLUDE THE PUBLIC: NIL**

**Adjournment:**

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

*CARRIED*

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

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MAYOR

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CORPORATE OFFICER

**TOWN OF COMOX – MANAGEMENT REPORT**

**NOVEMBER 6, 2019**

<b>DATE</b>	<b>SUBJECT</b>	<b>COUNCIL DIRECTION</b>	<b>STATUS</b>
<b>07-Mar-2007</b>	Waste Collection Service	Investigate the provision of an Organic Waste Collection Service in Comox-Courtenay. (Council provided conditional support on Aug 1, 2018 for a regional organics program, subject to a detailed cost comparative analysis being completed by the CVRD on site location alternatives.)	Regional District continuing to investigate options and CAO of CVRD to present to RCM Nov 6 on process/status of organics processing. Staff report examining implications of altering garbage collection for upcoming Committee of the Whole. Waste collection contract expires Mar 31, 2020.
<b>20-Aug-2014</b>	Fixed Wing Search and Rescue Training Facility	Investigate the feasibility of financial and other incentives that would support the selection of 19 Wing Comox.	Grant-in-aid to be provided to 19 Wing Comox for facility PILTs. Expected building completion by year end 2019.
<b>18-Jan-2017</b>	Northeast Comox Storm Water Management Plan	Implementation of Northeast Comox Storm Water Management Plan	Financial consultants are working on different funding scenarios and Engineering consultants are preparing Class D cost estimates for pond construction options. Awaiting completion of legal review of regulatory bylaws.
<b>18-Jan-2017</b>	Mack Laing Trust	That staff be directed to begin the process to modify, if necessary, the terms of the Trust.	Facilitated Public Meeting and Workshop held March 27, 2019. Revised design for viewing platform approved by Council at May 15, 2019 Regular Meeting. Revised design presented to KFN Chief and Council on June 26, 2019. Waiting for Province (AG) to assess KFN correspondence and to decide whether or not to support funding of the viewing platform from trust funds. Town solicitor seeking time frame from Province.
<b>02-Aug-2017</b>	Wayfinding Signage	Implement wayfinding signage standards, prototypes and implement Phase 1 signage	Project complete.
<b>17-Jan-2018</b>	Boundary Extension Request - Torrence Road	That the Town of Comox proceed with a boundary extension proposal in the Noel, Torrence and Lazo Roads area that includes the following: <ul style="list-style-type: none"> <li>• 480 Torrence Rd</li> <li>• Vacant Land</li> <li>• 456 Torrence Rd</li> </ul>	Discussions held with Ministry staff regarding condition of Lazo Road and Town desire for grant funding or improvements to be made prior to bringing it into Town boundary. Ministry staff advised that it is not a priority for them for the next few years. Owner of three parcels has also requested that his properties now be excluded. Staff to consult with other property owners in boundary extension area.

**TOWN OF COMOX – MANAGEMENT REPORT  
NOVEMBER 6, 2019**

DATE	SUBJECT	COUNCIL DIRECTION	STATUS
		<ul style="list-style-type: none"> <li>• Vacant Land (Lot 10)</li> <li>• 274 Torrence</li> <li>• 1310 Lazo Rd</li> <li>• Vacant Land (Lot A)</li> <li>• 1250 Lazo Rd</li> <li>• Adjacent portions of Torrence and Lazo Roads plus undeveloped south end of King Road; and further,</li> </ul> <p>That Town of Comox staff be authorized to develop, sign and submit the proposal to the Ministry of Municipal Affairs and Housing.</p>	
<b>16-Jan-2019</b>	LGMA Commemorative Tree Planting - 100th Anniversary	That Council authorize staff to proceed with selecting a tree to plant in a location recommended by staff and hold a commemorative tree planting ceremony in recognition of the local government profession and ongoing commitment to the community.	Plaque has been prepared. Preparations underway for planting ceremony. Council will be informed/invited in near future.
<b>16-Jan-2019</b>	Dog Park Feasibility and Public Consultation Process	That a public consultation process regarding the feasibility of a dog park be undertaken, for an amount up to \$20,000.	<b>Meeting held Oct 31 with 50<sup>th</sup> Parallel Public Relations.</b>
<b>20-Mar-2019</b>	Planning Report PR 19-4: Affordable Housing, Town Initiatives	That staff be instructed to prepare a report on: a. Options for local government provision of affordable housing; b. Options for the use of rental zoning; and d. Impact of short term rentals on the supply of affordable housing, including an allowance for rental of primary units.	Complex issues that will require considerable staff time to complete. Current priority is working with developer at 695 Aspen to achieve some affordable housing in this project.
<b>03-Apr-2019</b>	Notice of Motion from March 20, 2019 Meeting (Councillor McGowan) - Heritage Registry	That a staff report be provided on whether a Heritage Registry be created within the Town of Comox.	No action taken to date due to lack of resources.

**TOWN OF COMOX – MANAGEMENT REPORT**

**NOVEMBER 6, 2019**

<b>DATE</b>	<b>SUBJECT</b>	<b>COUNCIL DIRECTION</b>	<b>STATUS</b>
<b>17-Apr-2019</b>	Interim Report on Affordable Housing Initiatives	That the Town request that the Comox Valley Regional District amend its Development Cost Charge Bylaws (DCCs) to exempt from required DCCs payments the construction or alteration of self-contained dwelling units in buildings in which each unit is not larger than 45 m2;	Letter sent May 24, 2019 from Mayor to CVRD chair. No update received to date.
<b>17-Apr-2019</b>	Electric Vehicle Charging Station - Grant Funding Opportunity	That the Town of Comox participate in the Mid-Island EV Network project and associated CleanBC Communities Fund application with the Regional District of Nanaimo as the lead applicant and dedicate a total of up to \$6,000 to be funded from General Revenue, and representing the Town's portion of the cost of one (1) dual port public electric vehicle charging station at a Town owned site within the community and that the location of the charging station be referred to staff.	Information re: Home and Workplace EV Charging Program Grant on website and circulated to selected business. Investigation into possible Town sites under way.
<b>17-Apr-2019</b>	New Motion (Councillor McKenna): Communications Specialist	That staff include in the 2019 budget, the provision of salary to hire a communications specialist in the year 2019.	Additional support in Corporate Administration starting October 2019. Trial using consultant to prepare media information regarding green initiatives is underway.
<b>15-May-2019</b>	Climate Emergency (April 17, 2019 Notice of Motion: Councillor Bissinger)	That the following motions be referred to Council's next strategic planning process: - "That staff prepare a report to Council within six months with tangible actions the Mayor/Council and Town staff can take to address the Climate Crisis", and - "That Council seek commitment and financial support from the Comox Valley Regional District and its member communities for a shared position of Sustainability and Long Range Planning Manager for the Comox Valley."	Strategic priorities discussion to be held at Nov 13 COW (closed portion). See Oct 2, 2019 resolution "Open House - Climate Crisis and Adaptation"

**TOWN OF COMOX – MANAGEMENT REPORT**

**NOVEMBER 6, 2019**

<b>DATE</b>	<b>SUBJECT</b>	<b>COUNCIL DIRECTION</b>	<b>STATUS</b>
<b>19-Jun-2019</b>	Single Use Plastic Regulation Bylaw	That Council direct staff to arrange for the required statutory advertising regarding the "Town of Comox Single Use Plastic Regulation Bylaw No. 1923, 2019" prior to adoption of the bylaw.	Bylaw given First, Second and Third Readings at June 19, 2019 RCM and staff directed to proceed with local stakeholder engagement. Similar Victoria bylaw struck down in July 2019 as being outside municipality's jurisdiction. Federal government announced in June 2019 its intention to ban harmful single-use plastics as early as 2021.
<b>03-Jul-2019</b>	Susan Anderson - Safety concern regarding the vehicle traffic on Hillside Avenue	That the June 24, 2019 letter to Mayor Arnott from Susan Anderson, regarding the Hillside/Nimpkish neighbourhood's safety concerns with vehicle traffic on Hillside Avenue, be received and referred to staff for followup.	Traffic tabulators to be placed on Hillside Avenue in September of this year. Following the collection of information staff to review and present a report to Council that may recommend formal changes to existing traffic patterns and/or pedestrian flow on Hillside Avenue.
<b>07-Aug-2019</b>	Alena, Quinn and Max Barner - Clamshell plastic used to sell bakery items	That the July 3, 2019 email from Alena, Quinn and Max Barner, asking Council to consider eliminating single use clamshell plastic, be received and referred to staff for inclusion in the Town of Comox Single Use Plastics Regulation Bylaw.	
<b>02-Oct-2019</b>	Open House - Climate Crisis and Adaptation	That an open house be held on the topic of Current Town of Comox Strategic Priorities and Climate Crisis and Adaptation at a future date to be determined by staff.	Open house to be held in November following Nov 13 strategic priorities discussion. See May 15, 2019 resolution "Climate Emergency"
<b>16-Oct-2019</b>	Proposal for CAO Executive Search and Strategic Planning	That Jerry Berry Consultants Inc. be hired to provide executive search services to assist with the recruitment of a new Chief Administrative Officer, for a total cost not to exceed \$12,500 plus applicable taxes, disbursements and expenses.	Consultant meeting with Council on Nov 13 COW (closed portion)
<b>16-Oct-2019</b>	Proposal for CAO Executive Search and Strategic Planning	That Jerry Berry Consultants Inc. be hired to provide facilitation services to assist Mayor and Council with the review of its 2020 Strategic Priorities, for a total cost not to exceed \$7,200 plus applicable taxes, disbursements and expenses.	Initial discussion on strategic priorities scheduled for November 13 COW meeting (closed portion).

**TOWN OF COMOX – MANAGEMENT REPORT  
NOVEMBER 6, 2019**

<b>DATE</b>	<b>SUBJECT</b>	<b>COUNCIL DIRECTION</b>	<b>STATUS</b>
<b>16-Oct-2019</b>	Low Income Regional Recreation All Access Pass Program	That staff participate with the Regional District and other local municipalities to investigate options for a regional, low-income, all access pass and report to Council with the operational and policy implications.	
<b>16-Oct-2019</b>	Councillor Bissinger: BC Energy Step Code	That the Town of Comox engage with the development community and the public on the implementation of BC Energy Step Code 2 for all Part 3 and Part 9 construction, and that staff provide a report back to Council on the results of the engagement prior to implementation.	<b>Information Meeting and Open House scheduled for Thursday November 28, 2019 at the Community Centre Multipurpose Hall.</b>
<b>16-Oct-2019</b>	Councillor Bissinger: BC Energy Step Code	That planning staff be encouraged to seek opportunities for BC Energy Step Code 3 or 4 as amenity contributions to extract during any rezonings, effective immediately, excluding instream applications.	
<b>16-Oct-2019</b>	Bill Toews (Comox BIA) Downtown Comox Business in Action Association Bylaw	That the October 1, 2019 letter from Bill Toews, President of the Comox Business in Action, requesting that Council initiate the renewal of the business improvement area, be received and filed for information.	Renewal letters to be sent to property owners in early January 2020. Draft bylaw for consideration at January 22 COW meeting.


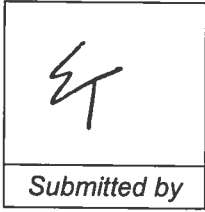
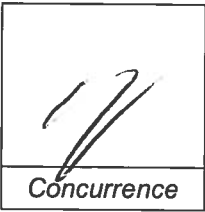
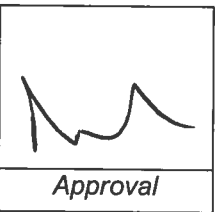
# STRATEGIC PRIORITIES CHART

Updated: August 2019

CORPORATE PRIORITIES (Council/CAO)	
<p><b>NOW</b></p> <ol style="list-style-type: none"> <li><b>MACK LAING: Future</b></li> <li><b>5-YEAR CAPITAL PLAN: Priorities</b></li> <li><b>NE INDUSTRIAL LANDS STRATEGY: Terms of Reference</b></li> <li><b>AFFORDABLE HOUSING: Current Town Actions</b></li> <li><b>OFF LEASH DOG PARK: Public Consultation</b></li> </ol>	<p><b>TIMELINE</b></p> <p>May June July March [number of steps underway] March/April</p>
<p><b>NEXT</b></p> <ul style="list-style-type: none"> <li>CLIMATE CHANGE ADAPTATION: Project</li> <li>LONG TERM CAPITAL PLAN</li> <li>DOWNTOWN REVITALIZATION: Zone Expansion</li> <li>ORGANICS COLLECTION PROGRAM: Review</li> <li>WATERFRONT WALKWAY: Options</li> <li>CLIMATE CHANGE ADAPTATION STRATEGY</li> <li>MARINA PARK: Phase II</li> <li>SHORT TERM RENTAL: Policy Options</li> <li>SHELF/SHOVEL-READY GRANT PROJECT</li> </ul>	<p><b>ADVOCACY / PARTNERSHIPS</b></p> <ul style="list-style-type: none"> <li><i>Regional Organics Facility: Decision (RD)</i></li> <li><i>NE Industrial Land Strategy (CVEDS)</i></li> <li><i>Coalition to end Homelessness: Support</i></li> <li><i>Climate Change Grant (FCM)</i></li> <li><i>Regional Transit Review (RD)</i></li> <li><i>Regional Connectivity System (RD)</i></li> </ul>
OPERATIONAL STRATEGIES (CAO/Staff)	
<p><b>CHIEF ADMINISTRATIVE OFFICER</b></p> <ol style="list-style-type: none"> <li>MACK LAING: Future – August</li> <li><b>NE INDUSTRIAL LAND STRATEGY: TOR</b> – Sept</li> <li>CLIMATE CHANGE ADAPTATION: Project – July</li> </ol>	<p><b>PLANNING SERVICES</b></p> <ol style="list-style-type: none"> <li>Subdivision Bylaw: Update - November</li> <li>NE Comox SWMP: Implementation - September</li> <li>Step Code - November</li> <li>Anderton Corridor Land Use: – Preliminary/Density concept Plan to consulting eng. March 2019</li> </ol>
<p><b>FINANCE</b></p> <ol style="list-style-type: none"> <li>Office Space: Relocations/renos - July/August</li> <li><b>CAPITAL PLAN: Priorities</b> – Sept-Dec. <ul style="list-style-type: none"> <li>Payroll Software (replacement) – Aug - Dec</li> <li>Fiber Optics - September</li> </ul> </li> </ol>	<p><b>CORPORATE</b></p> <ol style="list-style-type: none"> <li>Policy Manual: October</li> <li>Procedure Bylaw: October</li> <li>Records Management - Administration: December</li> </ol>
<p><b>PARKS</b></p> <ol style="list-style-type: none"> <li><b>DOG PARK: Options</b> – Public Consultation</li> <li>Wayfinding Project – April <ul style="list-style-type: none"> <li>Ellis Street Walkway: Replacement</li> <li>Greenway Development: Detailed Design</li> </ul> </li> </ol>	<p><b>PUBLIC WORKS &amp; ENGINEERING</b></p> <ol style="list-style-type: none"> <li>Anderton Servicing Plan – 75% complete [water/sanitary and storm]. Construction ready spring 2020 <ul style="list-style-type: none"> <li>Foreshore Sanitary Replacement</li> <li>Transportation Plan: Update</li> </ul> </li> </ol>
<p><b>FIRE</b></p> <ol style="list-style-type: none"> <li>POC / Volunteer Retention: Review – FT Assistant hired – July</li> <li>Full Time Staff: Review - March</li> <li>Service Level Review – September</li> </ol>	<p><b>RECREATION</b></p> <ol style="list-style-type: none"> <li>Site Master Plan: 1st draft - June</li> <li>Programmer Hours: Review – add 5 hrs. approved <ul style="list-style-type: none"> <li>Fitness Studio: Capital Equipment - ongoing</li> </ul> </li> <li>Regional Recreation Initiative – discussions in progress</li> </ol>

**TOWN OF COMOX  
PLANNING REPORT**

<b>TO:</b>	<b>AL KENNING, CHIEF ADMINISTRATIVE OFFICER</b>
<b>FROM:</b>	<b>MARVIN KAMENZ, MUNICIPAL PLANNER</b>
	<b>REGINA BOZEROCKA, PLANNER I</b>
	<b>ELLIOT TURNBULL, PLANNING TECHNICIAN</b>
<b>SUBJECT:</b>	<b>HAP 19-1 LITTLE RED CHURCH</b>
<b>DATE:</b>	<b>RCM NOVEMBER 6, 2019</b>

*Submitted by*
*Concurrence*
*Approval*

**Chief Administrative Officer's Recommendation:**

That Heritage Alteration Permit HAP 19-1 be issued subject to the Heritage Alteration Permit Conditions listed in Schedule 1 of the November 6, 2019 Planning Report on HAP 19-1.

**Planner's Recommendation:**

That Heritage Alteration Permit HAP 19-1 be denied.

**Proposal**

The proposal is to allow a metal roof on the Little Red Church/St. John the Baptist Church.

Application Summary is contained in **Attachment 1** and the applicant's submission is contained in **Attachment 2**.

**Background:**

On October 15<sup>th</sup>, 1986, Council adopted Comox St. John the Baptist Church Heritage Designation Bylaw, 1986 (**Attachment 3**). This bylaw designated the original building of St. John the Baptist Church as a Municipal Heritage Site. The hall addition (constructed in the 1960s) is not protected.

The St. John the Baptist Church, now known as the Little Red Church, was constructed in 1885 and occupies its original site today.

In February 2017, the applicant installed a new metal roof over the existing shake roof to address an emergency roof leak. Comox St. John the Baptist Church Heritage Designation Bylaw, 1986 states that "no work may be carried out without the approval of Council except immediate and necessary repairs in conformity with the architectural style of the building to protect the building from further damage."

In September 2018, staff received a written complaint that a new roof had been installed in violation of the heritage designation. The owner of the church was informed that a Heritage Application Permit was required to permit the new roof and submitted an application.

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NOVEMBER 6, 2019

### OCP Implications

OCP Section 2.5.2.2 Historical and Cultural Resources Objectives contains the following objective:

1. To document, protect and recognize the archaeological, historical and cultural resources in the Town and the Comox Valley.

### Heritage Implications

The BC Register of Historic Places contains the following heritage properties which have been formally designated and protected by the Town:

- Filberg Lodge at 61 Filberg Place;
- Pioneer Park at 2195 Manor Drive; and
- Little Red Church/St. John the Baptist Church at 2182 Comox Avenue.

Under the *Local Government Act*, local governments may issue a heritage alteration permit authorizing alterations or other actions if the authorization is permitted by a bylaw. Bylaw No. 825 requires Council approval for any alterations to the original building of St. John the Baptist Church (i.e. the Chapel portion of the building excluding the hall addition). Under the *Local Government Act*, local governments may refuse to issue a heritage alteration permit for an action that, in the opinion of the local government, would not be consistent with the purpose of the heritage protection of the property.

Comox St. John the Baptist Church Heritage Designation Bylaw, 1986 states that the building is subject to the prohibitions and regulations contained in the Heritage Conservation Act which, at the time of bylaw adoption, stated that "no person shall alter the facade or exterior of a building or structure designated under this Part without the prior approval, by resolution, of the council."

A historical photograph (**Attachment 4**) does not clearly show roofing materials. It is unlikely, however, that a metal roof was part of the original construction given the date of construction and locally available materials.

A comparison of the church in October 2012, with cedar roofing, and October 2019, with metal roofing, is contained in **Attachment 5**.

The cost of removing the metal roof on the Little Red Church/St. John the Baptist Church may outweigh the heritage benefits and be counter-productive to working with the property owner to protect the heritage value over the long term.

Should Council wish to issue the Heritage Alteration Permit, the following motion is proposed:

That Heritage Alteration Permit HAP 19-1 be issued subject to the Heritage Alteration Permit Conditions listed in Schedule 1 of the November 6, 2019 Planning Report on HAP 19-1.

MK/RB/ET

Schedule  
Attachment: 1. Heritage Alteration Permit Conditions  
1. Application Summary  
2. Applicant's Submission  
3. Comox St. John the Baptist Church Heritage Designation Bylaw, 1986  
4. Historic photograph  
5. Current Photographs

NOVEMBER 6, 2019

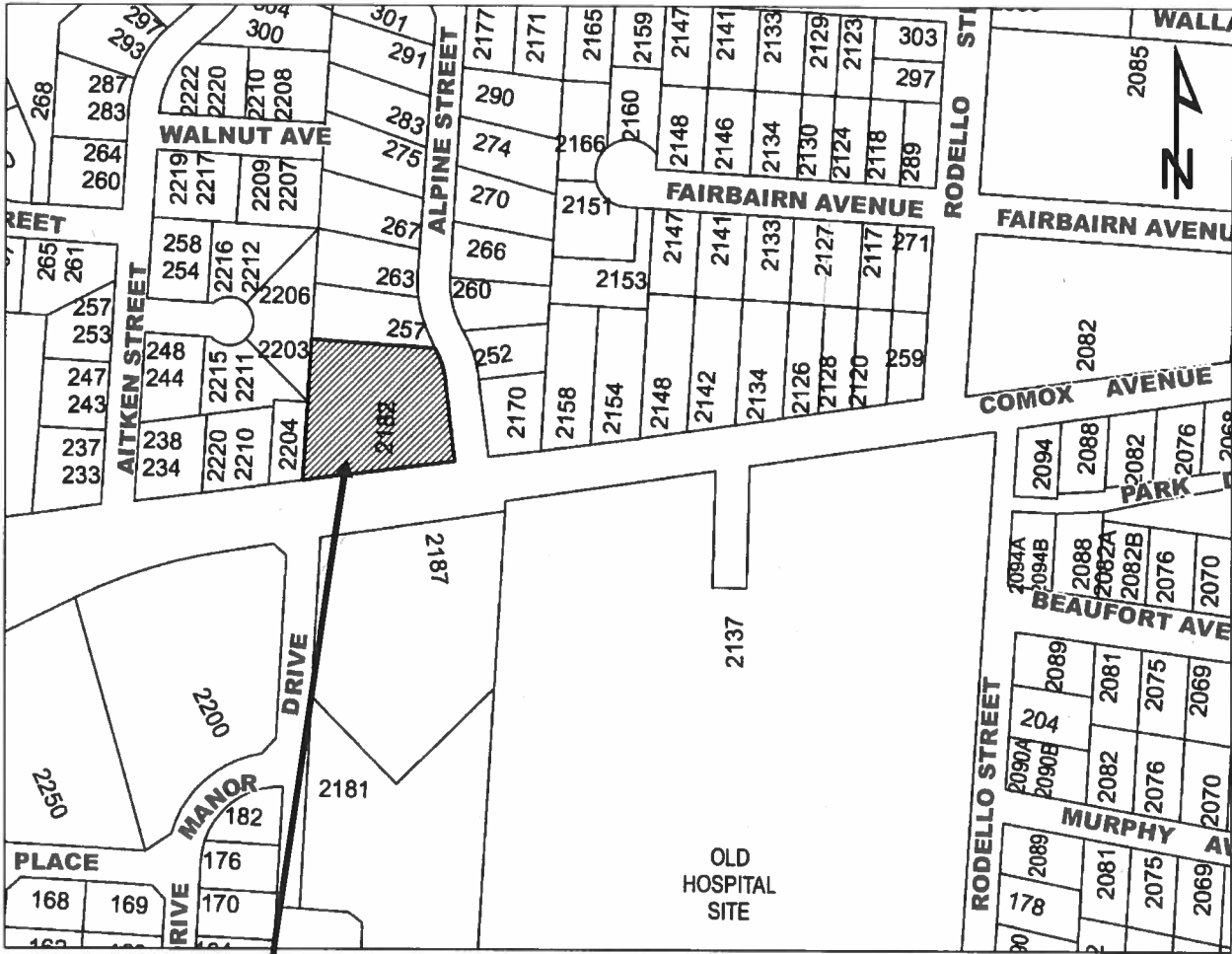
**SCHEDULE 1**

**HERITAGE ALTERATION PERMIT CONDITIONS**

1. This Heritage Alteration Permit is to permit the construction of a metal roof on the heritage chapel portion of the Little Red Church in accordance with the photograph in **Attachment 2**;

ATTACHMENT 1

APPLICATION SUMMARY



**Subject Property:**  
2182 Comox Avenue  
LOT 6, SECTION 2, COMOX DISTRICT, PLAN 26575

NOVEMBER 6, 2019

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<b>Proposal:</b>	The proposal is to allow a metal roof on the Little Red Church/St. John the Baptist Church.
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<b>Applicant/ Owner:</b>	Kelly Pound
Legal Description:	LOT 6, SECTION 2, COMOX DISTRICT, PLAN 26575
Civic Addresses:	2182 Comox Avenue

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<b>OCP:</b>	
Land Use Designation:	Institutional
Development Permit Areas:	N/A

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<b>Zoning Bylaw:</b>	PA1.1 Public Assembly
Permitted uses include:	Accessory structures and uses, Art galleries, Assembly centres, Cultural centres, One Dwelling unit per parcel, Offices, Recreation facilities, etc.

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<b>Surrounding Uses:</b>	<ul style="list-style-type: none"><li>- Single-family residential to the north and east;</li><li>- Multi-family residential to the south and west; and</li><li>- Former St. Joseph's Hospital to the southeast.</li></ul>
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NOVEMBER 6, 2019

**ATTACHMENT 2**  
**APPLICANT'S SUBMISSION**

## Heritage Alteration Rationale

I purchased the property in question in 2012. With years of perseverance and hard work, as well as extensive capital costs, I renovated 2 of 3 buildings on the property. Being a single mother with limited income and no other outside financial support other than bank mortgages, I successfully renovated and created a vibrant Community Arts Centre for the local community. The community centre was developed to provide diverse programs for all ages and is a great asset to the local area. Currently, the value to the community is evident by the fact that the Arts Centre is successfully running.

Presently, the funds generated from the Community Arts Centre are used solely to pay down on the capital expenditures. Due to the extensive capital costs to renovate and maintain the property, my bank mortgages have reached their limits. The Heritage Chapel building on the site is presently not in use as I have had to postpone the renovations on the Heritage Chapel until some of the debt is paid down due to the extensive capital costs of the other 2 buildings.

My goal for the Heritage Chapel building is to eventually renovate and open it up for the local community. This would complement the existing Community Arts Centre.

Due to an unexpected emergency situation in February 2017, while I was away attending to family, I was notified that the Heritage Chapel roof was leaking during an extended storm. The unexpected emergency repairs to the roof were carried out by installing metal panels over the existing roof to save the Heritage Chapel from further damage.

Most recently, it has been drawn to my attention that council would like to enter into a dialogue regarding these necessary repairs.

The rationale for the metal roof was arrived at through a consultation with a roofing specialist. It was discovered that the existing roof had several layers of asphalt and cedar shingles installed in years prior to me owning the property. This would seem to indicate that previous renovations did not adhere to the Heritage Act. Hence, the decision to use the metal roofing was based on the aforementioned observations of the roofing specialist and several other factors.

The Heritage Chapel as it exists today, is not in its original design nor are the materials used on it. Over the many years, alterations have been performed on the building using the most advanced materials at that time. It would seem

anti-productive to use technologically inferior materials when there are options on the market that are so much more advanced. The structural integrity of the metal roof will surely outlast that of cedar and will continue to preserve what little of the Chapel is actually original and in a 'heritage' state. Several examples of the altered state of the Chapel are as follows:

- A) The building was lifted onto cement blocks
- B) The bell was removed and the tower was boarded up
- C) The wood shingles on the exterior walls were applied over the original wood plank siding
- D) Cement steps were added to entrance
- E) The front door has been changed many times over the years

These changes to the Chapel are an evolution over time and in no way is the Chapel in it's original state.

Because the building is so old and fragile and has not been maintained properly over the many years, I felt it important to use a metal roofing system that is durable, long lasting and the most reliable roof for our BC climate.

The Heritage Chapel building is already saturated with moisture and more susceptible to moss, mildew and mould . I felt it necessary to use a product that would inhibit any further moisture entering the building.

The condition of the building currently, after the metal roof was installed, has positively changed the overall condition and moisture content of the building. An added incentive is that metal roofing is considered to be 4 times longer lasting , and can last up to 60 years; whereas, cedar shakes fail after 15 – 20 years.

Yet another rationale for the use of the metal on the Chapel is that it is attached to a much more modern metal roofed building, previously referred to as the Community Arts Centre, . This Arts Centre is where the variety of programs and events take place and this generates much of the income for the whole property. The extension of the metal roof from the Arts Centre to the the Heritage Chapel, aesthetically looks more cohesive and consistent as the buildings are adjoined .

The final and perhaps most important influencing factor in my decision regarding the roofing material, lies in our increasingly imperative concern for our sacred forests. It would seem that the Heritage Act, in regards to roofing material, may be politically and environmentally inappropriate in this day and age. Climate change and various other environmental considerations must be paramount in our daily decisions. Reducing landfill waste and limiting our carbon footprint should be our utmost societal concern. Cedar shake applications involve extensive demolition and reconstruction of roof

systems which may not only cause added stress on the building but also makes cedar shingles a very large outlay for the environment.

I hope the council can see clear my rationale and necessity for the use of the metal roof . Should we need to revisit this in the future , I would be available.

Sincerely,  
Kelly Pound



NOVEMBER 6, 2019

**ATTACHMENT 3**

**COMOX ST. JOHN THE BAPTIST CHURCH HERITAGE DESIGNATION BYLAW, 1986**

TOWN OF COMOX

BY-LAW NO. 825

A BY-LAW TO DESIGNATE A BUILDING AS A MUNICIPAL HERITAGE SITE

WHEREAS Council, under provisions of Part 3 of the Heritage Conservation Act, deems it desirable and expedient to designate a certain building as a municipal heritage site;

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

1. TITLE:

This by-law may be cited as the "Comox St. John the Baptist Church Heritage Designation By-law, 1986".

2. DESIGNATION:

The original building of St. John the Baptist Church, sited on property legally described as Lot 6, Section 2, Comox District Plan 26575, is hereby designated as a Municipal Heritage Site.

3. OWNER'S PERMISSION:

A letter from the Diocese of Victoria Pastoral Centre, dated August 22, 1986, approving of the designation is attached to and forms part of this by-law.

4. REPAIRS:

- a) The said building is subject to the prohibitions and regulations contained in the Heritage Conservation Act.
- b) No work may be carried out without the approval of Council except immediate and necessary repairs in conformity with the architectural style of the building to protect the building from further damage.

5. ADOPTION:

READ A FIRST AND SECOND time this 22ND day of SEPTEMBER , 1986.  
READ A THIRD time this 22ND day of SEPTMBER , 1986.  
ADVERTISED A FIRST time this 8TH day of OCTOBER , 1986.  
ADVERTISED A SECOND time this 10TH day of OCTOBER , 1986.  
RECONSIDERED AND ADOPTED this 15TH day of OCTOBER , 1986.

  
MAYOR

  
MUNICIPAL CLERK



DIOCESE OF VICTORIA  
PASTORAL CENTRE

#230 - 1555 MCKENZIE AVENUE  
VICTORIA, B.C.  
V8N 1A4

August 22, 1986

Mr. R.G. Kew, Administrator  
Town of Comox  
1809 Beaufort Avenue  
Comox, B.C.  
V9N 4B8

Dear Mr. Kew:

Thank you for your letter of August 19th.

Yes, we approve of the designation of St. John the Baptist church in Comox as a heritage building, and we approve the erection of a plaque to make that designation.

Sincerely,

Rev. Ken J. Bernard,  
Chancellor

c.c. Christ the King  
Catholic Community

RECEIVED

AUG 25 1986

TOWN OF COMOX

NOVEMBER 6, 2019

ATTACHMENT 4  
HISTORIC PHOTOGRAPH



NOVEMBER 6, 2019

ATTACHMENT 5  
CURRENT PHOTOGRAPHS



Subject structure in October 2012 with cedar shake roof

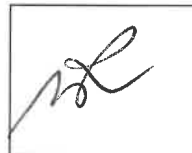


Subject structure in October 2019 with metal roof




# TOWN OF COMOX PLANNING REPORT

<b>TO:</b>	<b>AL KENNING, CHIEF ADMINISTRATIVE OFFICER</b>
<b>FROM:</b>	<b>MARVIN KAMENZ, MUNICIPAL PLANNER REGINA BOZEROCKA, PLANNER I</b>
<b>SUBJECT:</b>	<b>PR 19-18 CHILDCARE SPACE CREATION FUNDING APPLICATIONS</b>
<b>DATE:</b>	<b>NOVEMBER 6, 2019 RCM</b>



Submitted by



Concurrence



Approval

### Planner's recommendation:

1. That the Town of Comox Council endorse the creation of additional childcare spaces in the Town Comox **and indicate support for the current proposed activities and willingness to provide overall grant management.**
2. That the Town of Comox Council instruct staff to apply to the Union of BC Municipalities, Community Child Care Space Creation Program and the Ministry of Children and Family Development, Childcare BC New Spaces Fund, for funding to:
  - a) Purchase a commercial unit in a proposed mixed-use commercial-residential building at 695 Aspen Road, consisting of approximately 190 m<sup>2</sup> of indoor floor area and approximately 200 m<sup>2</sup> of outdoor space, and
  - b) Undertake necessary tenant improvements, including design, engineering and equipment purchase for a 28-space childcare facility comprised of 12 spaces for under 36 months, and 16 under 5 years of age, **in the event that the proposed development is approved by Council, in its sole and unfettered discretion.**
3. That the Town of Comox Council authorize the expenditure of Town funds for professional services necessary to complete applications to the Union of BC Municipalities, Community Child Care Space Creation Program and the Ministry of Children and Family Development, Childcare BC New Spaces Fund which include legal and appraisal costs.
4. That staff, in consultation with the Town's solicitor to ensure the protection of the public interest, be directed to negotiate an option to purchase a commercial unit in a proposed mixed-use commercial-residential building at 695 Aspen Road, consisting of approximately 190 m<sup>2</sup> of indoor floor area and approximately 200 m<sup>2</sup> of outdoor space, dependent upon the

seller securing all necessary permits and approvals including rezoning, development permit and building permit and the Town securing funding from the Union of BC Municipalities, Community Child Care Space Creation Program and/ or the Ministry of Children and Family Development, Childcare BC New Spaces Fund, for the creation of a 28-space childcare facility, **subject to the proposed development being approved by Council, in its sole and unfettered discretion.**

5. That staff, in consultation with the Town's solicitor to ensure the protection of the public interest, be directed to negotiate a potential lease agreement with the Comox Valley Children's Day Care Society for the operation of a 28-space childcare facility in accordance with the *Community Charter* sections 24 and 26 (**Attachment 2**), **subject to the proposed development being approved by Council, in its sole and unfettered discretion.**

### **Background:**

Early in 2019, the development company Highstreet Ventures approached staff regarding the potential purchase of 695 Aspen Road to develop a rental multi-family housing project. Staff advised that the Official Community Plan land use designation of the subject property is Mixed-Use: Commercial-Residential and as such, any multi-family development would be required to include a commercial component. Highstreet Ventures expressed concern regarding sufficient demand for new commercial space at this location. Staff asked if there was any interest in providing commercial floor space for a childcare facility. Highstreet indicated that they were open to the idea of selling a commercial unit to an interested childcare operator.

At a July 2019 CVRD workshop on the creation of a Childcare Action Plan,

- staff were informed that there is a shortage of childcare spaces in the Comox Valley and that there is Provincial funding available for the creation of new childcare spaces, with the majority of these funds targeting local governments partnering with non-profit childcare providers, and
- staff met Charlene Gray, Senior Manager of the Comox Valley Children's Day Care Society (CVCDSCS), who indicated that the Society may be interested in partnering with the Town to operate new childcare spaces.

Both the Union of BC Municipalities (UBMC) and the Province have 100% capital funding programs for the creation of new childcare spaces.

On September 4, 2019, after completing the two-stage, pre-application, community consultation process, Highstreet Ventures submitted Rezoning and Development Permit applications for a mixed-use, multi-family commercial - residential development comprised of:

- 208 residential rental units,
- 24 condominium units,
- approximately 730 m<sup>2</sup> commercial space, and
- 334 off-street vehicle parking space (168 surface and 166 underground).

The development proposal includes options for Town purchase of

- approximately 190 m<sup>2</sup> of indoor floor area with approximately 200 m<sup>2</sup> of outdoor play space for a childcare facility at market rates, and
- up to 6 one-bedroom condominium units for affordable housing below market rates.

A development application summary is contained in **Attachment 1**.

Staff has commenced review and processing of the Rezoning and DP applications. The resulting Planning Report to Council will provide an analysis of the Rezoning and DP applications including the childcare and affordable housing options. The Planning Report will not be complete prior to the application submission deadline of November 22, 2019 for the Union of BC Municipalities, Community Child Care Space Creation Program. This necessitated the preparation of this report to obtain Council authorization to apply for funding under the UBCM and Provincial programs.

**The application for funding would not legally obligate Council to approve the rezoning, nor would it imply approval. In fact, Council members are legally required to keep an open mind until a public hearing has been held.**

**The intent of this report is to authorize the making of the funding applications, without in any manner whatsoever fettering Council's discretion in relation to the rezoning.**

#### **Rezoning and Development Processing Implications:**

A development proposing to provide commercial space for a childcare facility or apartment units for affordable housing does not bind or imply Council approval of a rezoning application. Proposed amenity contributions such as these are no different than meeting maximum height, density and land use regulations established under Official Community Plan and Zoning Bylaws.

Example:

- an Official Community Plan designates an existing rural area for light industrial uses and encourages water conservation; and
- an application is received to rezone such a property to an existing industrial zone and develop a food processing facility, which would reuse grey water.

Council is not obligated to approve the rezoning, nor is Council approval implied. In fact, Council members are legally required to keep an open mind until a public hearing has been held.

Potential purchase and lease agreements will explicitly state that in no way do these agreements constitute or imply rezoning approval, or result in Town liability for costs incurred by the seller or lessee should the development approval not be granted.

#### **Funding Application Requirements:**

The two childcare space funding programs have similar application requirements (application guides are included in **Attachment 3**). Both require local government demonstration of commitment to the project, such as a Council resolution or letter indicating commitment and support and a willingness to provide overall grant management and funding of non-eligible costs.

*The Application process is intended to identify prospective suppliers for the purposes of negotiating a potential agreement. No legal relationship or obligation regarding the provision of any good or service shall be created between the Proponent and the Province by the Application or submission process until the successful negotiation and execution of a written agreement for*

*the acquisition of such goods or services. While the pricing information provided in the Application will be non-binding prior to Project selection and execution of a written agreement, such information will be assessed during the evaluation of the Application.<sup>1</sup>*

Higher funding maximums with no applicant contribution requirement are offered for public sector organizations. The Province only accepts applications from a single legal entity, taking sole responsibility for the future agreement. However, local governments may partner with a non-profit childcare provider and submit relevant supporting documentation. The projects awarded over \$500,000 in funding must commit to continuing the childcare provision for a minimum of 15 years.

Available grants for local governments are for 100% of the eligible costs to a maximum of:

- \$1,000,000 for the Union of BC Municipalities, Community Child Care Space Creation Program. Application deadline is November 22, 2019; and
- \$3,000,000 for the Ministry of Children and Family Development, the Childcare BC New Spaces Fund. While there is no deadline, the funding is subject to available budget and concurrent submission with the UBCM application would be prudent.

### **Financial Implications:**

UBCM and Province programs application costs that are not eligible for funding include:

- Costs incurred prior to signing funding agreements;
- Property appraisal costs;
- Legal costs:
  - agreements with the developer,
  - lease agreement with childcare provider,
  - covenants on Title (funding requirement); and
- Financing costs and interest charges (if any).

If the Town's funding application is successful, after the funding agreement is signed, any cost overruns become the Town's responsibilities.

It is assumed that a lease with a childcare provider would be at below market rates, in order to ensure the viability of the childcare facility and the provision of spaces at affordable rates. These issues will be addressed in lease agreement negotiations. Furthermore, it is anticipated that changes in the market over time may necessitate alterations to the lease agreement.

MK/RB

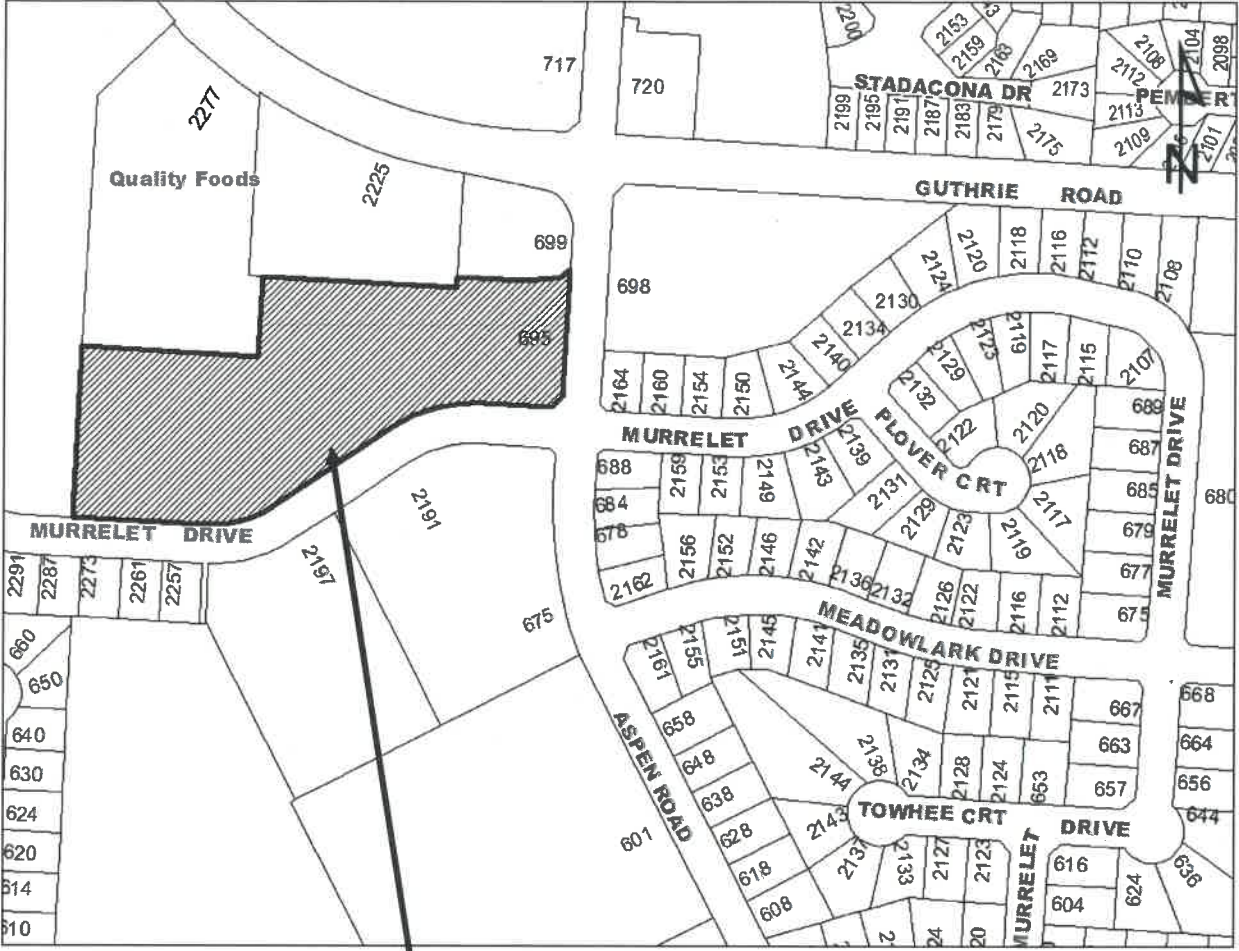
### **Attachments:**

1. Proposed development summary
2. *Community Charter*, sections 24 and 26
3. UBCM and Province funding application guides

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<sup>1</sup> The Province: Childcare BC New Spaces Fund: funding guidelines (Attachment 2)

ATTACHMENT 1  
APPLICATION SUMMARY



Subject Property shown shaded on the map

ADDRESS: 695 Aspen Road  
LEGAL DESCRIPTION:  
LOT 2 SECTION 65 COMOX DISTRICT PLAN VIP84793

**Proposal:** The proposed zoning amendment is to rezone the property at 695 Aspen Road from C4.1 Core Commercial to Comprehensive Development CD 28, to facilitate the creation of three 4-storey residential apartment buildings and one 4-storey mixed-use residential/commercial building.

The Development Permit application DP 19-5 is for the form and character of the proposed development in accordance with Development Permit Area DPA# 4 Mixed Use: Commercial-Residential guidelines.

**Applicant:** Jody Martens  
**Owner:** Highstreet Aspen View Apartments Ltd.

**Legal Description:** LOT 2 SECTION 65 COMOX DISTRICT PLAN VIP84793

**Civic Address:** 695 Aspen Road

**Official Community Plan**

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

<b>Zoning</b>	<b>EXISTING</b>	<b>PROPOSED</b>
	<b>C4.1 Core Commercial</b>	<b>CD28 Commercial-Residential</b>
<b>Permitted uses include:</b>	Various commercial and retail uses on the ground floor;  Dwelling units above ground floor.	Various commercial land retail uses on the ground floor of one of 4 proposed buildings;  Dwelling units.
<b>Minimum parcel area:</b>	550 m <sup>2</sup>	1,500 m <sup>2</sup>
<b>Minimum parcel frontage:</b>	15.0 m	n/a
<b>Minimum parcel depth:</b>	n/a	n/a
<b>Maximum parcel coverage:</b>	n/a	35%
<b>Maximum Height &amp; Storeys:</b>	10.0 metres	15.0 m and maximum 4 storeys
<b>Minimum Setbacks</b>	n/a	Front: 3.0 m Side (west): 6.0 m

**Surrounding Land Uses:** Commercial and residential developments

ATTACHMENT 2  
COMMUNITY CHARTER

**Publication of intention to provide certain kinds of assistance**

- 24 (1) A council must give notice in accordance with section 94 *[public notice]* of its intention to provide any of the following forms of assistance to a person or organization:
- (a) disposing of land or improvements, or any interest or right in or with respect to them, for less than market value;
  - (b) lending money;
  - (c) guaranteeing repayment of borrowing or providing security for borrowing;
  - (d) assistance under a partnering agreement.
- (2) The notice must be published before the assistance is provided and must
- (a) identify the intended recipient of the assistance, and
  - (b) describe the nature, term and extent of the proposed assistance.

**Notice of proposed property disposition**

- 26 (1) Before a council disposes of land or improvements, it must publish notice of the proposed disposition in accordance with section 94 *[public notice]*.
- (2) In the case of property that is available to the public for acquisition, notice under this section must include the following:
- (a) a description of the land or improvements;
  - (b) the nature and, if applicable, the term of the proposed disposition;
  - (c) the process by which the land or improvements may be acquired.
- (3) In the case of property that is not available to the public for acquisition, notice under this section must include the following:
- (a) a description of the land or improvements;
  - (b) the person or public authority who is to acquire the property under the proposed disposition;
  - (c) the nature and, if applicable, the term of the proposed disposition;
  - (d) the consideration to be received by the municipality for the disposition.

**PR 19-18  
CHILDCARE SPACE CREATION  
FUNDING APPLICATIONS  
NOVEMBER 6, 2019**

**ATTACHMENT 3  
FUNDING APPLICATION GUIDES**

# Community Child Care Space Creation Program

## 2019 Program & Application Guide

### 1. Introduction

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The demand for licensed child care spaces in BC exceeds the existing supply, resulting in significant shortages across the province. Data from the Ministry of Children and Family Development indicates the shortage is most critical in terms of spaces for children aged 0-5 years. There is an opportunity for local governments to assist in meeting local needs by developing new licensed child care spaces within their own facilities.

#### Community Child Care Space Creation Program

The Community Child Care Space Creation Program will award up to \$1 million to local governments creating new licensed child care spaces within their own facilities for children aged 0-5, with a focus on spaces for infants and toddlers. An estimated 1,370 spaces are to be created under the program.

This funding is provided through the BC Ministry of Children and Family Development under the Canada-British Columbia Early Learning and Child Care (ELCC) Agreement, which will provide a total of \$153 million over three years to improve the delivery of child care services in BC.

The Community Child Care Space Creation Program is administered by the Union of BC Municipalities (UBCM).

### 2. Eligible Applicants

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Local governments, including municipalities and regional districts, in BC are eligible to apply. Eligible applicants can submit one application per intake.

### 3. Eligible Projects and Priority Areas

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Eligible projects will result in the creation of new full-time (over four hours per day) child care spaces of the following license types under the Child Care Licensing Regulation:

- Group Child Care (Under 36 months);
- Group Child Care (30 months to School Age); and/or
- Preschool (30 months to School Age).

Funding will be prioritized for projects that will:

- Create child care spaces serving infants and toddlers by becoming licensed as Group Child Care (Under 36 months)

- Create child care spaces serving at least one of the following underserved populations:
  - Children requiring extra support (as defined in the *Child Care Licensing Regulation*)
  - Lower-income families
  - Indigenous (First Nations, Métis and Inuit) families and communities
  - Young parents (25 years and under) completing their secondary education
  - Single-parent families
  - Recent immigrant and refugee families
  - Children and families of minority languages and culture
  - Francophone families
- Create child care spaces offering services outside of core business hours (e.g. evenings, early mornings, weekends, etc.)
- Operate the child care spaces through either a public body (including a school district or local government) or a non-profit organization, particularly those with expertise in serving underserved populations

In addition, to qualify for funding, projects must be:

- A new project or new project component (applications for retroactive projects are not eligible to receive funding under this program)
- Capable of completion by the applicant within two years from the date of grant approval

#### **4. Requirements for Funding**

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As part of the approval agreement, all approved applicants (and their child care operator(s)) are required to adhere to the following requirements:

- Commit to continuing licensed child care operations for the following periods:
  - A minimum of five years for projects under \$50,000
  - A minimum of 10 years for projects between \$50,000 and \$500,000
  - A minimum period of 15 years for all projects over \$500,000.
- Offer and/or provide service to families eligible for the Affordable Child Care Benefit
- Apply to and be approved by the [Child Care Operating Funding \(CCOF\) program and the Child Care Fee Reduction Initiative \(CCFRI\)](#) administered by the Ministry of Children and Family Development (where applicable), once the space becomes operational and prior to receiving their final space creation payment.
- Comply with all applicable privacy legislation

#### **Updated September 2018**

- Recipients of the Community Child Space Creation Program are not authorized under the Freedom of Information and Protection of Privacy Act (FOIPPA) to collect, use, or disclose personal information while applying for this program or conducting funded activities, or developing a final report. [Personal information](#) is any recorded

information about an identifiable individual other than their business contact information, and includes information that can be used to identify an individual through association or inference.

Refer to Appendix 1 for important information on all requirements for funding.

## 5. Eligible & Ineligible Costs & Activities

### Eligible Costs & Activities

Eligible costs are direct costs that are approved by the Evaluation Committee, properly and reasonably incurred, and paid by the applicant to carry out eligible activities. Eligible costs can only be incurred from the date of application submission until the final report is submitted.

Under the Community Child Care Space Creation program, projects must be located within a facility owned by a local government and must result in the creation of new child care spaces. Eligible activities must be cost-effective and may include:

- Construction of a new child care facility and related infrastructure costs (e.g. water, sewer, road and sidewalk)
- Purchase of building and/or assembling a modular building
- Site development costs
- Renovations to an existing building or space
- Capital purchases that are essential to project implementation, including:
  - Office equipment
  - New or updated software/technology required to run child care operations
  - Large appliances (e.g. fridge, stove, dishwasher, etc.)
  - Furniture and equipment (e.g. change tables, strollers, room dividers)
  - Buses and vans (for transport for childcare purposes only)
  - Fixtures and equipment required by fire regulations (e.g. fire alarms, exit signs, fire extinguishers)
  - Permanently installed equipment (e.g. whiteboards and bulletin boards, cubbies, lighting fixtures, washroom dividers)
  - Large educational materials (e.g. sand/water tables, art easels)
  - Dramatic play furniture (e.g. activity tables, Indigenous drums/drumming logs, child-sized sink, stove, fridge and/or work bench)
  - Housewares (e.g. pots and pans, dishes, flatware, brooms, garbage cans, diaper disposal units)
  - Indoor play structures (e.g. climbers, tunnels, mats and cushions)
  - Permanent outdoor equipment (e.g. fencing, covered entrance, outdoor playground prep)
  - Outdoor play equipment (e.g. nature-based landscaping, climbers, basketball hoop, wheeled toys)

- Accessibility equipment (e.g. wheelchair ramps, lifts, accessible playground equipment, automated doors, modified bathroom equipment)
- Equipment or other capital costs where no building, renovation, or site development costs were incurred, if the equipment is required to:
  - Allow the facility to become licensed under the *Community Care & Assisted Living Act* and the Child Care Licensing Regulation
  - Allow the facility to become operational
  - Create new spaces in an existing facility, and ensure those new spaces are compliant with the *Community Care & Assisted Living Act* and the Child Care Licensing Regulation

The following expenditures are also eligible provided they relate directly to the eligible activities identified above:

- Consultant costs (including project management, design/engineering costs, business planning and project related professional fees)
- Incremental applicant staff and administration costs
- Public information costs (e.g. meetings related to the project, translation costs)

### **Ineligible Costs & Activities**

Any activity that is not outlined above or is not directly connected to activities approved in the application by the Evaluation Committee is not eligible for grant funding. This includes:

- Non-capital items such as toys, art supplies, books, games and small appliances
- Project contingency costs
- Legal costs
- Project related fees payable to the approved applicant
- Ongoing costs for existing staff salaries and benefits
- Costs related to attending conferences or trade shows
- Directly meeting and/or lobbying any level of government
- Coordinating or hosting conferences or events
- Vehicles (other than buses and vans for transport for child care purposes)
- Remuneration and travel costs for elected officials
- Meals and project travel related expenses
- Academic research
- Financing costs and interest charges

## **6. Grant Maximum**

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The Community Child Care Space Creation program can contribute a maximum of 100% of the cost of eligible activities – to a maximum of \$1,000,000.00.

In order to ensure transparency and accountability in the expenditure of public funds, all other grant contributions for eligible portions of the project must be declared and, depending on the total value, may decrease the value of the grant.

The Community Child Care Space Creation program is funded by the Government of Canada under the Canada-B.C. Early Learning and Child Care Agreement. If a project is partially funded by an additional capital program administered by the Government of Canada, the project may be ineligible to receive further funding under the Community Child Care Space Creation program. Please refer to the funding requirements of the relevant funding program(s) administered by the Government of Canada for further details on any funding stacking limitations.

## **7. Application Requirements & Process**

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### **Application Deadline**

The application deadline is January 18, 2019.

Applicants will be advised of the status of their application within 90 days of the application deadline.

### **Required Application Contents**

- Completed Application Form
- Local government Council or Board resolution, indicating support for the current proposed activities and willingness to provide overall grant management
- Order of magnitude cost estimates (completed by facilities project manager) or project budget
- Floor plans, site plans, outdoor space plans (conceptual drawings accepted), including details of square meters for retained and new spaces
- Where applicable, copy of *Community Care & Assisted Living Act* licenses(s) for projects proposing to expand an existing child care facility
- Confirmation of partnership with a child care provider (if available at time of application)

### **Submission of Applications**

Applications should be submitted as Word or PDF files. If you choose to submit your application by e-mail, hard copies do not need to follow.

All applications should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: [lgps@ubcm.ca](mailto:lgps@ubcm.ca)

Mail: 525 Government Street, Victoria, BC, V8V 0A8

### **Review of Applications**

UBCM will perform a preliminary review of applications to ensure the required application elements (identified above) have been submitted and basic eligibility criteria have been met. Only complete application packages will be considered for funding.

Following this, the Ministry of Children & Family Development will assess and score all eligible applications as part of a technical review process. Higher application review scores will be given to projects that:

- Address one or more of the priority areas identified in Section 3
- Demonstrate significant community partnerships and support, particularly those with public bodies, non-profit organizations, and organizations with expertise in serving underserved populations
- Are located near public sector institutions, such as schools, universities, colleges, and hospitals, or near family-oriented social or supportive housing developments
- Are from communities with demonstrated need for new child care spaces
- Consider principles of universal and accessible design and a commitment to accessibility
- Have/will have operators with demonstrated organizational capacity and experience, including:
  - The number of retained spaces
  - Involvement/connection to the local community
  - Parental involvement in the organization
- Are cost-effective (based on cost per space), including in-kind or cash contributions to the project from the eligible applicant, community partners or other grant funding
- Demonstrate readiness (business plan, bylaw compliance report)

Point values and weighting have been established within each of these scoring criteria. Only those applications that meet a minimum threshold point value will be considered for funding.

Following technical review, the Evaluation Committee will review all applications, a summary of each technical review, and the provincial, regional and urban/rural distribution of proposed projects. Funding decisions will be made on a provincial priority basis.

All application materials will be shared with the Province of BC
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## **8. Grant Management & Applicant Responsibilities**

Please note that grants are awarded to eligible applicants only and, as such, the applicant is responsible for completion of the project as approved and meeting reporting requirements.

Applicants are also responsible for proper fiscal management, including maintaining acceptable accounting records for the project. UBCM reserves the right to audit these records.

### **Notice of Funding Decision & Payments**

All applicants will receive written notice of funding decisions, which will include the terms and conditions of any grant that is awarded.

Please note that in cases where revisions are required to an application, or an application has been approved in principle only, the applicant has 30 days from the date of the written notice of the status of the application to complete the application requirements. Applications that are not completed within 30 days may be closed.

Grants are awarded as follows:

- Initial payment: 75% of the approved grant will be awarded at project approval
- Final payment: 25% of the approved grant will be awarded when the project is complete, reporting requirements have been met and the full-time child care spaces are:
  - Licensed under the *Community Care & Assisted Living Act* and the Child Care Licensing Regulation as the program type(s) indicated on the applicant's Application Form; and,
  - Operational and approved for the Child Care Operating Funding (CCOF) program and the Child Care Fee Reduction Initiative (CCFRI), where applicable.

Note that only projects creating or retaining child care spaces eligible for the CCFRI—i.e. Group Child Care (Under 36 months) and/or Group Child Care (30 months to School Age) spaces—are required to be approved for the CCFRI. Projects creating and retaining only Preschool (30 months to School Age) spaces are only required to be approved for the CCOF program.

### **Changes to Approved Projects**

Approved grants are specific to the project as identified in the application and are based on the proposed number of new child care spaces that will be created. Grant funds are not transferable to other projects. Approval from the Evaluation Committee will be required for any significant variation from the approved project.

To propose changes to an approved project, approved applicants are required to submit:

- A revised application package, including an updated, signed application form and an updated Council or Board resolution
- Written rationale for the proposed changes to activities and/or expenditures

The revised application package will then be reviewed by the Evaluation Committee.

Applicants are responsible for any costs above the approved grant unless a revised application is submitted and approved prior to work being undertaken.

### **Extensions to Project End Date**

All approved activities are required to be completed within two years of approval and all extensions beyond this date must be requested in writing and be approved by UBCM. Extensions will not exceed six months.

## **9. Final Report Requirements & Process**

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Applicants are required to submit an electronic copy of the complete final report package, including the following:

- Completed Final Report Form
- Financial summary
- Evidence that the funded spaces are successfully licensed under the *Community Care & Assisted Living Act* and the Child Care Licensing Regulation as the program type(s) indicated on the applicant's Application Form;

- Evidence that the funded spaces are operational and successfully enrolled in the Child Care Operating Funding program and Child Care Fee Reduction Initiative (where applicable)
- Optional: photos of the project, media clippings and or any reports or documents developed or amended with grant funding.

### Submission of Final Reports

All final reports should be submitted to:

Local Government Program Services, Union of BC Municipalities

E-mail: [lgps@ubcm.ca](mailto:lgps@ubcm.ca) Mail: 525 Government Street, Victoria, BC, V8V 0A8

### Review of Final Reports

UBCM will review of all final reports to ensure all of the required report elements (identified above) have been submitted.

Following this, all complete final reports and deliverables will be reviewed by the Ministry of Children and Family Development for review before final payment is made.

All final report materials will be shared with the Province of BC

The Community Child Care Space Creation Program is funded by the Province of BC. Under Section 85 of the *Financial Administration Act*, all information collected by UBCM on behalf of the Province in relation to disbursement of the funding is provided to the Province. All information will be stored and retained in accordance with Ministry of Children and Family Development records management policies and procedures. This information could be subject to Freedom of Information requests.

## 10. Additional Information

For enquiries about the application process or general enquiries about the program, please contact:

Union of BC Municipalities  
525 Government Street  
Victoria, BC, V8V 0A8

E-mail: [lgps@ubcm.ca](mailto:lgps@ubcm.ca)

Phone: (250) 952-9177

In addition, the following resources are available:

- Information on [child care license types](#)
- Information on [child care licensing requirements](#) (or contact your regional Health Authority Community Care Facility Licensing program)
- Information on the [Child Care Operating Funding \(CCOF\) program and the Child Care Fee Reduction Initiative \(CCFRI\)](#)

## Appendix 1: Requirements of Funding

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As outlined in Section 4, approved applicants are required to develop, undertake and complete their approved project in accordance with the following requirements:

1. The funding is to be used solely for the purpose of the approved project and for the expenses itemized in the project budget
2. Any unused funds or funds expended on ineligible costs and activities must be returned to UBCM within 30 days following the project end date
3. All expenditures must meet eligibility requirements as defined in the Child Care Space Creation Program & Application Guide
4. All project activities may commence on the date that the application was submitted and must be completed within two years of project approval
5. The final report is required to be submitted to UBCM within 30 days of project completion
6. The approved applicant is required to ensure continuing licensed child care operations in the funded new spaces for the following 'Child Care Commitment Periods':
  - For projects involving Space Creation Grant Funding under \$50,000 – a minimum period of five years from the date of completion of the project;
  - For projects involving Space Creation Grant Funding between \$50,000 and \$500,000, - a minimum period of ten years from the date of completion of the project; and
  - For projects involving Space Creation Grant Funding over \$500,000 - a minimum period of fifteen years from the date of completion of the project.
7. The approved applicant is required, either directly or through their child care operator(s), to:
  - Offer and provide child care services to families eligible for the Affordable Child Care Benefit
  - Ensure child care services are accessible to children with extra support needs (as defined in the Child Care Licensing Regulation) and to establish policies to support inclusion of such children
  - Be enrolled in the Child Care Operating Funding program upon the child care spaces becoming licensed and operational and, if eligible, simultaneous enrolment in Child Care Fee Reduction Initiative (CCFRI) or such other related successor programs as MCFD may have in place at that time.

*Note: only projects creating or retaining child care spaces eligible for the CCFRI - i.e. Group Child Care (Under 36 months) and/or Group Child Care (30 months to School Age) spaces—are required to be approved for the CCFRI. Projects creating and retaining only Preschool (30 months to School Age) spaces are not eligible to apply for the CCFRI and so are only required to be approved for the CCOF program to receive their final payment.*

*CCOF and CCFRI eligibility criteria and assessment processes are subject to change as the Ministry of Children and Family Development continues to improve the application process to better meet the needs of families and child care providers.*

*Approved applicants under the Community Child Care Space Creation Program are responsible for ensuring the provider operating the new spaces will be able to meet the*

*eligibility requirements for CCOF/CCFRI, and that the provider remains current on the policy requirements for each program.*

8. The approved applicants and their child care operator(s) are required to comply with all applicable privacy legislation. Without limiting the foregoing, the approved applicant and their child care operator(s) must ensure that any personal information they collect, use or disclose about an identifiable individual as part of the approved project is disclosed only in Canada and only in accordance with the following legislation, as applicable: *Freedom of Information and Protection of Privacy Act*, the *Child Family and Community Service Act*, the *Community Care and Assisted Living Act*, the *Personal Information Protection Act* or other applicable legislation.

**Updated September 2018**

Recipients of the Community Child Space Creation Program are not authorized under the Freedom of Information and Protection of Privacy Act (FOIPPA) to collect, use, or disclose personal information while applying for this program or conducting funded activities, or developing a final report. [Personal information](#) is any recorded information about an identifiable individual other than their business contact information, and includes information that can be used to identify an individual through association or inference.

MINISTRY OF CHILDREN AND  
FAMILY DEVELOPMENT

**Childcare BC  
New Spaces Fund:  
Single-Project Stream**

**Funding Guidelines  
2019/20**



August 1, 2019

These funding guidelines are effective July 15, 2019.

**A NEW  
DAY FOR  
FAMILIES**

CHILDCARE BC

## Contents

1. Introduction.....	5
2. Who Can Apply? .....	5
2.1 Eligible Organizations .....	5
2.2 Ineligible Organizations and Projects .....	5
3. Priority Areas .....	6
4. Funding.....	7
4.1 Applicants, Contribution Percentages, Maximum Provincial Funding Amount, and Funding Award Commitment .....	7
4.2 Requirements .....	8
5. Proponent Selection and Award Process.....	9
5.1 Evaluation Criteria .....	10
6. Eligible and Ineligible Project Costs .....	11
6.1 Eligible Project Costs .....	11
6.2 Ineligible Project Costs .....	12
7. How to Apply .....	13
Appendix A – Terms & Conditions .....	16
8.1 Terms and Conditions Non-Binding Process.....	16
8.2 Province Discretion to Waive Deficiencies .....	16
8.3 Proponent Representations & Warranties .....	16
8.4 Province Due Diligence.....	16
8.5 Proponent Responsibility .....	17
8.6 Proponents to Review All Documents .....	17
8.7 No Liability for Errors.....	17
8.8 No Incorporation by Reference .....	17
8.9 Working Language of the Province.....	17
8.10 Applications from a Single Entity.....	17
8.11 Changes to Application or Supporting Documentation .....	18
8.12 Rectification .....	18
8.13 Changes to Requirements .....	18
8.14 Additional Information .....	18

8.15 Information Provided .....	18
8.16 Conflict of Interest & Lobbying.....	18
8.17 Project Viability .....	19
8.18 Costs of Process .....	19
8.19 Communication with Media.....	19
8.20 Appeals or Complaints .....	19
Appendix B – Written Quotes.....	20
Appendix C – Definitions .....	21

# 1. Introduction

To better meet the child care needs of British Columbian families, the Province has set a target of funding the creation of 22,000 Licensed Child Care Spaces. To accomplish this, the Province will continue its Budget 2018 commitment to invest \$192.5 million, over three years through the Childcare BC New Spaces Fund. The Childcare BC New Spaces Fund's single project funding stream has undergone further changes from Fiscal 2018/2019. Most notably, higher funding maximums were introduced for Non-Profit Societies, public sector organizations, and Indigenous Governments.

## 2. Who Can Apply?

### 2.1 Eligible Organizations

- Public sector organizations including:
  - Local governments;
  - School boards;
  - Health Authorities; and
  - Public post-secondary institutions;
- Indigenous Governments;
- Non-Profit Societies and Indigenous Non-Profit Societies; and
- Businesses and Corporate Companies (including: partnerships, sole proprietors, limited companies and incorporated companies).

### 2.2 Ineligible Organizations and Projects

Ineligible organizations include those:

- That are not in good standing with the Ministry of Children and Family Development (i.e., owe a debt to the Ministry and have a repayment in arrears, and/or have a suspended or cancelled Early Childhood Educator/Early Childhood Educator Assistant Certificate);
- With a history of ongoing non-compliance (infractions/violations) under the *Community Care and Assisted Living Act* and Child Care Licensing Regulation; or
- That are not willing to apply for the [Child Care Operating Funding](#) (CCOF) program and, where eligible, enroll in the [Child Care Fee Reduction Initiative](#) (CCFRI) once the spaces become operational.

Ineligible Projects include those:

- Intending to create unlicensed child care spaces;
- Intending to create child care spaces solely for Occasional child care and/or Child Minding;
- Seeking funding for a Project that is fully completed<sup>1</sup> prior to signing the Funding Agreement;
- Seeking funding to re-locate; or
- Projects that do not involve creating new Licensed Child Care Spaces.

### 3. Priority Areas

While the intent of this funding stream is to support the creation of all types of Licensed Child Care Spaces, the Ministry of Children and Family Development (the Ministry) will prioritize Proponents that are able to demonstrate any of the following in their Application:

- Creation of licensed Group Child Care spaces in the following care types:
  - 0-36 months;
  - 30 months to School Age; or
  - School-Age (Out of School Care) spaces;
- Creation of spaces by public sector organizations or Indigenous Governments through direct delivery or within a Public Sector Partnership (i.e., in partnership with a non-profit child care provider);
- Creation of spaces in Underserved Communities;
- Creation of spaces on school grounds (including K-12 and public post-secondary)<sup>2</sup>;
- Spaces serving vulnerable populations (e.g., low-income families);
- Spaces serving Children Requiring Extra Support (as defined in the Child Care Licensing Regulation);
- Spaces serving Indigenous children and families;
- Spaces serving newly landed immigrants and/or refugees;
- Spaces serving young parents (25 years and under); and/or
- Spaces offered outside of core business hours (i.e., before 6 a.m. and/or after 7 p.m., weekends, and/or overnight).

For more information on the priority areas, please refer to the [Program FAQs](#) and the [Application Resource](#).

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<sup>1</sup> Fully completed projects are those that are licensed and ready to begin operation.

<sup>2</sup> For projects on school grounds or district owned land, the school district must apply.

## 4. Funding

The Ministry will provide a Maximum Provincial Funding Amount to the Project, based on the type of applicant approved for funding. The applicant's level of contribution depends on the type of organization (see Table 1). Organizations may contribute more than the minimum required organization contribution. *Contributions by applicants* may include funding from other sources, such as monetary gifts, credit sources, bank loans, and in-kind contributions, such as land.

Additional sources of funding from the Ministry's Childcare BC funding (e.g. Maintenance Fund, Start-Up Grants) will not be considered towards an applicant's contribution. Funding from the Union of BC Municipalities (UBCM) Community Child Care Space Creation Funding may be used alongside NS Fund Program funding, but must be for different spaces – meaning that the same spaces cannot be funded by both funding sources.

The Ministry's funding contribution (provincial funding amount) will be considered for the difference between the Proponent's total financial contribution and the total Project Costs, up to the maximum funding contribution available for the applicant type.

### 4.1 Applicants, Contribution Percentages, Maximum Provincial Funding Amount, and Funding Award Commitment

Table 1: *Contribution Percentages and Funding Award Commitment by Applicant Type*

Applicant Type	Required Organization Contribution	Provincial Contribution	Maximum Provincial Funding Amount <sup>3</sup>	Funding Award Commitment
Public sector organizations and Indigenous Governments	0%	100%	Up to \$3,000,000	Up to 15 years
Indigenous Non-Profit Societies	0%	100%	Up to \$1,500,000	Up to 15 years
Non-Profit Societies (including Non-Profit Child Care Providers, and Child Development Centres)	10%	90%	Up to \$1,500,000	Up to 15 years
Businesses and Corporate Companies	25%	75%	Up to \$250,000	Up to 10 years

<sup>3</sup> The Maximum Provincial Funding Amount applies to a single physical location. Projects occurring within the same physical location are considered as a single project.

Recipients of funding are required to adhere to the following minimum award commitments:

- Projects under \$50,000, commit to continuing the Child Care Operation for a minimum period of 5 years;
- Projects between \$50,000 and \$500,000, commit to continuing the Child Care Operation for a minimum period of 10 years; and,
- Projects over \$500,000, commit to continuing the Child Care Operation for a minimum period of 15 years.

Projects \$50,000 and over, where the Recipient owns the land and/or building, may also be subject to the *Human Resource Facility Act (HRFA)*. Under the HRFA, the Ministry has authority and responsibility to create and maintain a pool of resource facilities, as well as provide financial accountability and security of the taxpayer's investment. The Minister is able to place a notation on the title, which restricts the sale, transfer, mortgage, lease and other disposition of the facility without written consent of the Minister. If the human resources function ceases prior to the end of the Funding Agreement term, the Recipient may be required to repay some of the funding provided, as per the Funding Agreement.

The Ministry will approve the removal of the legal notation once Recipients of the Childcare BC New Spaces Fund:

1. Have met their service delivery obligations as per the Funding Agreement; or
2. Have repaid the Ministry the portion of the depreciated funding still owing as per the Funding Agreement, in the event the Child Care Operation is closed prior to meeting the service delivery obligation.

## 4.2 Requirements

Organizations that receive funding through the Childcare BC New Spaces Fund are required to:

1. Offer and provide service to families receiving the [Affordable Child Care Benefit](#);
2. Ensure services are accessible to Children Requiring Extra Support, and establish policies to support inclusion;
3. Submit a Financial Reconciliation Package for the Project to the Ministry within 60 days of Project completion;
4. Apply to the [CCOF](#) program for a minimum of one CCOF term once the spaces become operational; and
5. Commit to enroll in the [CCFRI](#), where eligible, for a minimum of one CCOF term once the spaces become operational.

Childcare BC New Spaces Fund Recipients should allow for sufficient time to complete all the requirements listed in this section in order to receive the final installment of their funding.

Meeting these requirements may require:

- Working with their Regional Health Community Care Facility Licensing program to obtain or update their *Community Care and Assisted Living Act* facility licence; and
- Applying and being approved for both CCOF and the CCFRI.

If a Recipient does not enroll, becomes ineligible, or withdraws from CCOF and/or the CCFRI prior to one CCOF contract term, the Recipient will be required, under the terms of their New Spaces Funding Agreement, to repay their final installment of the New Spaces Fund grant to the Ministry. Additionally, the Recipient will be subject to any withdrawal penalties that apply under the terms of their CCOF funding agreement with the Ministry, including repaying any CCFRI payments provided after the facility became ineligible to receive CCFRI by double the amount overpaid.

Recipients of the Childcare BC New Spaces Fund are responsible for ensuring the sub-contracted provider operating the new spaces will be able to meet the eligibility requirements for CCOF and the CCFRI, and are also responsible for ensuring sub-contractors remain current on the [policy requirements for each program](#).

For more information regarding the CCOF and CCFRI requirements, please review the information available on the [Ministry's website](#).

## 5. Proponent Selection and Award Process

1. Proponents submit a completed Application form with mandatory supporting documentation (see details in Table 2).
2. The Ministry screens Applications for administrative deficiencies, and will provide Proponents with an opportunity to address those administrative deficiencies in accordance with Rectification (see Appendix A, 8.12).
3. The Ministry evaluates the Applications based on the evaluation criteria set out in Evaluation Criteria (see Section 5.1).
4. The Ministry selects the successful Proponents and invites them to enter into a Funding Agreement with the Ministry. Feedback for unsuccessful Proponents will be provided.

5. Under the terms of the Funding Agreement, Recipients of funding less than \$1 Million will receive their award in two (2) installments:
  - a. First payment of 90% of the total funding award upon signing the Funding Agreement; and
  - b. Final payment of the remaining 10% of the total funding award when the Project is complete and operational, and meets the Program requirements<sup>4</sup>.

Recipients of funding \$1 Million or over will receive their funding award in three (3) installments:

- a. First payment of 65% of the total funding award upon signing the Funding Agreement;
- b. Second payment of 25% of the total funding award at the Project's lock-up stage; and
- c. Final payment of the remaining 10% of the total funding award when the Project is complete and operational, and meets the Program requirements.

## 5.1 Evaluation Criteria

Proponents will be evaluated on (but not limited to) the following criteria:

- A completed Application, including all mandatory supporting documentation;
- Proposed Child Care Facility location and community;
- Type of Licensed Child Care Spaces to be created (based on license type and capacity – see Child Care Licensing Regulation, Schedule E);
- Community need, as demonstrated by the Proponent's supporting documentation and as determined by the Ministry;
- Community demographics;
- Organizational experience, including:
  - Years of operational experience;
  - Capital Build experience;
  - Support from and connection to the local community; and
  - Parental involvement in the organization.
- Staffing considerations, including labour market conditions in the community, and known or proposed recruitment and retention strategies;
- Demonstrated consideration of principles of universal and accessible design, and commitment to accessibility;
- Compliance to licensing requirements;

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<sup>4</sup> The Program requirements a Project must meet include #3, #4 and #5 listed at the bottom of section 4.2.

- Financial considerations, including eligibility and reasonability of Project Costs, and estimated Provincial cost per space.

## 6. Eligible and Ineligible Project Costs

Funding will be considered for:

- Building a new Child Care Facility;
- The purchase, assembly and installation of a modular building;
- Purchase of equipment or other capital costs related to obtaining a licence;
- Site Development Costs; and/or
- Renovation of an existing building/space or classroom.

Ineligible Project Costs will not be funded. The Ministry has the sole discretion and reserves the right to determine items that may receive funding.

### 6.1 Eligible Project Costs

Eligible Project Costs include (but are not limited to) the following:

- Direct Costs related to the development and implementation of the Project/s;
- Consulting services, including:
  - Project management;
  - Design/engineering costs;
  - Business planning development;
  - Project-related Professional Fees (e.g., architectural, accountant), except legal costs; and,
  - Community engagement/consultation activities.
- Infrastructure costs (e.g., water, sewer, road, sidewalk, etc.);
- GST and PST;
- Training activities to support the Project/s (e.g., WHMIS, Food Safe, First Aid, etc., if applicable);
- Capital purchases that are essential to Project implementation, including:
  - Office equipment;
  - Major appliances (e.g., fridge, stove, dishwasher);
  - Furniture and large equipment (e.g., change tables, strollers, room dividers, etc.);
  - Transport for child care purposes (e.g., bus/van used solely for the transportation of children);
  - Fixtures and equipment required by fire regulations (e.g., fire alarms, exit signs, fire extinguishers, etc.);

- Permanently installed equipment (e.g., whiteboards/bulletin boards, cubbies, lighting fixtures, washroom dividers, etc.);
- Large educational materials (e.g., sand/water tables, art easels, etc.);
- Dramatic play furniture (e.g., activity tables, Indigenous drums/drumming logs, child-sized sink/stove/fridge/work bench, etc.);
- Permanent outdoor equipment (e.g., fencing, covered entrance, outdoor playground preparation, etc.);
- Outdoor play equipment (e.g., nature-based landscaping, climbers, wheeled toys, etc.); and
- Accessibility equipment (e.g., wheelchair ramps, lifts, accessible playground equipment, automated doors, modified bathroom equipment, etc.).
- Additional equipment or other capital costs, if the equipment is required to:
  - Enable the facility/facilities to become licensed under *the Community Care and Assisted Living Act* and the Child Care Licensing Regulation;
  - Enable the facility/facilities to become operational; or
  - Create the new spaces in an existing facility and ensure those new spaces are compliant with the *Community Care and Assisted Living Act* and the Child Care Licensing Regulation.

## 6.2 Ineligible Project Costs

Ineligible Project Costs include (but are not limited to) the following:

- Costs incurred prior to the signing of the Funding Agreement;
- Non-capital items, such as toys, consumables (e.g. food, art supplies), books, games, and small appliances;
- New or updated software/technology;
- Housewares (e.g., pots/pans, dishes, flatware, brooms, garbage cans, diaper disposal units, etc.);
- Legal costs;
- Project-related fees payable to the eligible applicant;
- Ongoing costs for existing staff salaries and benefits;
- Costs related to attending conferences and trade shows;
- Directly meeting and/or lobbying of any level of government;
- Coordinating/hosting conferences or events;
- Vehicles (other than vehicles used solely for the transportation of children);
- Remuneration and travel of elected officials;
- Meals and Project travel expenses;
- Academic research; and
- Financing costs and interest charges.

## 7. How to Apply

1. Review the Childcare BC New Spaces Fund Guidelines and [Frequently Asked Questions](#).
2. Review the [Child Care Licensing Regulation](#), the [Community Care and Assisted Living Act](#), and the [Rules for Operating a Licensed Child Care Facility](#).
3. Review the [Childcare BC New Spaces Fund Application Resource](#), as this will provide useful resources and information to support your Application.
4. Complete the [Application form](#), and ensure all sections are complete.
5. Each Application must include the mandatory supporting documentation, based on the applicant type (see Table 2).
6. All mandatory supporting documentation must be specific to the legal entity applying for the funding and may not be supplied by a parent company or subsidiary.
7. Submit the Application with the supporting documentation online by email at MCF.CCCF@gov.bc.ca. By submitting an Application, Proponents agree to the terms and conditions governing the Childcare BC New Spaces Fund (Appendix A), the service delivery commitments (Section 4.1) and the Program requirements (Section 4.2).

Table 2: Mandatory Supporting Documentation Based on Applicant Type

Applicant Type	Application and Mandatory Documentation Requirements
Public sector organizations and Indigenous Governments, through direct delivery or in partnership with a non-profit child care provider	<ul style="list-style-type: none"> <li>○ Application form;</li> <li>○ Project cost estimate (completed by facilities project manager);</li> <li>○ Evidence of financial commitment to the Project if total Project Costs surpasses Maximum Provincial Funding Amount (for example: board resolution showing school board will support and fund the remaining amount);</li> <li>○ Floor plans, site plans, outdoor space plans (Conceptual Drawings accepted), including details of square metres/feet for retained and new spaces;</li> <li>○ Copy of <i>Community Care and Assisted Living Act</i> licence(s) for Projects proposing to expand an existing Child Care Facility (if applicable);</li> <li>○ Confirmation of partnership with a non-profit child care provider (if available at time of application<sup>5</sup>);</li> <li>○ If the Project is located on the grounds of, or in a school, the School District must provide the school capacity as well as the current and ten-year projected enrolment; and</li> <li>○ If the facility is to use offsite outdoor play space, submission of an approval letter from a Licensing Officer is required.</li> </ul>
Non-Profit Societies (including Non-Profit Child Care Providers, Child Development Centres, and Indigenous Non-Profit Societies)	<ul style="list-style-type: none"> <li>○ Application form;</li> <li>○ Proof of ownership/lease agreement (only applicable for Non-Profit Indigenous Societies if facility is located off reserve);</li> <li>○ Source and proof of all financial contributions to the Project including gifts-in-kind and other grants;</li> <li>○ Detailed Project Budget with cost estimates as supported by quotes (referenced below);</li> <li>○ Two detailed quotes for each Budget item provided by a third party at arm's reach from the Project (i.e., site development, equipment, and Building Costs);</li> <li>○ Source and proof of financial commitment to the Project<sup>6</sup>;</li> <li>○ Floor plans, site plans, outdoor space plans (Conceptual Drawings accepted), including details of square metres/feet for retained and new spaces;</li> </ul>

<sup>5</sup> If the public sector organization or Indigenous Government does not have a confirmed provider at the time of application, they must commit to directly delivering the child care service(s) or commit to securing a partnership with a non-profit child care provider.

<sup>6</sup> Applicable to Indigenous Non-Profit Societies only when total Project Costs surpasses Maximum Provincial Funding Amount (for example: band council resolution showing support and funding for the remaining amount).

Applicant Type	Application and Mandatory Documentation Requirements
Non-Profit Societies (including Non-Profit Child Care Providers, Child Development Centres, and Indigenous Non-Profit Societies)  (cont'd)	<ul style="list-style-type: none"> <li>○ Copy of Community Care and Assisted Living Act licence(s) for Projects proposing to expand an existing Child Care Facility (if applicable);</li> <li>○ Certificate of non-profit status including certificate of incorporation (if incorporated in BC), or certificate of registration (if incorporated outside BC);</li> <li>○ Reference of community support (e.g., letter from Local Government, school district, etc.)<sup>7</sup>;</li> <li>○ Documentation to support community need (optional);</li> <li>○ Confirmation of child care operator (if applicable); and</li> <li>○ If the facility is to use offsite outdoor play space, submission of an approval letter from a Licensing Officer is required.</li> </ul>
Businesses and Corporate Companies	<ul style="list-style-type: none"> <li>○ Application form;</li> <li>○ Detailed Project Budget as supported by quotes (referenced below);</li> <li>○ Two detailed quotes for each Budget item provided by a third party at arm's reach from the Project (i.e., site development, equipment, and Building Costs);</li> <li>○ Source and proof of all financial contributions to the Project (e.g., gift-in-kind, a grant – provide source and proof of grant);</li> <li>○ Floor plans, site plans, outdoor space plans (Conceptual Drawings accepted), including details of square metres/feet for each space;</li> <li>○ Proof of ownership/lease agreement (if applicable);</li> <li>○ Reference of community support (e.g., letter from Local Government, school district);</li> <li>○ Documentation to support community need (optional);</li> <li>○ Copy of <i>Community Care and Assisted Living Act</i> licence(s) for Projects proposing to expand an existing Child Care Facility (if applicable); and</li> <li>○ If the facility is to use offsite outdoor play space, submission of an approval letter from a Licensing Officer is required.</li> </ul>

<sup>7</sup> Non-profit Indigenous Societies are not required to submit reference of community support.

# Appendix A – Terms & Conditions

The following terms and conditions apply to submissions by all Proponents of the Childcare BC New Spaces Fund. A Proponent's Application indicates acceptance of all the terms that follow.

## **8.1 Terms and Conditions Non-Binding Process**

The Application process is not intended to create and shall not create a formal legally binding bidding process and shall instead be governed by the law applicable to direct commercial negotiations. For greater certainty and without limitation: (a) the Application Process shall not give rise to any "Contract A" based tendering law duties or any other legal obligations arising out of any process contract or collateral contract; and (b) neither the Proponent nor the Province shall have the right to make any claims against the other with respect to the award of a contract, failure to award a contract or failure to honour an Application and/or submission or any other claims based on a breach of "Contract A" or other tendering law duties or obligations.

The Application process is intended to identify prospective suppliers for the purposes of negotiating a potential agreement. No legal relationship or obligation regarding the provision of any good or service shall be created between the Proponent and the Province by the Application or submission process until the successful negotiation and execution of a written agreement for the acquisition of such goods or services. While the pricing information provided in the Application will be non-binding prior to Project selection and execution of a written agreement, such information will be assessed during the evaluation of the Application. Any inaccurate, misleading, or incomplete information, including withdrawn or altered pricing, could adversely impact any such evaluation, or contract award.

## **8.2 Province Discretion to Waive Deficiencies**

The Province will be under no obligation to disqualify an Application or reject a submission that fails to comply with a stated rule or requirement and may allow the Proponent to rectify administrative deficiencies. This is the case even where the terms "must", "shall", "will" or "mandatory" are used in the Program guidelines.

## **8.3 Proponent Representations & Warranties**

The Province may disqualify the Proponent or rescind an Agreement subsequently entered into if the Proponent's Application contains misrepresentations or any other inaccurate, misleading, or incomplete information.

## **8.4 Province Due Diligence**

The Province may, in its sole discretion, verify the information provided in the Proponent's Application. If in the sole discretion of the Province, the Province determines that the Proponent's Application and/or submission contains misrepresentations or any other inaccurate,

misleading, or incomplete information, the Province may disqualify the Proponent from the Application process. The Province may consider the Proponent's past performance on previous contracts with the Province and other such reference checks as the Province deems appropriate.

#### **8.5 Proponent Responsibility**

It is the sole responsibility of the Proponent to ensure all the fields and documents comprising a complete Childcare BC New Spaces Fund Application are supplied and submitted at the time of Application and during Rectification. The Province is under no obligation to inform the Proponent of any missing documents after the initial notification of administrative deficiencies has been provided.

#### **8.6 Proponents to Review All Documents**

It is the Proponent's responsibility to examine all of the documents comprising the Childcare BC New Spaces Fund Program Application and report any errors, omissions, or ambiguities and seek additional information by contacting the Ministry.

#### **8.7 No Liability for Errors**

While the Province has used reasonable efforts to ensure the accurate representation of information in this funding program, such information is supplied solely for Proponents. The Province does not warrant or guarantee the accuracy of such information, nor is such information necessarily comprehensive or exhaustive. Nothing in this Application process is intended to relieve Proponents from the obligation to conduct their own due diligence, form their own opinions, and reach their own conclusions at all stages of the Application process.

#### **8.8 No Incorporation by Reference**

The entire content of a Proponent's submission should be contained within the Application. The content of websites or other external documents referred to in the Proponent's submission will not be considered to form part of its submission. The Province is under no obligation to seek out information not contained in a Proponent's Application or supporting documentation.

#### **8.9 Working Language of the Province**

All Applications should be submitted in English. The Province is under no obligation to translate any Application or any part thereof from any language into English; and the Province is under no obligation to review any Application or any part thereof, in a language other than English.

#### **8.10 Applications from a Single Entity**

The Province will only accept Applications from a single legal entity that will act as the main contact to the Province in respect to the Application process and for the purposes of performing any Agreement. However, a Proponent may provide an Application or supporting documentation naming subcontractors so long as the Proponent agrees to take sole responsibility for the Agreement. For greater certainty, Applications should not be submitted by joint ventures.

### **8.11 Changes to Application or Supporting Documentation**

A Proponent is not bound by its Application and/or submission. By submission of a clear and detailed written notice to the Program, a Proponent may withdraw at any time throughout the duration of the Application process before entering into an Agreement.

### **8.12 Rectification**

The Province may at its discretion offer a Rectification process to allow Proponents to correct administrative deficiencies in their Application, submission and/or supporting documentation. Proponents that are notified of administrative deficiencies will be provided an opportunity to address the deficiency. It is the sole responsibility of the Proponent to correct administrative deficiencies within the designated Rectification period. The Province is under no obligation to support Proponents during the Rectification period. Proponents failing to respond to the notification of deficiencies will be assessed on the initial Application or have their Application rejected in its entirety.

### **8.13 Changes to Requirements**

The Province may change and/or update portions of the program guidelines that are relevant to a particular stage in the process at any time. Further, the Province may close the Application intake, in whole or in part, at any time in its sole discretion and without liability, without negotiating or entering into an agreement under this Application process, and may subsequently obtain the Solution, including any goods or services, by any other means or do nothing.

### **8.14 Additional Information**

All addenda for the Application process will be posted to the Program webpage according to where the original documents are made available to Proponents. It is the sole responsibility of the Proponent to check for addenda on the webpage.

### **8.15 Information Provided**

Proponents will have the opportunity to request additional information and to request clarification of information provided. The Province, at any stage, may choose in its sole discretion not to respond, respond in whole or in part, or reformulate questions. The Province may in its sole discretion choose whether to post any such questions and responses to the Program webpage as appropriate.

### **8.16 Conflict of Interest & Lobbying**

A Proponent may be precluded from participating in the Application process if the Proponent's current or past corporate or other interests or activities, or those of a proposed subcontractor, may, in the Province's opinion, give rise to an actual, potential or perceived conflict of interest in connection with the services described in the Program. This includes, but is not limited to, involvement by a Proponent in the preparation of the Application or a relationship with any employee, contractor or representative of the Province involved in preparation of the

Application, participating on the evaluation committee or in the administration of the Agreement and those involved in the development of this funding program. If a Proponent is in doubt as to whether there might be a conflict of interest, the Proponent should consult with the Program prior to providing an Application. By providing an Application, the Proponent represents that it is not aware of any circumstances that would give rise to a conflict of interest that is actual, potential, or perceived in respect to the Intake.

### **8.17 Project Viability**

The Province may disqualify the Proponent or rescind an Agreement subsequently entered into if the Project's viability is unsubstantiated, as determined by the Province. A Project's viability may be in question for reasons such as, but not limited to, financial viability, long-term sustainability, non-compliance, unmitigated risks, and additional deficiencies that may limit the Project's ability to meet the Province's objective to create quality, accessible, and affordable Licensed Child Care Spaces.

### **8.18 Costs of Process**

The Proponent and the Province will each bear their own costs associated with or incurred through the Application process, including any costs arising out of: (a) the preparation and issuance of the Program; (b) the preparation and issuance of an Application and/or submission; (c) the evaluation process; and (d) participation in due diligence activities, interviews, demonstrations, discussions, presentations, negotiations, or any other activities related to the Application process.

### **8.19 Communication with Media**

The Proponent may not at any time directly or indirectly communicate with the media in relation to the Application process or any agreement negotiated pursuant to the Application without first obtaining a written permission of the Province prior to the Provincial public announcement.

### **8.20 Appeals or Complaints**

If the Proponent has a concern about the service provided by the capital funding team, or about a funding decision, they may contact Child Care Capital and Community Services through email at [MCF.CCCF@gov.bc.ca](mailto:MCF.CCCF@gov.bc.ca) with the following subject: "Attention: Operations Supervisor", or by telephone at 1-888-338-6622 (option 5) and request to speak with a Child Care Capital Funding Operations Supervisor.

## Appendix B – Written Quotes

Written quotes submitted with the Application should include the following components:

- a. Name of company or individual providing the service/items. Note: quotes must come from a third party at arm's reach<sup>8</sup>;
- b. Date and length of time quote is valid (if applicable);
- c. Description/scope of work involved (if applicable); and/or
- d. Total or estimated cost, total or estimated tax amount, and the total or estimated cost after taxes (in Canadian dollars), if applicable. Note: If your facility or organization receives a tax exemption or rebate, please indicate the estimated dollar value of the exemption on any submitted quote(s).

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<sup>8</sup> The Province reserves the right to verify all information with third party sources. Additional information may be requested during the Application process.

# Appendix C – Definitions

**Application:** a complete Application form and mandatory supporting documentation.

**Budget:** a detailed estimate of the costs to complete the Project, determined where necessary by cost estimates by certified contractors, engineers, architects or other qualified parties, in accordance with the Plans and Specifications provided to the Province.

**Businesses and Corporate Companies:** sole proprietorships, partnerships, limited companies and incorporations.

**Building Costs:** expenses incurred by the Proponent for labour and material.

**Capital Build:** the construction of new facilities and renovation/maintenance of existing facilities, or the development of public amenities.

**Child Care Facility:** the physical building, facility, or area of land on which these improvements sit and the Proponent occupies and uses, or proposes to occupy and use, for the purpose of its Child Care Operation.

**Child Care Fee Reduction Initiative (CCFRI):** additional CCOF provided to eligible licensed child care facilities for the purpose of reducing parent monthly fees.

**Child Care Operating Funding Program (CCOF):** operating funding provided by the Ministry to eligible licensed child care facilities to assist with the day-to-day costs of running a licensed child care facility.

**Child Care Operation:** the delivery of child care services in a licensed facility.

**Child Care Space Creation:** creating new Licensed Child Care Spaces that do not already exist.

**Child Care Spaces:** a space would be a full-time space or two part-time spaces (e.g., a morning preschool space and an afternoon preschool space would represent one full-time child care space).

**Children Requiring Extra Support:** children who, for physical, intellectual, emotional, communicative or behavioural reasons, require support or services that are additional to, or distinct from, those provided to other children.

**Child Development Centre:** an agency contracted by the Ministry of Children and Family Development to deliver therapy services to children with special needs (occupational therapy, physiotherapy, and speech language therapy). Some of these agencies are also contracted by the Ministry to deliver Infant Development and/or Support Child Development programs, including Aboriginal programs.

**Conceptual Drawings:** a floor plan of the Child Care Facility that graphically communicates the details and design principles of the space, completed by a Project-related individual at arm's length from the Proponent. If submitting a Conceptual Drawing, ensure it is clear and legible, and provides a scale and major dimensions.

**Direct Costs:** expenses related to the development and implementation of the Project which may include (but are not limited to) equipment, building materials, and labour related directly to the Project.

**Financial Reconciliation Package:** includes (1) a detailed statement prepared by an independent, arm's length certified Chartered Professional Accountant listing all project costs including copies of invoices, receipts and/or proof of payment; (2) a copy of all current licenses; (3) a completed financial reconciliation form and financial expenditure form; (4) a copy of approval letters for Child Care Operating Funding (CCOF) and the Child Care Fee Reduction Initiative (CCFRI).

**Funding Agreement:** a contract between the Ministry and the Proponent to receive Childcare BC New Spaces Fund grants for the purpose of creating Licensed Child Care Spaces.

**Human Resource Facility Act (HRFA):** The HRFA allows the Ministry to place legal notations on funding Recipients' property titles – restriction the sale, mortgage, or transfer without prior approval of the Ministry.

**Indigenous Non-profit Society:** means a "society" as defined in Section 1 of the *Societies Act*.

**Licensed Child Care Spaces:** the number of spaces as reported on a Community Care Facility Licence issued under the *Community Care and Assisted Living Act*.

**Local Government:** means a municipality or regional district.

**Lockup Stage:** for ground-up construction, it is the Project milestone when it is possible to effectively secure the building (e.g., all windows and exterior doors are installed); for renovations, it is the Project milestone when interior finishing is complete (e.g., all interior surfaces are installed); and for projects requiring equipment only, it is the Project milestone when furniture/equipment for the facility has been ordered.

**Maximum Provincial Funding Amount:** the maximum funding amount the Province will provide for the proposed/approved Project to create new Licensed Child Care Spaces.

**Ministry:** the Ministry of Children and Family Development.

**Non-Profit Society:** means a "society" as defined in Section 1 of the *Societies Act* or under the *Canada Not-For-Profit Corporations Act*.

**Non-Profit Child Care Provider:** means a child care provider that is incorporated as a Non-Profit Society.

**Organization Contribution:** the financial contribution required by the organization as set out in section 4.1: Contribution Percentages and Maximum Amounts. The Organization Contribution may include gift-in-kind, other grant funds, or loans from financial institutions. Volunteer labour will not be considered as part of the organization's contribution.

**Plans and Specifications:** all detailed plans, drawings, and specifications for the work required to carry out and complete the proposed Project and/or to acquire the assets for use in implementing the Project.

**Program:** the Childcare BC New Spaces Fund Program (formerly Major Capital Funding), Ministry of Children and Family Development.

**Professional Fees:** fees charged by individuals trained in specific fields such as architects.

**Project:** the Project as described by the Proponent in the Application, which involves the creation of Licensed Child Care Spaces.

**Project Costs:** all the amounts to be paid by the Proponent to any person, firm, or corporation dealing at arm's length with the Proponent, for construction of the Projects or acquisition of its components and which, in the opinion of the Province, have been necessarily and properly incurred.

**Proponent:** an individual who puts forth an Application on behalf of an organization.

**Public Sector Partnership:** when a public sector organization is the main applicant, and applies in partnership, this partnership must be with a non-profit society that will deliver the child care services. The partnership arrangement can be formal or informal, and may include (but is not limited to) low/no cost rental fees, shared administration, service planning agreements or protocols, and/or space agreements.

**Recipient:** Proponents that receive funding through the Childcare BC New Spaces Fund to build new Licensed Child Care Spaces.

**Site Development Costs:** expenses incurred to prepare a plot of land for the construction of a Child Care Facility.

**Underserved Communities:** are communities/geographic areas and populations with a lack of access to child care.



**TOWN OF COMOX**  
**REGULAR COUNCIL MEETING**

STAFF REPORT  
 Meeting Date: Nov. 6, 2019

<b>TO:</b> Mayor and Council	<b>FILE:</b> 1490-01
<b>FROM:</b> Shelly Russwurm, Deputy Corporate Administrator	<b>DATE:</b> Nov. 4, 2019
<b>SUBJECT:</b> Records Management System Bylaw	

Prepared by:  Shelly Russwurm, DCA	Supervisor: _____	Financial Approved: _____ Clive Freundlich, Fin. Director	Report Approved:  Al Kenning, CAO
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**Recommendation from the Chief Administrative Officer:**

That the Records Management System Bylaw No. 1932, 2019 be given First, Second and Third Readings.

**Purpose**

To inform Council of the need for a records management system, and to recommend that Council adopt the proposed Records Management System Bylaw No. 1932, 2019.

**Strategic Plan Linkage**

Records management falls under one of Council’s Core Services, to ensure strong governance and administration. The cleanup of the Administration section of the Town’s current records management system is also highlighted under Operation Strategies on Council’s current Strategic Priorities Chart.

**Background**

In today’s organizations, information is at the centre of all functions, whether it be required for decision-making, strategic planning, regulatory compliance or future reference. How local governments manage information can directly affect their ability to operate efficiently, and to operate with the full knowledge of past precedents and future requirements. With the ongoing requirement for information access, local governments must be certain that the information created today will be available over time and into the future, for as long as the information is required.

Public bodies in British Columbia are required to manage their recorded information in ways that promote transparency and openness, and must make records accessible to the public in accordance with provincial legislation. Section 148 of the *Community Charter* requires, in part, that a municipal officer be assigned the responsibility of corporate administration, including the powers to ensure

- that accurate minutes of the council and committee meetings are prepared;
- that the minutes, bylaws and other records of the business of the council and council committees are maintained and kept safe; and

- that access is provided to records of the council and council committees, as required by law or authorized by the council.

Currently, Town records are stored in a variety of formats and in various locations. Departments have adopted a system that works well for their needs. However, it has resulted in a series of ad-hoc systems that results in duplication and additional time to find records, and, some cases, does not meet the legislative requirements.

The proposed Records Management System Bylaw authorizes the Town's use of a records management system developed by the Local Government Management Association (LGMA) of BC. The LGMA system emphasizes standards for creating, accessing, storing and retaining records ensures that effective recordkeeping is undertaken throughout an organization.

**TOWN OF COMOX**

**BYLAW NO. 1932**

**A BYLAW TO AUTHORIZE THE USE OF A RECORDS MANAGEMENT SYSTEM  
FOR THE TOWN OF COMOX**

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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 Records Management System Bylaw No. 1932, 2019.

**2. Definitions:**

In this Bylaw, unless the context otherwise requires:

- (a) "Council" includes all members of the Council of the Town of Comox;
- (b) "Designated Officer" means the Corporate Officer assigned responsibility for corporate administration under s.148 of the Community Charter; or their Council appointed Deputy;
- (c) "Record" includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records;
- (d) "Records Management System" means the Local Government Management Association of British Columbia Records Management System and the system used by the Town of Comox to manage the records of the Town of Comox from record creation through to records disposal;
- (e) "Records Classification and Retention Schedule" means formal schedule, as amended from time to time, that establishes the classification system and retention periods for the records of the Town and provides for their disposition; and
- (f) "Staff" includes employees, independent contractors, volunteers and service providers.

**3. Records Management System Established**

The Records Management System, including the Records Classification and Retention Schedule, currently utilized by the Town of Comox, is authorized.

#### **4. Compliance with Record Management System**

All records in the custody and control of Council and the staff of the Town of Comox are the property of the Town of Comox. All records of the Town of Comox must comply with the Records Management System and this Bylaw. Council and the staff must comply with this bylaw.

#### **5. Creation or Receipt of Records**

All records, either

- (a) created by Council or the staff, or
- (b) received or used by Council or the staff

in the context of their functional responsibilities, by standard mail, courier, hand-delivery, electronic mail or text, facsimile, scanning or by other means, are records of the Town and subject to the provisions of the Records Management System and this Bylaw.

#### **6. Designated Officer**

The Designated Officer is responsible for the management and maintenance of the Records Management System. The Designated Officer is authorized to manage and maintain the Records Management System.

#### **7. Manual of Procedures and Policy**

The Designated Officer is authorized to create and maintain a manual of procedures and policy (the “Manual”). Records of the Town of Comox are created, accessed, maintained and disposed of only as provided by the Manual. The Manual may provide for management of the records of the Town of Comox and include provisions regarding:

- the making, receiving, capturing and organization of records, including records not authorized for creation;
- the collection of records (including records not authorized for collection);
- access to records;
- disclosure of records;
- maintenance of records;
- managing records;
- using records;
- retention of records;
- security of records, including protection;
- storage of records;
- preservation of records;
- disposal of records, including destruction; and
- any other matter(s) the Designated Officer authorizes to be included in the Manual.

## **8. Exclusions**

This bylaw does not apply to records

- (a) created or received by a member of Council, other than those records created, received or used in their capacity as a member of Council;
- (b) of staff that are personal in nature and do not relate to the operations of the Town and are not required for such operations; or
- (c) of community associations or other organizations or entities which have an operating agreement with the Town, where such records are not in the custody or control of the Town.

## **9. Integrity and Authenticity Maintained**

The Records Management System must maintain the integrity and authenticity of records made or kept in the usual and ordinary course of business.

## **10. Authorization to Amend Manual**

To ensure the Manual of procedures and policy complies with applicable laws, the Designated Officer is authorized to amend the Manual, as required.

## **11. Records Classification and Retention Schedule**

The Records Classification and Retention Schedule must prescribe the period of time that records are kept to meet the operational, legal, regulatory, financial or other requirements of the Town of Comox. The Records Classification and Retention Schedule must also provide instructions as to the manner and time of the disposition of a record.

## **12. Authorization to Amend Records Classification and Retention Schedule**

To ensure the Records Classification and Retention Schedule complies with applicable laws, the Designated Officer is authorized to amend the Records Classification and Retention Schedule, as required.

## **13. Disposal Ordered by Designated Officer**

When the Designated Officer determines that the retention period for a given record described in the Records Classification and Retention Schedule has ended, the Designated Officer may order the record to be destroyed or otherwise disposed of in accordance with the instructions in the Records Classification and Retention Schedule.

**14. Compliance with Law**

The Records Management System must comply with the Manual, applicable laws and any provincial, national or international standards adopted for use and contained in the Manual.

**15. Severability**

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

**16. Adoption**

READ A FIRST, SECOND and THIRD time this            day of            , 2019

ADOPTED this            day of            , 2019

\_\_\_\_\_  
MAYOR

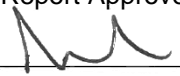
\_\_\_\_\_  
CORPORATE OFFICER



**TOWN OF COMOX  
REGULAR COUNCIL MEETING**

STAFF REPORT  
Meeting Date: November 6, 2019

<b>TO:</b> Mayor and Council	<b>FILE:</b> 1090-02
<b>FROM:</b> Gord Schreiner, Fire Chief	<b>DATE:</b> Nov. 5, 2019
<b>SUBJECT:</b> Disposal of Comox Fire Rescue Surplus Equipment	

Prepared by: <i>"GORD SCHREINER"</i> Gord Schreiner, Chief	Supervisor: _____	Financial Approved: _____ Clive Freundlich, Fin. Director	Report Approved:  Al Kenning, CAO
------------------------------------------------------------------	----------------------	-----------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------

**Recommendation from the Chief Administrative Officer:**

"That Council authorizes the disposal of Comox Fire Rescue's surplus self-contained breathing apparatus (SBCA) units to smaller local fire departments.

**Purpose**

To inform Council of Comox Fire Rescue's surplus SCBA units, and to recommend that Council authorize an exchange with smaller local fire departments for \$5,000 in equipment.

**Strategic Plan Linkage**

Disposal of Town assets falls under Council's Core Service of Public Safety and Protection. The replacement of SCBA units ensures that firefighters have the most up to date breathing apparatus currently available.

**Background**

Comox Fire Rescue has recently received 27 new SCBA units, replacing the department's 16-year-old ones. The capital purchase was authorized in the Town's 2019 Financial Plan.

Comox firefighters are very pleased to see the new SCBA units, and thank Council and the Comox Fire Protection District (our partners in fire protection) for their on-going support. The new SCBA units brings Comox Fire Rescue up to current safety standard for this important equipment.

As we have done in the past with other surplus equipment (fire engines etc.) we would like to pass along the surplus equipment to smaller departments in exchange for \$5,000 in equipment back to our fire department. Council Policy No. CCL-043 (Municipal Assets) states that Council approval shall be obtained prior to the sale or disposal of town assets.

We have arranged an exchange with Ships Point Fire Department where we provide them with some of our surplus SCBA for about \$5,000 in equipment, compatible with our new SCBAs. This would result in a benefit to both of our organizations, as each would be improving their existing

SCBA equipment. We are hopeful that we can make similar arrangements with another smaller local fire department.

A press release will be prepared and a photo opportunity organized, highlighting the Town's and the Comox Fire Protection District's willingness to collaborate in mutually beneficial exchanges such as this. Mayor and council, along with a couple of Comox Fire Protection District Trustees will be invited to be involved in the photo.



o-RCM Agenda  
copies - Council  
- ATK  
- MK



Comox Mayor and Council  
1809 Beaufort Avenue  
Comox BC V9M 1R9

RECEIVED

OCT 21 2019

TOWN OF COMOX

October 18, 2019

Ronna-Rae Leonard, MLA  
Courtenay - Comox

Dear Mayor and Council,

I wanted to reach out today to discuss an initiative recently announced by Minister Conroy and Minister Chen regarding a second intake of both planning grants and space creation grants for Child Care.

As you may be aware our government has been working hard to implement a universal child-care plan that provides affordable, accessible and high-quality care and early learning to every child whose family wants or needs it. This includes the creation of new child-care spaces in communities across the province as part of building a Better BC.

The second intake for the Community Child Care Space Creation Program and Community Child Care Planning Grant Program is now open. The Space Creation Program is accepting applications until November 22, 2019, and the Planning Grant Program until January 31, 2020.

Local governments applying for funding through the Child Care Space Creation Program are now eligible for up to \$4 million to help them create new licensed child care spaces - \$1 million through the space creation program to build spaces from zero to Kindergarten, and \$3 million through the Childcare BC New Spaces Fund to create additional zero to Kindergarten spaces and/or license types, such as school-age spaces. In addition, through the space creation program, local governments are now eligible to purchase land in order to create child care spaces.

I would encourage Mayor and Council to work with the Provincial government to bring the available childcare funds to Comox. Please reach out to my staff at my constituency office if you require additional information regarding this program.

Sincerely,

*R. R. Leonard*

Ronna-Rae Leonard, MLA (Courtenay-Comox)

LOG: 19-506	REFER:	AGENDA: RCM Nov 6
FILE: 4750-01	ACTION: file	

**Courtenay - Comox Constituency Office**

437 5th Street  
Courtenay BC V9N 1J7  
T 250-703-2410 F 250-703-2425

**Legislative Office**

East Annex Parliament Buildings  
Victoria BC V8V 1X4  
T 250-387-3655 F 250-387-9100

# TOWN OF COMOX

## BYLAW 1929

### A BYLAW TO AMEND COMOX ZONING BYLAW 1850

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

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

#### 1. Title

This bylaw may be cited for all purposes as “Comox Zoning Amendment Bylaw 1929”.

#### 2. Amendments

(1) Comox Zoning Bylaw 1850, Section 3.2 Definitions is hereby amended by:

(a) Replacing the definition for Recreational Cannabis Retail Store with the following:

##### **Recreational Cannabis Retail Store**

A building or part thereof, licensed under Part 4 of the *Cannabis Control and Licensing Act* and holding a valid business licence issued by the Town of Comox, where cannabis is offered or kept for sale at retail; does not include retail stores or liquor stores.

Recreational cannabis retail store shall be limited to the sale or provision of the following:

- (1) cannabis;
- (2) cannabis accessory;
- (3) cannabis product information for cannabis sold on site;
- (4) Federal or provincial government health information on cannabis or cannabis use;
- and
- (5) contact information for the recreational cannabis retail store.

(b) Adding the following definition to the list of definitions in alphabetical order:

##### **Cannabis Accessory**

A thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of cannabis or a thing that is commonly used in the consumption of cannabis.

(2) Comox Zoning Bylaw 1850 is hereby further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and order of the sections of this bylaw.

**3. Adoption**

- |                                       |                                       |
|---------------------------------------|---------------------------------------|
| (1) READ A FIRST AND SECOND time this | 2 <sup>nd</sup> day of October, 2019  |
| (2) ADVERTISED A FIRST time this      | 24 <sup>th</sup> day of October, 2019 |
| (3) ADVERTISED A SECOND time this     | 29 <sup>th</sup> day of October, 2019 |
| (4) PUBLIC HEARING HELD this          | 6 <sup>th</sup> day of November, 2019 |
| (5) READ A THIRD time this            | day of, 2019                          |
| (6) ADOPTED this                      | day of, 2019                          |

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Russ Arnott,  
Mayor

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Corporate Officer

**TOWN OF COMOX**

**BYLAW NO.1930**

**A BYLAW TO AMEND COMOX BUSINESS LICENCE BYLAW**

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WHEREAS the Council of the Town of Comox has the authority under the provisions of the Community Charter to amend Comox Business Regulation Bylaw No. 1882, 2018;

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

**1. Title**

This bylaw may be cited for all purposes as the “Comox Business Regulation Amendment Bylaw No. 1930, 2019”.

**2. Amendments**

(A) Comox Business Regulation Bylaw No. 1882, 2018 is hereby amended by:

(1) Deleting section 8(4)(i)

(2) Deleting Section 11 Municipal Ticketing subsection (4); and replacing Section 11 Municipal Ticketing, subsection (4) with the following text:

Pursuant to section 265(1) of the *Community Charter* the fine amount set forth below in Column 3 is the fine amount for the offence that corresponds to the section number and words or expressions set out in Columns 1 and 2 opposite the fine amount:

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Offence</b>	<b>Bylaw Section</b>	<b>Fine Amount</b>
No Business Licence	3(1)	\$500.00
Fail to Display Licence	3(3)	\$100.00
Unlicensed Business Location	3(4)	\$100.00
Unlicensed Name Change	3(5)	\$100.00
Unlicensed Business Change	3(8)	\$250.00
Unlawful Placement of Equipment	7(c)	\$100.00
Fail to Obtain Permission	7(d)	\$100.00
Contractor-Fail to Produce Licence	8(1)(a)	\$500.00

Column 1	Column 2	Column 3
Offence	Bylaw Section	Fine Amount
Fail to Produce Sub Licence	8(1)(b)	\$200.00
No Mobile Vending Licence	8(2)(a)	\$100.00
No Parks Use Permit	8(2)(b)	\$100.00
No Discharge Management Plan	8(2)(c)	\$100.00
Insufficient Permission	8(2)(d)	\$100.00
Visible cannabis items	8(4)(g) or 8(5)(a)	\$500.00
Visible cannabis promotion	8(4)(h) or 8(5)(b)	\$500.00
Blocking window to cannabis related establishment	8(5)(c)	\$500.00
Installed security bars	8(4)(j) or 8(5)(d)	\$500.00
Visible shutters	8(4)(k) or 8(5)(e)	\$500.00

(B) Comox Business Regulation Amendment Bylaw No. 1882, 2018 is hereby further amended by making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and order of the sections of the bylaw.

### 3. Adoption

READ A FIRST, SECOND and THIRD  
 time this 2<sup>nd</sup> day of October, 2019

Notice of intention to adopt given  
 this 24<sup>th</sup> & 29<sup>th</sup> day of October, 2019

Representations to Council heard this 6<sup>th</sup> day of November, 2019

ADOPTED this day of Month, Year

\_\_\_\_\_  
 MAYOR

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