

REGULAR COUNCIL MEETING AGENDA FOR WEDNESDAY MARCH 15, 2023

The Town of Comox respectfully acknowledges that we are standing on the Unceded traditional territory of the K'òmoks First Nation.

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

Call to Order: 5:00 p.m.

1. INTRODUCTION AND APPROVAL OF LATE ITEMS: NIL

2. ADOPTION OF AGENDA:

- a. [Adoption of the Agenda](#)

That the March 15, 2023 Regular Council Meeting agenda be Aopted.

3. DELEGATIONS: NIL

4. ADOPTION OF MINUTES:

- (7) a. [Regular Council Meeting Minutes](#)

That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday March 1, 2023, be Adopted.

5. COUNCIL COMMITTEE MINUTES AND REPORTS:

- (16) a. [Strategic Planning Committee Meeting Minutes](#)

That the Minutes of the Strategic Planning Committee meeting, held in Council Chambers on Wednesday March 8, 2023, be Received.

6. CONSENT AGENDA:

- (17) a. [Consent Agenda](#)

That the Consent Agenda items as follows be received for information:

.01 Mark McLean - February 23, 2023, condition of sidewalks in Comox.

.02 Michelle Hicker, Vancouver Island Down Syndrome Society - February 27, 2023, request for proclamation.

.03 Sarah Herring, BC SPCA - March 2, 2023, animal welfare.

- (17) a. [Consent Agenda](#)
- .04 Janine Stevenson, Community Action Initiative - March 3, 2023, invitation to facilitated dialogue about healthy communities and the overdose crisis.
- .05 Catherine Kennedy, Communities in Bloom - February 23, 2023, Invitation to participate in program.
- .06 Floyd Trotter - March 6, 2023, information on new Canadian Green technology.
- .07 Will Cole-Hamilton, Help Cities Lead - March 7, 2023, Report back on campaign.
- .08 Gail and Ray Challoner - March 8, 2023, Beaufort Avenue parking concerns.
- .09 Sandi and Norm Parker - March 9, 2023, waitlist for Municipal Marina moorage.

7. UNFINISHED BUSINESS:

- (47) a. [Development Permit Variance Application DVP 22-1: 237 Denman Street](#)
That Development Variance Permit application DVP 22-1 be denied.
- (71) b. [Sidewalk Clearing Assistance Plan](#)
1. *THAT Council direct administration to proceed with a 3 year pilot, Snow Angels Program by creating a list of neighborhoods in need of volunteers as well as creating a list of volunteers. Town to manage the program by creating a questionnaire for those in need to ensure those who request assistance are qualified, all information to be confidential.*
 2. *THAT the Operations Budget be increased by \$17,000 in 2024, 2025 and 2026 for the snow angels pilot project.*

8. SPECIAL REPORTS: NIL

9. BYLAW ADOPTIONS:

- (77) a. [Official Community Plan Amendment OCP 22-1: Tree Cutting in Hazardous Areas](#)
1. *That Comox Official Community Plan Amendment Bylaw 2006 be Adopted.*
 2. *That Comox Drainage Infrastructure Protection Amendment Bylaw 2007 be Adopted.*

10. NEW BUSINESS:

- (90) a. [Comox Drainage Infrastructure Protection Bylaw 1824](#)
1. *THAT the Drainage Infrastructure Protection Bylaw 1824.01 be given First Reading.*

TOWN OF COMOX

REGULAR COUNCIL MEETING AGENDA OF WEDNESDAY MARCH 15, 2023

- (90) a. [Comox Drainage Infrastructure Protection Bylaw 1824](#)
2. *THAT the Drainage Infrastructure Protection Bylaw 1824.01 be given Second Reading.*
3. *THAT the Drainage Infrastructure Protection Bylaw 1824.01 be given Third Reading.*

11. NOTICES OF MOTION: NIL

12. CORRESPONDENCE:

- (100) a. [Howie Siemens, Emergency Programs Manager \(CVRD\): Comox Valley Emergency Management Program](#)
- (104) b. [Richard Hardy, Chair \(CVRD Electoral Areas Services Committee\): Request for financial contribution to Goose Spit Beach Fire Program](#)

13. LATE ITEMS: NIL

14. REPORTS FROM MEMBERS OF COUNCIL: NIL

15. MEDIA QUESTION PERIOD: NIL

16. PUBLIC QUESTION PERIOD: NIL

17. RESOLUTION TO GO IN-CAMERA:

- a. [Exclude the Public](#)

That the Public be Excluded from the In-Camera session of Council on Wednesday March 15, 2023 pursuant to the following sub-sections of section 90 of the Community Charter:

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

18. RISE AND REPORT FROM IN-CAMERA: NIL

ADJOURNMENT



CORPORATE OFFICER



TOWN OF COMOX
Minutes of the Regular Council Meeting,
held in Council Chambers on Wednesday March 1, 2023

Present: Mayor N. Minions
Councillors S. Blacklock, K. Grant, C. Haslett,
J. Kerr, J. Meilleur, M. Swift

Absent: Nil

Staff Present: J. Wall, Chief Administrative Officer
S. Russwurm, Corporate Officer
C. Freundlich, Director of Finance
M. Kamenz, Director of Development Services
G. Schreiner, Fire Chief
T. Hagmeier, Recreation Director
S. Ashfield, Director of Operations

Call to Order:

The meeting was called to order at 5:00 p.m. with 12 members of the public in attendance.

Mayor Minions acknowledged that the Town of Comox is standing on the Unceded traditional territory of the K'omoks First Nation.

1. INTRODUCTION AND APPROVAL OF LATE ITEMS: NIL

2. ADOPTION OF AGENDA:

a. Adoption of the Agenda

Adoption of Agenda

That the March 1, 2023 Regular Council Meeting agenda be Adopted.

(2023.063) -- CARRIED

3. DELEGATIONS:

a. Angela Fletcher and Chris Bate (Comox Valley Coalition to End Homelessness): Funding recommendation for affordable housing projects

Coalition to End Homelessness

Angela Fletcher and Chris Bate provided a brief overview of the Coalition and presented highlights for 2022. They presented information on the number of residents currently living in housing that is not considered affordable in the Comox Valley. They also provided the Homelessness Support Service requests received for 2023/24 and thanked Council for the \$40,000 contribution.

4. ADOPTION OF MINUTES:

a. Regular Council Meeting Minutes

RCM Minutes

That the Minutes of the Regular Meeting of Council, held in Council Chambers on Wednesday February 15, 2023, be Adopted.

(2023.064) -- CARRIED

5. COUNCIL COMMITTEE MINUTES AND REPORTS: NIL

6. CONSENT AGENDA:

a. Consent Agenda

Consent Agenda

1. *That the Consent Agenda items as follows be received for information:*

.01 *Lee Everson, Gukwas sa Wagalus Rainbow House - January 31, 2023, requesting assistance for a proposed development project in Comox.*

.02 *Linda Thomas, Filberg Heritage Lodge and Park Association / Dave Stevenson, Nautical Days Coordinator - February 6, 2023, requesting financial support of \$3,000 to assist with the cost of shuttle service.*

.03 *Lisa Bourgeois, February 10, 2023, requesting tree protection.*

.04 *Honourable Anne Kang, Minister of Municipal Affairs, February 10, 2023, Growing Communities Fund Grant.*

.05 *Jay Chalke, Ombudsperson, February 15, 2023, providing information and invitation to their Fairness by Design guide.*

.06 *Jacqueline Zweng, Wounded Warrior Run BC, February 24, 2023, inviting Council to meet the team and requesting \$2,000 donation.*

(2023.065) -- CARRIED

2. *That Item .02 (Filberg Heritage Lodge and Park Association / Nautical Days Coordinator requesting financial support of \$3,000 to assist with the cost of shuttle service) be removed from the Consent Agenda for discussion.*

(2023.066) -- CARRIED

3. *That Item .04 (Growing Communities Fund Grant.) be removed from the Consent Agenda for discussion.*

(2023.067) -- CARRIED

7. UNFINISHED BUSINESS:

a. Summer Market Options

Summer Market Options

THAT Council directs Administration to engage with the Comox Valley Famers Market to establish a summer market at the Community Center field as soon as feasible.

(2023.068) -- CARRIED

b. RCMP Officer Increase Request

RCMP Officer Request

THAT Council move consideration of the request from the RCMP for additional members to 2023 strategic planning process.

(2023.069) -- CARRIED

c. OCP 22-1 Tree Cutting in Hazardous Areas

OCP Amendment - Tree Cutting

1. *That Comox Official Community Plan Amendment Bylaw 2006 (Attachment 1), Section 3(1)(a), be amended as follows:*

- a. *Replace sub-section (i) with the following text:*

- (i) *Adding the following text to the beginning of Section 3.13:*

The following definitions apply to DPA #13 only:

ANSI Standard A-300 means the American National Standards Institute (ANSI) A300 (Part 1) – 2017 Pruning Standard, and the companion Best Management Practices – Pruning, 3rd Edition (2019).

Cutting down means to entirely sever the main stem of a tree or plant, or to alter or fell a tree or plant or a tree or plant part such that the tree or plant is no longer biologically or structurally viable.

ISA means the International Society of Arboriculture.

Pruning means the selective removal of tree or plant parts. Does not include topping or cutting down.

Plant means a perennial plant other than a tree.

Re-topping means to remove tree growth to shorten a tree to the previous point of topping by either pruning or topping the tree.

Toe of slope means the lowest and first significant and regular break in a slope.

Topping means to sever the upper stem of a tree or plant, resulting in a truncated stem.

Tree means a woody perennial having one or more stems with at least one stem having a diameter of 10 centimetres or more measured at Diameter at Breast Height.

- b. *Deleting section (iii) to (iv);*

- c. *Adding the following text as section (iii) and renumbering accordingly:*

c. OCP 22-1 Tree Cutting in Hazardous Areas

OCP Amendment - Tree Cutting

1. (iii) Adding the following text after section 3.13.4(F):

"A development permit is not required for the following actions:"

- d. Adding as section (iv) with the following text:

- (iv) Adding the following text as Section 3.13.4(G):

"G. On the properties shown shaded on Figure 10 Kye Bay Properties, pruning of trees provided that a written opinion prepared and executed by an ISA Certified Arborist states that:

- I. the proposed pruning did not undermine the tree's health;*
- II. the proposed pruning was conducted under the supervision of an ISA Certified Arborist;*
- III. the proposed pruning was in accordance with the ANSI Standard A-300;*
- IV. all tree parts greater than 5 cm in diameter were removed from the slope at time of pruning in a manner that does not create channelized pathways; and,*
- V. any disturbances to the existing ground cover or soil were remediated with replanting, repacking, or regrading."*

- e. Adding as section (v) the following:

- (v) Adding the following text as Section 3.13.4(H):

"H. Pruning, topping or cutting down trees or plants located below the toe of the slope on properties shown shaded on the map, included in recommendation 1(e) of the March 1, 2023 Report to Mayor and Council titled "OCP 22-1 Tree Cutting in Hazardous Areas".

- f. Adding as section (vi) the following text:

- (vi) Adding the following text as Section 3.13.4(I):

"I. Cutting down or pruning a hazardous tree that presents an immediate danger to human safety or to property. This must be confirmed by an ISA Certified Arborist. If the property owner cuts down or prunes a tree pursuant to this section, the Owner will advise the Parks Manager that it has done so in writing within one (1) business day of cutting down the tree."

- g. Adding as section (vii) the following text:

- (vii) Adding the following text as Section 3.13.4(J):

"J. On the properties shown shaded on Figure 9 Kye Bay Properties, cutting down or pruning a hazardous tree provided that a written opinion prepared

c. OCP 22-1 Tree Cutting in Hazardous Areas

OCP Amendment - Tree Cutting

1. *and executed by an ISA Certified Arborist states that the tree presents a danger to human safety or to property."*

h. Adding as section (viii) the following text:

(viii) Adding the following text as Section 3.13.4(K):

"K. On the properties shown shaded on Figure 9 Kye Bay Properties, Re-topping of trees provided that a written opinion prepared and executed by an ISA Certified Arborist states that the tree has been previously topped and re-topping did not undermine the tree's health."

i. Adding as section (ix) the following text:

(ix) Adding the following text as Section 3.13.4(L):

"L. On the properties shown shaded on Figure 10 Kye Bay Properties, Pruning of plants provided that a written opinion prepared and signed by a Red Seal Landscape Horticulturalist or executed by an ISA Certified Arborist states that:

- I. the pruning did not undermine the plant's health or substantially reduce existing ground cover;*
- II. all plant parts greater than 5 cm in diameter were removed from the slope at time of pruning in a manner that does not create channelized pathways; and,*
- III. any disturbances to the existing ground cover or soil were remediated with replanting, repacking, or regrading."*

j. Adding as section (x) the following text:

(x) Adding the following text as Section 3.13.4(M):

"M. On Lot 1, District Lot 93, Comox District, Plan 25746, pruning of plants within 30 cm horizontal distance from the edge of an existing trail to a height 2.5 metres above grade."

k. Adding as section (xi) the following text:

(xi) Adding the following at the end of Section 3.13.4:

"Figure 10 Kye Bay Properties and the map, included in recommendation 1(k) of the March 1, 2023 Report to Mayor and Council titled "OCP 22-1 Tree Cutting in Hazardous Areas"

(2023.070) -- CARRIED

[Opposed: Councillors JKerr JMeilleur]

c. OCP 22-1 Tree Cutting in Hazardous Areas

OCP Amendment - Tree Cutting

2. *That Comox Official Community Plan Bylaw 2006, as amended, be given Third Reading.*
(2023.071) -- CARRIED
3. *That Comox Drainage Infrastructure Protection Amendment Bylaw 2007 be given Third Reading.*
(2023.072) -- CARRIED

8. SPECIAL REPORTS: NIL

9. BYLAW ADOPTIONS: NIL

10. NEW BUSINESS:

a. Rezoning Application RZ 18-7 / Development Variance Permit Application DVP 18-6 (1609 & 1617 Birch Avenue)

1609/1617 Birch Avenue

1. *That Comox Zoning Amendment Bylaw 1899 be Adopted.*
(2023.073) -- CARRIED
2. *That Development Variance Permit Application DVP 18-6 be issued, subject to the Development Variance Permit Conditions listed in Schedule 1 of the March 1, 2023 Planning Report on RZ 18-7 and DVP 18-6.*
(2023.074) -- CARRIED
3. *That Town of Comox Subdivision And Development Servicing Amendment Bylaw No. 2015, 2023 be given First, Second and Third Reading.*
(2023.075) -- CARRIED

THE MEETING RECESSED AT 6:06 P.M. AND RECONVENED AT 6:13 P.M.

b. Operating Budget Report

Operating Budget

1. *THAT Council approves the Operational Budget as included in Appendix A of the March 1, 2023 Report to Council from the CAO titled "Operating Budget Report"; and further,*

THAT Council approves the inclusion of two additional fire fighter positions, an Environmental and Development Engineer and an additional Finance staff member in the 2023-2027 Financial Plan.

That the main motion be amended to include the text "and an additional half time Recreation Programmer" before the text "in the 2023-2027 Financial Plan"

(2023.076) -- DEFEATED

*[Opposed: Mayor Minions, Councillors SBlacklock CHaslett
KGrant MSwift]*

b. Operating Budget Report

Operating Budget

2. *THAT Council approves the Operational Budget as included in Appendix A of the March 1, 2023 Report to Council from the CAO titled "Operating Budget Report"; and further,*

THAT Council approves the inclusion of two additional fire fighter positions, an Environmental and Development Engineer and an additional Finance staff member in the 2023-2027 Financial Plan.

(2023.077) -- CARRIED

3. *THAT the following items be moved to the upcoming Strategic Planning discussion:*

4) *THAT Council approves the inclusion of an additional half time Recreation Programmer in the 2023-2027 Financial Plan.*

5) *THAT Council approves the waiving of development fees and/or \$2,500 contribution request from Dawn to Dawn for funding towards the Gukwas sa Wagalus project.*

7) *THAT Council approves the \$15,000 request from the Comox Valley Community Health Network for funding towards phase three of the Substance Use Strategy.*

(2023.078) -- CARRIED

11. NOTICES OF MOTION: NIL

12. CORRESPONDENCE:

- a. **Steve Cowan, C.D., President (Royal Canadian Naval Association): Battle of the Atlantic and Flyby Permission**

Battle of the Atlantic and Flyby Permission

That the February 13, 2023 letter from Steve Cowan of the Royal Canadian Naval Association, requesting permission to hold the annual Battle of the Atlantic ceremony at the Naval Memorial Cairn in Marina Park on Sunday May 7, 2023, be received and permission granted; and further

That Council approve of a low level fly past by a CP-140 Aurora Long Range Patrol aircraft, as low as 500 feet, at 1:25 pm during the two minutes of silence.

(2023.079) -- CARRIED

13. LATE ITEMS: NIL

14. REPORTS FROM MEMBERS OF COUNCIL:

- a. **Councillor Blacklock**

Councillor Blacklock advised that he attended:

- the Comox Business in Action strategic planning session, and
- the monthly Community Justice Centre board meeting.

b. Councillor Swift

Councillor Swift advised that she attended:

- a joint Nautical Days / Filberg Park meeting, and
- the opening of the Return It Kiosk at the Comox Mall.

c. Councillor Haslett

Councillor Haslett advised that he attended:

- the Local Government Leadership Academy,
- a d'Esterre Seniors Centre board meeting,
- a joint Nautical Days / Filberg Park meeting, and
- the opening of the Return It Kiosk.

d. Councillor Kerr

Councillor Kerr advised that he attended:

- the evening session of the Comox BIA strategic planning session,
- former mayor Arnott's celebration of life,
- a joint Nautical Days / Filberg Park meeting,
- a Coalition to End Homelessness meeting, and
- the CVRD recreation commission strategic planning session.

e. Councillor Grant

Councillor Grant advised that he attended:

- the CVRD board meeting,
- the CVRD regional parks committee meeting,
- the CVRD recreation commission strategic planning session, and
- the former mayor Arnott's celebration of life.

f. Councillor Meilleur

Councillor Meilleur advised that she attended:

- the Local Government Leadership Academy,
- the former mayor Arnott's celebration of life,
- a community showing and discussion regarding fentanyl,
- a food policy council meeting,
- the Comox Archives and Museum Society board meeting,
- a Blue Economy Strategy session, and
- a CVRD regional parks committee meeting.

g. Mayor Minions

Mayor Minions advised that she attended:

- the coldest night of the year event,
- the tour of Providence's dementia village,
- the BC Budget announcement,
- the Local Government Leadership Academy,
- the Return It Kiosk opening,
- a meeting with a local developer,
- a meeting with CVRD chair Ketler,
- the Ukrainian one-year rally,
- the former mayor Arnott's celebration of life,
- the regional solid waste management board meeting.

17. RESOLUTION TO GO IN-CAMERA:

a. Exclude the Public

Exclude the Public

That the Public be Excluded from the In-Camera session of Council on Wednesday March 1, 2023 pursuant to the following sub-sections of section 90 of the Community Charter:

(c) labour relations or other employee relations; and

(e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;

(2023.080) -- CARRIED

THE MEETING WAS CLOSED TO THE PUBLIC AT 7:00 P.M.

THE REGULAR COUNCIL MEETING RECONVENED AT 8:09 P.M.

18. RISE AND REPORT FROM IN-CAMERA: NIL

Adjournment:

Regularly moved and seconded that the meeting adjourn at 8:09 p.m.

CARRIED

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

MAYOR

CORPORATE OFFICER



TOWN OF COMOX
Minutes of the Strategic Planning Committee Meeting,
held in Council Chambers on Wednesday March 8, 2023

Present: Mayor N. Minions
Councillors S. Blacklock, K. Grant, C. Haslett,
J. Kerr, J. Meilleur, M. Swift

Absent: Nil

Staff Present: J. Wall, Chief Administrative Officer
S. Russwurm, Corporate Officer
M. Kamenz, Director of Development Services
T. Hagmeier, Recreation Director
S. Ashfield, Director of Operations

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

The Agenda was Adopted.

Mayor Minions acknowledged that the Town of Comox is standing on the Unceded traditional territory of the K'omoks First Nation.

1. DEPARTMENTAL UPDATES:

a. Planning Department Presentation

The Director of Development Services provided background information for the Committee on the Official Community Plan context and direction. The Director also summarized the trends, issues and opportunities with respect to four main, interrelated areas of Comox and reviewed the current major development application process. He concluded with some solutions to concerns regarding the development application review process.

THE MEETING RECESSED AT 6:13 P.M. AND RECONVENED AT 6:23 P.M.

Adjournment:

Regularly moved and seconded that the meeting adjourn at 7:23 p.m.

CARRIED

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

CHAIR

RECEIVED

27Feb23

TOWN OF COMOX

LOG: 23-052	REFER:	AGENDA: RCM 15Mar23
FILE: 5400-09	ACTION: MR	

o - cfile 5400-09
Copies - Council
-JW/SR/SA/LP

From: MARK MCLEAN [REDACTED]
Sent: February 23, 2023 2:32 PM
To: mayorandcouncil <mayorandcouncil@comox.ca>
Subject: Sidewalks

Hi

I want to bring to your attention the conditions of the sidewalks in Comox covered with gravel and debris i have called the Public works department twice and a fella named Craig told me they are waiting for them to be washed away with water what a stupid answer what waiting for a water main to break or a flood.Me and my wife walk 8k everyday and Anderton left side going up was covered with gravel he said they dont normally clean the sidewalks which is hard to believe but you clean the roads.I called back and asked to speak to another person on this matter and never got a call back that was a month ago today. I spoke to a councilor yesterday and he advised me to bring this to your attention you have a beautiful town here and keeping the sidewalks clean i think should be important as lots of people walk everyday

Thanks

Mark McLean [REDACTED]



RECEIVED

TOWN OF COMOX

LOG: 23-053	REFER:	AGENDA: RCM 15Mar23
FILE: 0630-20/20	ACTION: MR	

O-File 0630-20/2023
Copies - Council JW/SR/LP

COMMUNITY EVENT RECOGNITION REQUEST FORM

Organization you are representing:					
Vancouver Island Down Syndrome Society					
Primary purpose of Organization: To provide support, information and opportunities for children and adults with Down syndrome and their families.					Number of members: 25
Mailing address of Organization: 759 Buxton Place			Contact Name: Michelle Hicker		
			Phone: 250-230-7665		
City: Comox		Postal Code: V9M 1A9		Email: info@vidownsyndrome.ca	
Type of Community Event Recognition Requested (choose all that you are requesting):					
<input checked="" type="checkbox"/> Proclamation March 21st, 2023 (Dates – day, week or month)		<input type="checkbox"/> Flag-Raising _____ (Dates - maximum 7 days)		<input checked="" type="checkbox"/> Building Lighting Blue & Yellow (Colours - maximum 2 colours) March 19-23 (Dates - maximum 7 days)	
Purpose of Event Recognition (please check all that apply):					
<input type="checkbox"/> Civic Promotion <input type="checkbox"/> Arts and Cultural Celebration <input checked="" type="checkbox"/> Public Awareness Campaign <input type="checkbox"/> Special Honour of Individual <input type="checkbox"/> Charitable Fundraising Campaign <input type="checkbox"/> Other (specify): _____					
Description of Organization and relevant information related to your request (attach additional page if needed):					
Vancouver Island Down Syndrome Society provides support, information and opportunities for children and adults with Down syndrome and their families. We strive to enhance public awareness and understanding of Down syndrome.					
Has a similar request been submitted in the past five years?					
<input checked="" type="checkbox"/> YES (provide date of previous request): February 2022					<input type="checkbox"/> NO
Describe any special initiatives or events planned in the Town of Comox as part of this Event Recognition:					
The "Lots of Socks" Campaign is to commemorate World Down syndrome day on March 21st.					
Date of application:		Signature of applicant:		Print name:	
19-Feb-2023		Michelle Hicker <small>Digitally signed by Michelle Hicker Date: 2023.02.25 12:04:30 -08'00'</small>		Michelle Hicker	

DRAFT WORDING OF PROCLAMATION TO BE INCLUDED ON REVERSE

Draft wording of Proclamation:

Note, the Town of Comox may revise this wording of the Proclamation. As appropriate, the cause should outline the local significance and demonstrate the local connection and/or how it benefits the majority of the citizens of Comox.

WHEREAS World Down Syndrome Day is an international observance resolved by the General Assembly of the United Nations to raise public awareness of Down syndrome and promote equitable treatment of individuals with Down syndrome in accordance with the Convention on the Rights of Persons with Disability; and

WHEREAS at this time we take an opportunity to highlight the unique abilities, strengths and needs of our community members with Down syndrome; and

WHEREAS individuals with Down syndrome have tremendous potential to live full and fulfilling lives as contributing members of our community; and

WHEREAS as Canadians, we celebrate our similarities, as well as our differences, knowing we are richer, as a result; and

WHEREAS the Town of Comox values our citizens with Down syndrome and their families and supports the well-being of all individuals with Down syndrome so that they may achieve their fullest potential.

NOW KNOW YE THAT, We do by these presents proclaim that March 21st, 2023 shall be known as

World Down Syndrome Day

OFFICE USE ONLY

Request meets Community Event Recognition Policy (YES/NO): ☐ YES ☒ NO

If NO:

- ☒ Group not located in Comox Valley
☐ Event/Request related to ideological or religious beliefs
☐ Event/Request contrary to Town policy or bylaw
☐ Campaign intended for profit-making

Community Flag Raising Dates (max 7 days):

Light-up of Town Hall Dates (max 7 days):

Colours:

Personal information you provide on this form is collected pursuant to Section 26 of the Freedom of Information and Protection of Privacy Act, and this form may be published in its entirety with public meeting agendas, which are also posted on the Town website at <http://comox.ca>. The information is used for processing the Proclamation Request forms. Questions about this collection of information can be made to Town Hall at (250) 339-2202.

RECEIVED
02Mar23
TOWN OF COMOX

LOG: 23-055	REFER:	AGENDA: RCM 15Mar23
FILE: 4020-20/01	ACTION: MR	

o - cfile 4020-20/01
Copies - Council
-JW/SR/LP/KG

From: Sarah Herring <sherring@spca.bc.ca>
Sent: Thursday, March 2, 2023 1:32 PM
Subject: Animal welfare follow-up from the BC SPCA

Dear Mayor and Councillors,

As you settle into your important roles, we once again encourage you to consider how your actions, policies and bylaws can make your communities safer, more caring places for people and animals.

We know that you face many challenges and competing priorities, but we clearly heard through our pre-election priorities survey that animal welfare is top of mind for your constituents. The responses we received from over 13,000 British Columbians demonstrate strong public support for:

- Advocating to the province for more pet-friendly housing
- Creating bylaws to keep exotic animals in the wild
- Restricting the private use of fireworks to protect people and animals
- Providing safe, accessible public parks and trails for dogs
- Reducing human/wildlife conflict by prohibiting wildlife feeding and requiring the proper management of wildlife attractants, and
- Humanely controlling rodents by ending the use of all poisons on local government property

As elected representatives and community leaders, you can create meaningful change in your community and across our province, and we urge you to include animal welfare in that change.

You may be interested to note that the City of Port Moody will be bringing a pet-friendly housing resolution to the Lower Mainland Local Government Association (LMLGA), and we have provided information to help the Regional District of Nanaimo bring an exotic animal resolution to their Board and then the Association of Vancouver Island and Coastal Communities (AVICC). We hope you will support these resolutions at the regional level and again at the UBCM Convention in September and consider bringing your own resolutions for animal welfare issues of concern in your community.

Please don't hesitate to contact me if you have questions about the BC SPCA's programs and services, or if you would like help enhancing your policies and bylaws – we are always happy to provide support and advice.

We also hope we'll have a chance to meet you at this year's Higher Ground Conference, UBCM Convention and Housing Central Conference.

Thank you,
Sarah

Sarah Herring

(she/her)

**Government Relations Officer
and guardian to Oggie**

BC SPCA

1245 East 7th Avenue, Vancouver BC

604-306-3532

sherring@spca.bc.ca • spca.bc.ca

Animal Helpline: 1-855-622-7722



Respectfully acknowledging that I work on, and this email was sent from, the unceded traditional territory of the WSÁNEĆ (Saanich) and Lək̓ʷəŋən (Lekwungen) People of the Songhees and Xwsepsum (Esquimalt) Nations whose historical relationships to the land continues today.

OUR MISSION: To protect and enhance the quality of life for domestic, farm and wild animals in British Columbia.

The BC SPCA is a not-for-profit organization reliant on donations from the public. Charitable Tax # BN 11881 9036 RR0001

This message and any attachments or links are for the sole use of the intended recipient(s) and may contain privileged and confidential information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please notify us immediately and destroy the original message. Thank you.



YOU CAN ADVOCATE FOR PET-FRIENDLY HOUSING

British Columbia is in a housing crisis, and finding a home that allows pets is even more difficult. Vulnerable people that need a pet's companionship the most often have the hardest time.

The BC SPCA's mission is to enhance the quality of life for domestic, farm and wild animals in British Columbia.

Have questions about how you can improve animal welfare in your community?

Contact us at:
1-855-622-7722

animalbylaws@spca.bc.ca



The BC SPCA respectfully acknowledges that we live, work and play on the unceded traditional territories of the numerous and diverse First Nations within British Columbia.

We express our gratitude to all Indigenous communities - First Nations, Métis and Inuit - for stewarding and sharing this land.

BCSPCA
SPEAKING FOR ANIMALS

spca.bc.ca



WHY IS THIS AN ISSUE?

Most pet owners consider their animals an important part of their family, and research has proven that pets improve our physical, mental and emotional health and well-being. However, many families have to make the heartbreaking choice between keeping their pets and finding a place to live. Approximately 25% of all cats and dogs surrendered to the BC SPCA (totaling more than 11,000 animals and families over the past eight years) are victims of a lack of pet-friendly housing.

Already vulnerable populations, including those earning low incomes, young people, seniors and women are disproportionately impacted by the lack of pet-friendly housing across the province - and these are the very people who often rely on the love and support of their pets the most.



WHAT CAN WE DO?

Although local governments are not primarily responsible for housing, you can call on the provincial government to increase the availability and affordability of pet-friendly housing in your community and across British Columbia. You can also work with MLAs, housing developers, non-profit housing providers and landlords in your community to advocate for more pet-friendly housing and find creative solutions that protect families with pets as well as landlords and stratas.



WHO ELSE HAS TAKEN ACTION?

Ontario's Residential Tenancies Act does not allow landlords to include "no pet" clauses in rental agreements or to charge additional pet deposits on top of regular damage deposits. In 2020, the City of Vancouver passed a motion to ask the province to prohibit "no pet" clauses in rental contracts in B.C.



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YOU CAN REDUCE CONFLICTS BETWEEN PEOPLE & WILDLIFE

The most effective way to solve wildlife conflicts is to prevent them before they happen. Feeding wild animals is harmful and dangerous for us and them.

? WHY IS THIS AN ISSUE?

When wild animals eat human food instead of their natural diet, their health suffers. If they come to rely on us for food, it can disrupt their natural movement and migration patterns and lead to the spread of disease. Wild animals who regularly interact with humans lose their healthy sense of fear and can become a nuisance and a public safety concern.

Even if feeding isn't intentional, wildlife can be attracted to our neighbourhoods by improperly stored garbage, compost, bird feeders, dirty barbecues, pet food, and fruit in trees or on the ground. Get more information about the dangers of feeding wildlife [here](#).

The B.C. Wildlife Act only prohibits the feeding of dangerous wildlife such as bears, cougars, coyotes or wolves, leaving local governments to regulate the feeding and management of attractants for other wildlife species.



WHAT CAN WE DO?

You can personally refrain from feeding wild animals, make sure you properly manage your garbage, compost, gardens and barbecues and encourage your friends and neighbours to do the same.

As a local government, you can adopt bylaws that prohibit intentional feeding and require proper storage and management of attractants.



WHO ELSE HAS TAKEN ACTION?

District of Tumbler Ridge:	City of Vancouver:	City of Coquitlam:
Bylaw No. <u>692</u>	Bylaw No. <u>13321</u>	Bylaw No. <u>4284</u>

Find more BC SPCA-recommended progressive bylaws [here](#).



YOU CAN HELP HUMANELY CONTROL RODENTS

Even though rodents and other wild animals can pose a health risk or be seen as a nuisance, they don't deserve to be treated inhumanely.

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WHY IS THIS AN ISSUE?

Each year, millions of rodents and other animals suffer cruel deaths from inhumane pest control methods like glueboards and poison. Rodents trapped on glueboards often die slowly from suffocation, dehydration or exposure. Birds, small animals such as squirrels or chipmunks, and cats can also be trapped and die on glueboards.

Rodent poisons (rodenticides) cause a slow, painful death and can also kill owls, eagles, cats and dogs who eat poisoned rodents or the poison itself.

Thanks to action by thousands of animal welfare supporters and over 20 B.C. municipalities, the provincial government announced a temporary ban on three specific second-generation anticoagulant rodenticides in July of 2021, then a permanent ban set for January 21, 2023. Find out more [here](#).



WHAT CAN WE DO?

You can personally take steps to rodent-proof your home, car or office, use AnimalKind standards to humanely control nuisance wildlife and encourage your friends and neighbours to do the same. As a local government, you can adopt policies to ban the use of all types of harmful rodenticides and glueboards on all municipal property and educate your residents on humane methods of rodent control.



WHO ELSE HAS TAKEN ACTION?

At least 23 B.C. municipalities (listed [here](#)) have passed motions or bylaws to ban all rodenticides (not just second-generation anticoagulants) on all municipal property to focus on prevention, exclusion and humane control.

Find more BC SPCA-recommended progressive bylaws [here](#).

YOU CAN PROTECT ANIMALS & PEOPLE FROM FIREWORKS

Fireworks might seem like harmless entertainment, but they can have far-reaching and long-lasting impacts on animals, people and the environment.



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WHY IS THIS AN ISSUE?

Exploding fireworks can terrify pets, farm animals and wildlife. Frightened animals are more likely to panic, try to escape or act uncharacteristically. This may mean pets bolting through doors and into traffic, farm animals trampling through fences and breaking limbs, and wildlife flying into buildings or abandoning vulnerable young.

Fireworks can also injure and traumatize people, including those with sensory issues and PTSD, veterans, and survivors and witnesses of gun violence. Structure fires and wildfires can be sparked by fireworks, particularly in dry conditions. Toxic chemicals and debris from fireworks can contaminate air, water and soil, and the debris that's left behind can be eaten by wildlife or domestic animals.

Learn more about the dangers of fireworks [here](#).



WHAT CAN WE DO?

You can personally refrain from setting off fireworks and encourage your friends and neighbours to do the same. You can also keep your pets safe indoors on nights when fireworks are usually set off.

As a local government, you can adopt bylaws to prohibit the sale of fireworks and control when and where fireworks can be set off. You can also prohibit the use of fireworks or require permits and proper training and certification.



WHO ELSE HAS TAKEN ACTION?

City of Vancouver:
Bylaw No. 12472

District of Saanich:
Bylaw No. 8865

City of Mission:
Bylaw No. 1706

Find more BC SPCA-recommended progressive bylaws [here](#).



YOU CAN HELP KEEP EXOTIC ANIMALS IN THE WILD

Exotic animals suffer when they're captured, kept, bred in captivity and sold as pets or entertainment. Removing them from the wild, and releasing them in B.C., damages sensitive ecosystems.

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WHY IS THIS AN ISSUE?

Exotic animals are wild animals; they haven't been domesticated over thousands of years like cats or dogs. Even generations of captive breeding does not remove their wild instincts and needs. They suffer in captivity and most people don't have the resources or knowledge to fully meet their physical, behavioural and psychological needs.

Removing exotic animals from their natural habitat damages fragile ecosystems and can threaten the survival of wild populations. When they're released in B.C., they can harm our ecosystem and threaten native wildlife. Exotic animals can also transfer serious diseases to humans or other animals, and injure their owners. Learn more about the problem with exotic pets [here](#).

The B.C. Wildlife Act only regulates the most dangerous exotic animals as Controlled Alien Species, leaving local governments to deal with other exotic species such as serval cats, kangaroos, ball pythons, parrots and turtles.



WHAT CAN WE DO?

You can personally choose not to keep exotic pets or support businesses that display or sell them, and educate others about the exotic pet trade. As a local government, you can adopt bylaws that prohibit keeping, breeding, selling and displaying exotic animals and their hybrids.



WHO ELSE HAS TAKEN ACTION?

City of Courtenay:
Bylaw No. 1897

City of Fort St. John:
Bylaw No. 2527

Ahousaht First Nation:
Bylaw No. 2019-01

Find more BC SPCA-recommended progressive bylaws [here](#).



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YOU CAN PROVIDE PUBLIC SPACES FOR DOGS

Safe, accessible dog-friendly spaces, especially in higher density neighbourhoods, can be important places for dogs and people to exercise and socialize outdoors.



WHY IS THIS AN ISSUE?

Increasing rates of pet ownership and increasing density in our neighbourhoods mean there is less private space for dogs (like personal backyards). This has created a growing demand for safe, accessible, dog-friendly public spaces. Research has shown that pets contribute to their owner's mental, physical and emotional health, so making communities more welcoming for dogs is also an investment in people's health and well-being.

Dog-friendly public spaces can be a great place for well-socialized dogs and their owners to exercise, enjoy the outdoors and socialize with other dogs and people. Designated off-leash areas can reduce conflicts with other park users, reduce unsanctioned off-leash activity in more sensitive areas and protect wildlife.



WHAT CAN WE DO?

You can talk to your friends, neighbours and dog owners in your community to find out what spaces they use and value, and what else might be needed.

As a local government, you can analyze access to and distribution of safe, accessible dog-friendly spaces throughout your community and allocate land and financing to develop more spaces where needed.



WHO ELSE HAS TAKEN ACTION?

The City of Vancouver adopted its People, Parks and Dogs: A Strategy for Sharing Vancouver's Parks in 2017.

The District of Saanich is currently developing a People, Pets and Parks strategy.

Local Leadership United (LLU):

Elected officials are invited to participate in a facilitated dialogue about healthy communities & the overdose crisis.

Dear Representatives and City Staff,

We recognize that local governments are uniquely positioned to lead public conversations and galvanize efforts to reduce substance-related harms in their communities. Great work has been happening at the local level to respond to the Overdose/Poisoned Drug Crisis, alongside other major challenges (i.e. homelessness, COVID-19, climate events). To support your community's ongoing efforts, elected officials are invited to participate in a regional convening of local governments and local health resources from your region.

This free event is part of a provincial project delivered through a partnership between Community Action Initiative (CAI) and the British Columbia Centre for Disease control (BCCDC). Since April 2022, Local Leadership United (LLU) has engaged 29 local governments across BC at in-person dialogue events. LLU also presented at the UBCM AGM, the Metro Vancouver Mayor's table, and is providing training to bylaw, other first responders and service providers across the province. Facilitated by a team of experienced harm reduction & community health educators, LLU dialogues provide a supportive, safe-space for leaders who are interested or engaged in harm reduction and overdose prevention efforts to grow their knowledge, skills, and to network with the local resources who can support their work. We also discuss how harm reduction is interconnected with local government mandates and an approach that supports success with respect to larger goals (i.e., public safety, homelessness).

An agenda is attached below.

"I have learned how much I don't know. I am so proud of all the work happening in our community and know we can get through this together" – City Councillor at close of the LLU Northeast event

"It has been so supportive to have a third party hold neutral, safe space for these tough conversations. Relationships have been formed and strengthened, and we are excited for where new partnerships will take us" – Partners at Fraser Health after three LLU events in the region

Date: March 29th, 2023, 10:00am -4:00pm

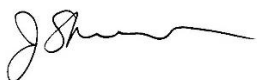
Location: Old House Hotel & Spa, 1730 Riverside Lane, Courtenay, BC, V9N 8C7

Link to register (space is limited): [LLUCourtneyComox.eventbrite.com](https://llucourtneycomox.eventbrite.com)

We can offer \$0.68/km in mileage to cover travel to and from the event. Should you have any questions or wish to discuss the project further, please reach out to our Project Coordinator, Noah Chalifoux, nchalifoux@caibc.ca.

Thank you for taking the time to read this invitation and we hope to see you at our event!

Most sincerely,



LOG: 23-056	REFER:	AGENDA: RCM 15Mar23
FILE: 0220-30/23	ACTION: MR	

o - cfile 0220-30/23
Copies - Council
- JW/SR/LP

Janine Stevenson,
Director of Strategic Initiatives & Special Projects, Community Action Initiative (CAI)

Local Leadership United (LLU): Regional Dialogue

Healthy Communities and the Overdose Crisis

Agenda

Coffee & Light Breakfast Welcome (10:00-10:15)

Introductions

Update on the Provincial Overdose Crisis/Response

History of Prohibition

Harm Reduction – What've you heard?

Introduction to Local Resources

Lunch & Networking Time (12:00)

How does Harm Reduction fit into your Larger Mandates?

Protected Strategy & Networking Time with Local Resources

Closing Circle (end by 4:00)



LLU

Local Leadership United

RCM AGENDA MAR 15, 2023

Harm Reduction & Overdose Prevention

*Supporting Locally-Driven
Wellness, Across BC*

Get in touch:

nchalifoux@calb.ca

PAGE 29



British Columbia
Communities in Bloom

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FEB 23 2023

TOWN OF COMOX

LOG: 23-059	REFER:	AGENDA: RCM 15Mar23
FILE: 5830-01	ACTION: file	

February 16, 2023

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

o - cfile
Copies - Council
-JW/SA

Her Worship Nicole Minions, Mayor, Town of Comox and Council,

RE: BC Communities in Bloom Invitation

We would like to invite the Town of Comox to participate in this year's Provincial Edition of the British Columbia Communities in Bloom program.

In the past few years, we have seen significant changes in society's expectations for, and usage of, our outdoor environments. Communities in Bloom encourages participants from across BC and Canada to develop civic pride, mitigate and adapt to the impacts of climate change, enhance green spaces, strengthen neighborhoods, in addition to increased investment opportunities and tourism.

Your community:

- Will benefit from how the CiB program creates opportunities to network and celebrate your community's best features.
- Provincial edition is the entry point for future national competition.
- Will be invited to apply for grants offered by our sponsors and partners.
- Have the option to participate in evaluated or non-evaluated categories.
- Evaluated participants are eligible for special recognition awards in addition to the Bloom ratings awarded.

Please check out our website at www.bccib.ca or contact our provincial coordinator at c.kennedy@telus.net for more information.

Please see the enclosed 2023 Registration form for program options, benefits and fees.

Sincerely,

Catherine Kennedy
Program Coordinator
604 576-6506







British Columbia
Communities in Bloom

BC Communities in Bloom 2023 PROVINCIAL EDITION Registration Form

**EVALUATED
REGISTRATION
DEADLINE:
April 14, 2023**

MUNICIPALITY (PLEASE PRINT)		TOTAL POPULATION	MAYOR
NAME OF MUNICIPAL CONTACT		POSITION / TITLE	
ADDRESS		CITY	POSTAL CODE
()			
PHONE		MUNICIPAL CONTACT EMAIL	
NAME OF COMMUNITY CONTACT OR LOCAL CiB CHAIR		WEBSITE ADDRESS FOR COMMUNITY	
()			
PHONE		COMMUNITY CONTACT/CHAIR E-MAIL	
PROGRAM OPTIONS (indicate your level of participation)		REGISTRATION FEE Based on Population Size:	
<input type="checkbox"/> GROW - MODIFIED EVALUATION - 3 Criteria NEW PROGRAM OPTION! <input type="radio"/> Beautification <input type="radio"/> Conservation <input type="radio"/> Other Combo Results are based on an in-person evaluation. More information on page 2. Community is awarded a Certificate and Report. Eligible to win a Criteria Award or the NEW Volunteerism Award		<input type="checkbox"/> Up to 1000 - \$ 375 <input type="checkbox"/> 1001 to 2000 - \$ 450 <input type="checkbox"/> 2001 to 5000 - \$ 500 <input type="checkbox"/> 5001 to 10,000 - \$ 600 (Plus 5% GST) <input type="checkbox"/> 10,001 to 20,000 - \$ 700 <input type="checkbox"/> 20,001 to 50,000 - \$ 800 <input type="checkbox"/> 50,001 to 100,000 - \$ 925 <input type="checkbox"/> 100,000+ - \$1150 (Plus 5% GST)	
<input type="checkbox"/> BLOOM - FULL EVALUATION - 6 Criteria Results are based on an in-person evaluation. More information on page 2. Community is awarded a BLOOM RATING and 18-page Report. Eligible to win a Criteria Award or the NEW BEST OF BC Award		<input type="checkbox"/> Up to 1000 - \$ 500 <input type="checkbox"/> 1001 to 2000 - \$ 600 <input type="checkbox"/> 2001 to 5000 - \$ 675 <input type="checkbox"/> 5001 to 10,000 - \$ 800 (Plus 5% GST) <input type="checkbox"/> 10,001 to 20,000 - \$ 925 <input type="checkbox"/> 20,001 to 50,000 - \$1025 <input type="checkbox"/> 50,001 to 100,000 - \$1225 <input type="checkbox"/> 100,000+ - \$1525 (Plus 5% GST)	
<input type="checkbox"/> FRIENDS - NON-EVALUATED - Half of Full Evaluation Registration Fee based on population size noted above. Recognition category for past CiB communities who do not want an evaluation but want to continue showing their support for their CiB initiatives and the BC Communities in Bloom provincial program.			
AMOUNT ENCLOSED		Population Fee + 5% GST = \$ GST # 8446 03670 RT0001	
PLEASE INVOICE US AT		<input type="radio"/> Above Address or	
MAIL FORM & FEE TO		BC Communities in Bloom 19951 Fraser Highway, Langley, BC V3A 4E2 ← Please note updated info	
OR PAY BY CREDIT CARD at WWW.BCCIB.CA		NOTE: Please email completed form to Catherine at c.kennedy@telus.net	
CANCELLATION POLICY		Before May 15th a \$50.00 fee may be charged, after that, all registration fees are non-refundable.	
CONTACT		Catherine Kennedy, Executive Director c.kennedy@telus.net (604) 576-6506 www.bccib.ca	

EVALUATED OPTIONS		
GROW Modified Evaluation – 3 Criteria Only Awarding Levels <ul style="list-style-type: none"> • Open to first time, smaller or returning municipalities who want a simpler CiB option. • Participants may choose any 3 criteria to be evaluated OR choose a theme. • Expect to provide 1-night accommodation for pair of judges. (5-hour tour day) <div> <div>  BEAUTIFICATION <ul style="list-style-type: none"> - Community Appearance - Landscape Areas - Plant & Floral Displays </div> <div>  CONSERVATION <ul style="list-style-type: none"> - Environmental Action - Heritage Conservation - Tree Management </div> </div>		ELIGIBLE TO WIN A CRITERIA AWARD OR (New this year) <u>VOLUNTEERISM</u> AWARD
BLOOM Full Evaluation – 6 Criteria Awarding 1 to 5-Blooms <ul style="list-style-type: none"> • 5-Bloom winners receive a Street Banner. • Open to any size Municipality wanting the full program experience and its many benefits. • Communities gain social value from the community involvement elements of the program. • Entry point for National and International Communities in Bloom competition. • Expect to provide 2-nights accommodation for a pair of judges. (2-hr first day, 7-hr tour day) <div>  </div>		ELIGIBLE TO WIN A CRITERIA AWARD OR (New this year) <u>BEST OF BC</u> AWARD 
COMMUNITY RECEIVES: <ul style="list-style-type: none"> ▪ Getting Started Package of Information. ▪ Evaluation by a pair of trained BC CiB Judges. ▪ Evaluation Report with Comments & Suggestions. ▪ Rating Certificate (Blooms only for full evaluated program). ▪ 5-Bloom Winners receive a special Street Banner. ▪ Profile on newsletter, press releases, www.bccib.ca website and Gardens BC tourism website. 		PROGRAM BENEFITS: <ul style="list-style-type: none"> ▪ Strengthens community pride for residents and businesses ▪ Collaborative, creates opportunities to celebrate volunteers ▪ Enhances enjoyment and value of green spaces ▪ Highlights climate action initiatives ▪ Contributes to a healthy social & economic lifestyle ▪ Profile for best features of the Community ▪ Measurable results with year over year benefits
ADDITIONAL DETAILS: <ul style="list-style-type: none"> • Grow a local 'in Bloom' committee to build collaboration with residents, businesses, service clubs and a municipal rep. (Councillor, Public Works, Administration or Parks & Recreation staff). • Plan to meet online mid-season with Provincial CiB Judges with a Virtual Check Up on how to support your CiB efforts. • Develop a basic budget to cover registration fee and to create community wide CiB awareness projects, i.e.: parades, tidy up days. Consider planning some fundraising events too. Document volunteer contributions. • Create a Community Profile Document outlining the community's achievements. Plan a judge's tour to view community in the 3 or 6 evaluation criteria. (Once registered, additional information is provided in the Getting Started Package). • Host 2-judges in 2nd or 3rd week of July (TBC), in separate rooms (Hotel, B&B or Billeting if certain conditions can be met), with meals during evaluation day. • Communities will be presented a Certificate and a Report at the Provincial Awards in the fall. (Event details to be confirmed) • Evaluating three or six criteria, the report creates a benchmark score to celebrate successes and for future improvements. 		
NON-EVALUATED OPTIONS		
FRIENDS For communities that want recognition for ongoing CiB initiatives but want to take time off from evaluation. Bonus: this category is encouraged to provide a Showcase Project.		
SHOWCASE PROJECT (requires separate form) Recognition program for individuals, communities, and neighbourhoods of all sizes. Showcase a place or space and how you are using CiB to make a better community, and world. Acknowledge your volunteers.		
MEMBERSHIP (requires separate form) – www.bccib.ca The BC CiB organization represents all areas of the province, if you would like more information about becoming a director or a judge, please contact Catherine at c.kennedy@telus.net . \$20/year includes the Monthly Newsletter!		



Vision

To inspire all communities to enhance the quality of life and our environment through people and plants in order to create community pride.

About us

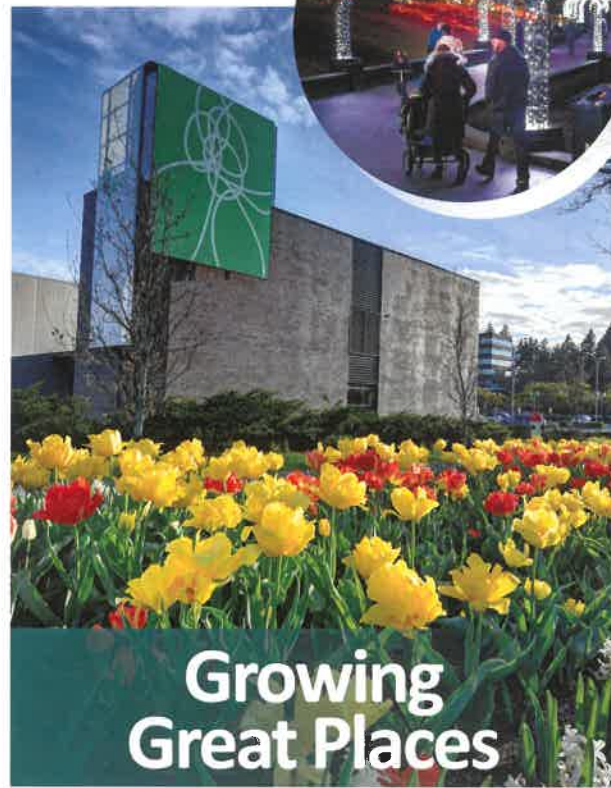
For the past 27 years, Communities in Bloom has helped participating communities develop civic pride, mitigate and adapt to the impacts of climate change, enhance green spaces, strengthen neighbourhoods, and increase investment opportunities and tourism.

It is a comprehensive proven approach to community development and its positive benefits are felt immediately!

900+
REGISTERED
COMMUNITIES

4,400+
LOCAL
VOLUNTEERS

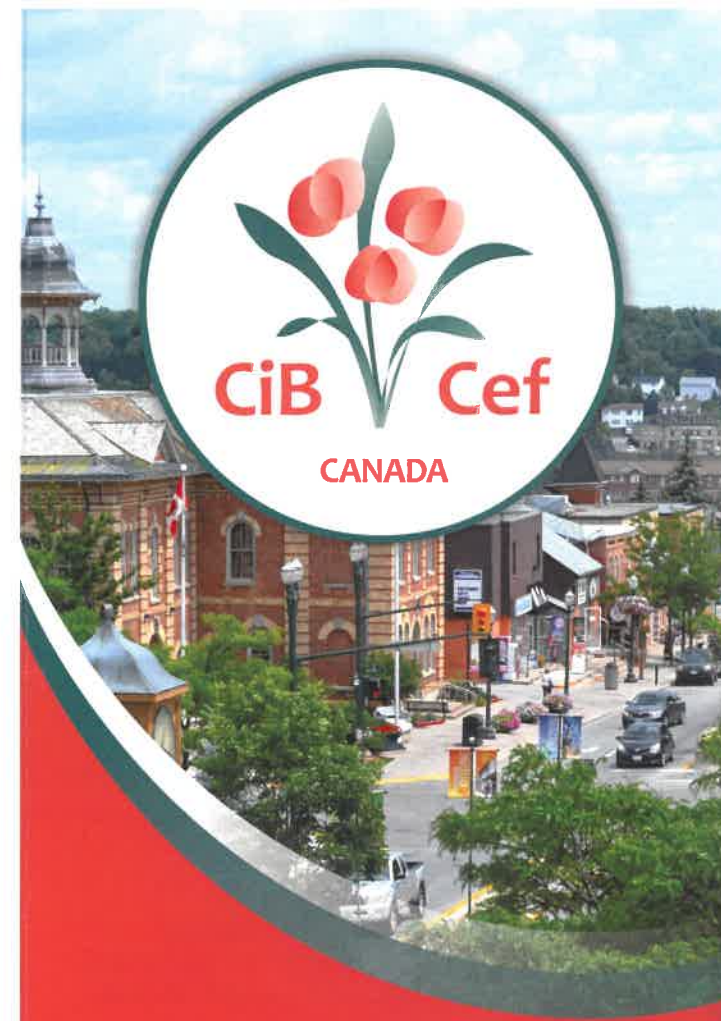
RCM AGENDA MAR 15, 2023



Growing Great Places Together



7856 Fifth Line South, Milton ON L9T 2X8
Tel. (514) 694-8871
communitiesinbloom.ca // collectivitesenfleurs.ca
Email. bloom@cib-cef.com



Growing Great Places Together



communitiesinbloom.ca

PAGE 33

Join Communities in Bloom

CiB participation provides practical solutions to help mitigate and adapt to the impacts of climate change. The program is designed to encourage continuous improvement in all aspects of your community.

Who are we?

Established with the guidance of Britain in Bloom, Tidy Towns of Ireland, and Villes et Villages Fleuris de France, Communities in Bloom held its first edition in 1995 and 29 participating municipalities were honoured at the first awards ceremony on Parliament Hill.

The program now includes hundreds of communities across Canada and an international challenge which has engaged communities from the United States, Europe and Asia over the past three decades.

What do we do?

CiB is a volunteer and partnership driven charitable organization. A multi-tiered competitive evaluation process engages the entire municipality while placing an emphasis on continuous improvement.

The program helps the community to focus on:

- Developing green infrastructure to help adapt to, and mitigate, the impacts of climate change
- Connecting more people to nature which contributes to creating healthier communities
- Strengthening and conserving natural, built, and cultural heritage

Six criteria are judged : *Community Appearance, Environmental Action, Landscape, Heritage Conservation, Tree Management, and Plant and Floral Displays.*

What's in it for the community?

Participating communities unanimously agree! Growth in civic pride, a positive sense of community, and tangible improvements generated by their efforts are immediately felt.

Communities in Bloom is an holistic community program where everyone wins. It is a citizen-led, community economic development program, with a return on investment that is measurable, predictable and accountable.

United to build forward.

In 2020, **Communities in Bloom** united with the **Canadian Nursery Landscape Association (CNLA)** a national not-for-profit federation of provincial horticultural trade associations representing over 4,000 members with landscape, garden centre, and nursery businesses.

This strategic alliance will help municipalities educate the public on the value of protecting our environment, while also showcasing their achievements and fostering civic pride throughout Canada and around the world.



Discover more at
communitiesinbloom.ca

RECEIVED

06Mar23

TOWN OF COMOX

LOG: 23-060	REFER:	AGENDA: RCM 15Mar23
FILE: 5600-01	ACTION: MR	

Copies - Council
-JW/SA

From: FLOYD TROTTER [REDACTED] a>
Sent: Monday, March 6, 2023 10:00 AM
To: Town of Comox – Administration <town@comox.ca>
Subject: sewerline project

Mayor Minions & Council members, attached for your consideration is an 11th hour new Canadian Green technology that could replace the conveyance overland sewer-line project. This proven technology would solve the environmental issues, eliminate the 2 year construction impacts and most importantly cost less than \$20 millions thus saving the Comox Valley taxpayers over \$80 million.
Website LegacyWatercare.com

Respectfully

Floyd Trotter
[REDACTED]

BC [REDACTED]

FYI 3rd generation CV Pioneer family

LEGACY WATERCARE

INNOVATIONS



RECYCLING & REUSE



INDUSTRIAL & MUNICIPAL TREATMENT



PATENTED TECHNOLOGY

Resource recovery from wastewater in the form of reusable water, biosolids, biogas and other resources, such as nutrients, representing an economic and financial benefit that contributes to the sustainability of water supplies and sanitation systems.

The LCR reduced up to 70% of TSS during testing with out the aid flocculant nor coagulant. Discharge TSS levels were measured as low as 1 NTU.

At Legacy Watercare we aim to...

- Deliver solutions to improve treatment and TSS removal process
- Offer cost-effective treatment with Legacy Clarification Reactor (LCR)
- Provide unparalleled attention to customer satisfaction
- Conduct ongoing research with scientific experts to solve wastewater issues
- Help clients meet government regulations and requirements
- Distribute Nanotech system products inspired by nature and its cycles
- Tailoring precise treatment plans specific to each project



Image from 2022 demonstration:
Sludge (left)
Clean Water discharge (right)

Quick Facts about the Legacy Clarification Reactor (LCR):

- Proprietary wastewater clarification ideal for in situ processes
- Optimizes existing infrastructure that requires improved wastewater treatment
- Also can operate as a stand-alone TSS removal solution with sludge sent to a dewatering process
- Designed with a redundant feature that allows the system to recycle water if the clarity does not meet control level
- Cleans wastewater and treats it with a custom chemistry
- Technology is focused on science and engineering best practices
- Fully certified with CRN and ASME approvals
- Fully Automated using a PLC / HMI for ease of monitoring, on site or remotely
- Products recommended to suit each specific plant



LEGACY WATERCARE
INNOVATIONS

Jeff Yorga
FOUNDING PARTNER
Managing Director | Sales Division

+1 (306) 510.0280

RCM AGENDA MAR 15, 2023

✉ jyorga@legacywatercare.com

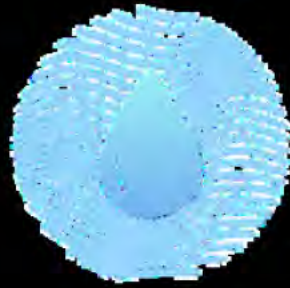
PAGE 37



LCR1 Dimensions 6' X 18' Vessel | with Outer Building 10' X 28'
CAPACITY: Up to 1,500 m³ / day = 400,000 US gallons / day

The Legacy Clarification Reactor (LCR) modular and portable prototype is available for demonstration today! The LCR's design has been engineered to remove total suspended solids (TSS), providing cleaner water, faster than traditional applications. The advanced fluid treatment process removes up to 70% of suspended solids from wastewater without chemical. If higher percentages are required, no problem! Introducing products like coagulants and flocculants will accelerate standards. The enclosed design ensures safe air quality for operators and the public.

High-performance, cost-efficient, sustainable solutions will be a catalyst for the wastewater clarification industry. The LCR's small footprint and efficient treatment results in both capital and operational cost savings.



INCLUDED IN STANDARD

- Corrosion resistant coated clarifier vessel and piping
- Fully enclosed vessel and piping - no odours or vapors
- Engineered and certified vessel and piping
- Stamped engineered drawings for electrical and mechanical
- Washdown rated equipment
- CSA certified PLC control panel
- Variable speed controls for all motors

INSTRUMENTATION:

- Influent TSS, pressure, temp, flow, pH, and turbidity
- Effluent TSS, pressure, temp, flow, pH, and turbidity

SAFETY FEATURES:

- Redundant pressure safety relief/shutdown
- Optional H₂S and explosive gas monitoring system
- Automated contaminated water recycling system
- Automated fail-safe emergency shutdown system
- Automated effluent flow-restriction detection

AVAILABLE OPTIONS:

- All-weather buildings
- Chemical dosing skid with chemical storage
- Variable speed chemical dosing pumps
- Chemical barrel stands
- Multiple clean water analyzers
- Remote access and call out system
- Continuous H₂S and explosive gas monitoring system
- Automated data logging and automatic sampling

Reactor Specificaitons	
Model	LCR-1
Pump / Motor	20 hp
Flow Rate	0 to 1500 m ³ day / 275 US GPM
Operating Volume	12 m ³
Influent/Effluent/Sludge Nozzels	4" / 4" / 3"
Footprint Dimensions (LxWxH)	28' x 10 x 13'7"
Shipping Dimensions (LxWxH)	32' x 12' x 13'7"
Approximate Shipping Weight	9500 Kg
Approximate Operating Weight	25500 Kg

07Mar23

TOWN OF COMOX

**HELP
CITIES
LEAD**



**CLIMATE
CAUCUS**

March 7, 2023

LOG: 23-063	REFER:	AGENDA: RCM 15Mar23
FILE: 5280-14	ACTION: MR	

Re: Help Cities Lead – report back to supporting Councils

o - cfile 5280-14
Copies - Council
-JW/MK/SA/LP

Dear Mayor and Council,

In 2021 your Council passed a resolution endorsing the Help Cities Lead campaign. Help Cities Lead is an education and awareness campaign working to build support for more focused collaboration between the Province of British Columbia and local governments on climate policy related to buildings. The group is a coalition with [Climate Caucus](#) and other environmental organizations. The Help Cities Lead campaign has received widespread support from local governments in British Columbia. We appreciate your support and want to provide an update on the campaign, the work that we have done, and the progress that has been made.

Help Cities Lead believes that allowing for local government leadership is critical to developing innovative policies and programs to achieve deep emissions reductions from the building sector throughout the province. We saw that the tools available to local governments to pursue these critical reduction targets were largely limited to information campaigns and incentives which were insufficient to achieve broad and deep energy and GHG reductions at scale and in a timeline that is consistent with many local government's climate plans. The Help Cities Lead campaign identified a suite of five measures that would enable local action on reducing GHG emissions from new and existing buildings:

- Regulating GHG emissions for new buildings
- Regulating GHG emissions for existing buildings
- Home energy labelling
- Building energy benchmarking and reporting
- Enabling legislation for a low interest retrofit loan program known as PACE (Property Assessed Clean Energy)

As we advocated for these policy changes, Help Cities Lead received strong support from local governments across BC. We received endorsements from 38 local governments from Kitimat to

Metro Vancouver. Additionally, our work was supported by UBCM - a resolution of support was passed in 2021 with the endorsement of the UBCM executive.

To date Help Cities Lead has resolutions of support from the following:

AVICC	Bowen Island, Municipality	Comox, Town
Comox Valley RD	Courtenay, City	Cumberland, Village
Fernie, City	Gibsons, Town	Golden, Town
Highlands, District	Kitimat, District	Ladysmith, Town
Langley, Township	Lions Bay, Village	LMLGA
Maple Ridge, City	Metro Vancouver	Nanaimo, City
New Westminster, City	North Cowichan, Municipality	North Saanich, District
North Vancouver, City	North Vancouver, District	Oak Bay, District
Port Moody, City	Powell River, City	Rossland, City
Saanich, District	Sidney, Town	Squamish, District
Summerland, District	Ucluelet, Resort Municipality	UBCM
Vancouver, City	Victoria, City	West Vancouver, City
Whistler, Resort Municipality		

With that support in hand, we requested meetings with the relevant ministers. We had productive meetings with: then Minister of Municipal Affairs, Josie Osborne (and later with then Minister of Municipal Affairs, Nathan Cullen); Minister of Environment and Climate Change Strategy, George Heyman; then Minister of Energy Mines and Low Carbon Innovation, Bruce Ralston; and then Attorney General and Minister responsible for Housing (now Premier) David Eby.

In the wake of those meetings, we wanted to provide an update on the status of our policy requests:

1. Regulating GHG emissions for new buildings
 - a. New standards take effect May 1, 2023
 - i. Zero Carbon Step Code: The Zero Carbon Step Code enables local governments to “opt-in” to require that new buildings in their community meet certain emissions requirements by referencing them in their building or zoning bylaws. The Province recently signed this regulation, which comes into effect May 1, 2023.
Learn more about how to implement the new Zero Carbon Step Code tool in your own community here: [BC Energy Step Code requirements | Energy Step Code](#)

- ii. Two Pathways Approach: In the interim, prior to the Zero Carbon Step Code becoming available, some local governments have implemented a two pathways approach where applicants can elect to meet a lower level of the BC Energy Step Code than is generally required in exchange for installing a low carbon energy system that meets specific GHG criteria.

2. Regulating GHG emissions for existing buildings

- a. BC Existing Buildings Renewal Strategy: Through the [CleanBC Roadmap to 2030](#), the Province committed to introducing an alterations code for existing buildings by 2024. The Existing Buildings Renewal Strategy will include more details on the alterations code and develop a path for today's buildings to become more energy and water efficient, cleaner, and safer for British Columbians during events like earthquakes, wildfires and wildfire smoke, heat waves, drought, and floods. Phase 1 of engagement was completed in the fall of 2019 and Phase 2 was completed in the fall of 2021. It is expected that the alterations code will be focused on prescriptive efficiency improvements and harmonized with the national model building code. The draft Strategy is expected to be released later this year.
- b. Highest Efficiency Equipment Standards: Through the *CleanBC Roadmap to 2030*, the Province committed to introducing standards that will require all new space and water heating equipment sold and installed in B.C. to be at least 100% efficient after 2030. This will drive the market towards electrification and hybrid systems (e.g. heat pump with gas backup) and limit the installation of stand-alone fossil-fuel fired furnaces and boilers. A first round of engagement was conducted in fall 2022, and more details are anticipated in 2023. This policy will have a significant impact on reducing emissions over the coming decades; however, municipalities are calling on the Province to accelerate timelines for certain market segments (e.g. part 9 homes in climate zone 4) or provide authority for municipalities to move ahead of provincial regulation so that the policy may help achieve 2030 targets.
- c. Local Initiatives: Communities in BC have developed their own strategies to address emissions from existing buildings within their limited authority such as [concierge retrofit programs](#) to support homeowners as they move through the retrofit progress, and revitalization of tax exemptions for low emission and/or resilient retrofits. These and other initiatives support the anticipated Existing Buildings Renewal Strategy and the Highest Efficiency Equipment Standards.

3. Property Assessed Clean Energy (PACE) Financing

- a. Provincial Roadmaps: In 2020 the Ministerial Mandate letters for Municipal Affairs and for Energy, Mines and Low Carbon innovation identified PACE as a priority for the provincial government. In 2021 the Province developed an internal PACE Roadmap to identify the strengths, weaknesses, opportunities and barriers of the various considerations for residential and commercial PACE programs specific to the BC context implementation.

Also in 2021, through the *CleanBC Roadmap to 2030*, the Province committed to developing a PACE program stating: “We will proceed with the next steps on a Property Assessed Clean Energy (PACE) program, which is a form of financing for energy retrofits designed to help building owners save on energy costs and reduce greenhouse gas emissions.”

Notwithstanding this commitment, there has been little movement towards implementation since the *CleanBC Roadmap to 2030*.

- b. Local Initiatives: Some local governments have begun to move forward with progressive property assessed financing programs at a small scale, such as the District of Saanich. Saanich’s pilot offered interest-free financing to 50 homes switching from oil to a heat pump, including a stream for income-qualified initial results of the program are positive with most participants stating that the financing program has been integral to overcoming capital cost barriers and/or allowing them to undertake complementary efficiency upgrades. These types of programs cannot be scaled up significantly without legislative amendments, and local governments continue to advocate for the Province to follow through with its commitments on PACE.

4. Energy Labelling

- a. Provincial Response: In its CleanBC Roadmap to 2030, the Province committed to ensuring that:

“...home sale listings will include an energy efficiency rating or label, letting buyers know what their energy costs and carbon footprint will be. Along with raising public awareness, home energy labelling can motivate owners to invest in retrofits that save energy and cut GHG emissions, knowing it will impact future salability.

As a first step, we will introduce a user-friendly, web-based, virtual home-energy rating tool to let people see how efficient their homes are.”

The Province has been working on the virtual home energy rating tool and it is expected to roll out across the Province in 2024. More information is still to come on

the labelling requirements for home sale listings and any integration with Natural Resource Canada's EnerGuide Rating System.

- b. Local Initiatives: In the interim, some local governments in BC have included energy labelling as an administrative requirement for new construction at the time of building occupancy to support the disclosure of energy and emissions information for homeowners. This is the District of Saanich's [Bylaw](#) requiring energy labeling and their public facing [FAQs](#)

5. Benchmarking

- a. Legal Analysis: Help Cities Lead sought a legal analysis performed by Lidstone & Company on the authority of local governments to implement building energy benchmark provisions. The analysis found that municipalities in BC do in fact have authority to implement such requirements. This authority was brought to the attention of the Minister of Municipal Affairs who verbally confirmed the Ministry's interpretation of jurisdiction aligned with the Lidstone analysis.
- b. Local Initiatives: Several municipalities and organizations around the province have joined [Building Benchmark BC](#), Canada's largest voluntary benchmarking and disclosure program working to inform and inspire public and private sector leadership on built-environment climate change solutions. Some local governments are beginning to explore the best approach for a harmonized mandatory benchmarking program.

Help Cities Lead will continue to meet with Ministers and senior staff at the Province to press for action on these asks, and will report back as we make further progress.

We thank you for your support as we seek more tools for local governments to address the challenge of building decarbonization. We invite you to share your successes and challenges with us.

Best wishes,

Will Cole-Hamilton

Councillor, City of Courtenay

Chair, Climate Caucus

Chair, Help Cities Lead

wcole-hamilton@courtenay.ca

I gratefully acknowledge that I live and work on the
unceded territory of the K'ómoks First Nation,
the traditional keepers of this land.

08Mar23

Town of Comox – Administration

From: Gail & Ray [REDACTED]
Sent: March 8, 2023 12:23 PM
To: Town of Comox – Administration
Subject: Parking on Beaufort

Follow Up Flag: Follow up
Flag Status: Flagged

TOWN OF COMOX

LOG: 23-065	REFER:	AGENDA: RCM 15Mar23
FILE: 5480-02	ACTION: MR	

o - cfile 5480-02
 Copies - Council
 -JW/SR/SA/LP

Mayor and Council,

We are once again writing to you about the unsafe parking situation on the upper-end Beaufort Avenue adjacent to the new facility construction site. Over the past few weeks, more and more construction workers are parking here again; now on both sides of the street, narrowing it to one lane and making it difficult to exit our driveways safely. As Beaufort Avenue is an assigned cycle route this is also causing quite a hazardous situation for any cyclists riding along this part of the route with it being so narrow.

We understand that parking is allowed on both sides of Beaufort and the people are not doing anything illegal, however, this is having a negative impact and making our life difficult. An easy solution would be to allow angle parking around the corner on Rodello, adjacent to the hospital site and between Beaufort and Beaton, where currently there is no parking allowed.

Considering that we were informed during the planning stages of this project that it would not be impacting us at all and that there was adequate "on-site" parking, the fact is it has impacted us, but our concerns seem to be of no importance. We are tired of addressing this and look forward to having the sewer project, which no doubt will prevent parking on both sides of the avenue for a brief period alleviating this parking nightmare.

Gail & Ray Challoner

[REDACTED]

This message may contain privileged and/or confidential information. Any unauthorized use is strictly prohibited. If you receive this email in error, please contact me immediately.

RECEIVED

09Mar23

TOWN OF COMOX

LOG: 23-067	REFER:	AGENDA: RCM 15Mar23
FILE: 0860-20/MI	ACTION: MR	

o - cfile 0860/20/MMAR
Copies - Council
-JW/SA/SR/LP

From: Norm Parker [REDACTED]
Sent: Thursday, March 9, 2023 12:40 PM
To: council <council@comox.ca>
Cc: norm Parker [REDACTED] >
Subject: boat moorage

Good day Council members,



My husband and I are longtime residents of the town of Comox and feel very fortunate to have been able to raise our two sons here. Now as retired seniors we are able to enjoy so much of what our town has to offer. How lucky are we!! Anyway, you are busy people and I don't wish to take up alot of your time so I will get to the point in writing this letter.

My son and daughter-in-law recently purchased a boat that took them many years to save for. I suppose they were naive to think that they could simply apply for moorage with the Town of Comox. Can you imagine their shock when they were told that it is a 20 YEAR WAIT!!! This is absolutely crazy! They are now required to pay daily (or yearly) launch fees and TRY TO FIND A PARKING PLACE in our very congested little boat launch (but that is another story). This is where I need some clarification from council as to the 'ins and outs' of obtaining moorage in our harbour.

As an inquiring tax payer I was told that the golf course is not a drain on our taxes but that the boat harbour definitely was. How do I find out how our tax dollars are spent in relation to the golf course versus the boat harbour? Also, and I believe this is very important, how many of the boats that are moored in the harbour are owned by COURTENAY people and not Comox tax payers? Shouldn't the Comox tax payers that request moorage have priority over people that live in other municipalities? I understand that everybody pays for yearly moorage fee and this would apply to people bringing their boat from out of town. I feel that it is very unfair to expect a family to wait 20 years. We personally know of 2 people who sold their boats and the moorage went along with it. Why is this allowed? In one case, the purchaser just got rid of the purchased boat because they wanted the moorage for their own boat. I believe that this is how the 20 year wait list is never going to end if this practice isn't stopped. Sounds like not 'what you know' but 'who you know'.

Thank you for your time and we look forward to hearing from you.
Sincerely,
Sandi and Norm Parker
[REDACTED]

To: Mayor and Council	File: DVP 22-1
From: Marvin Kamenz, Director of Development Services Robin Pallett, Planner II	Date: March 15, 2023
Subject: DEVELOPMENT PERMIT VARIANCE APPLICATION DVP 22-1 237 DENMAN STREET	

Prepared by:  Robin Pallett, Planner II	Supervisor:  Marvin Kamenz, Director of Development Services	Financial Approved: Clive Freundlich, Director of Finance	Report Approved:  Jordan Wall, CAO
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RECOMMENDATION FROM THE CHIEF ADMINISTRATIVE OFFICER:

That Development Variance Permit application DVP 22-1 be denied.

ALTERNATIVE RECOMMENDATIONS

Alternative 1 – Approve the variance.

That Development Variance Permit DVP 22-1 be issued upon resolution of the Outstanding Items listed in **Schedule 1** to the March 15, 2023 Planning Report on DVP 22-1, and subject to the Development Variance Permit Conditions listed in **Schedule 2**.

Alternative 2 – Obtain an updated Arborist report from the owner.

That the Town obtain an updated and signed Arborist report from the property owner that addresses the deficiencies of the current Arborist report (**Attachment 5**) that are identified in the March 15, 2023 Planning Report on DVP 22-1.

PROPOSAL

The Development Variance Permit application is to vary Comox Zoning Bylaw 1850 to allow for a 42.0 m² garage addition to an existing single-family dwelling. A variance to reduce the required north side interior setback for the proposed garage from 2.0 metres to 1.0 metre is included with the proposal.

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

STRATEGIC PLAN LINKAGE

This report addresses the following task identified in the 2022 Strategic Priorities Chart for Planning Services: *Minor Development Applications*.

BACKGROUND

The subject property is a 715 m² residential lot located in an established single-family neighbourhood abutting Brooklyn Creek Park. The subject property contains an existing single-family dwelling which has undergone multiple alterations¹ since it was originally constructed in 1976, as well as two mature Douglas fir trees in the rear yard.

The owner proposes a garage addition to the existing single-family dwelling, which would be constructed on the existing concrete slab within the north interior side setback. The proposed garage addition includes footings that would be installed around its perimeter, which would be installed by cutting out the existing concrete slab and excavating within the tree protection zones² (TPZs) of the two subject Douglas fir trees.

The November 16th, 2022 Planning Report on DVP 22-1 included a recommendation from the Chief Administrative Officer to issue the DVP (upon resolution of the Outstanding Items listed in **Schedule 1** to the November 16, 2022 Planning Report on DVP 22-1, and subject to the Development Variance Permit Conditions listed in **Schedule 2**).

At the November 16th, 2022, Regular Council Meeting, staff recommended that Development Variance Permit DVP 22-1 be issued upon resolution of the Outstanding Items listed in **Schedule 1**, and subject to the Development Variance Permit Conditions listed in **Schedule 2**.

¹ The existing single-family dwelling encroaches 0.4 m into the required 2.0 m south side interior setback. Staff have not researched the matter aside from confirming that the Town's Building Permit records do not reflect the existing encroachment. The encroachment has no direct impact on the proposed variance.

² TPZ is calculated as area within a distance from the trunk of the subject tree equal to not less than 30 cm per every 2.5 cm of tree caliper, as measured from 1.3 m above grade adjacent to the trunk, and is outside of the branches drip lines of the subject tree. In the case of the subject trees and based on the owner's Arborist report, the TPZs would be 9.6 m from trunks of the larger of the two Douglas fir trees, and 7.2 m from the trunk of the other. The International Society of Arborists (ISA) defines TPZ as the area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees, especially during construction or development.

At the November 16th, RCM meeting Council passed motion #2022.329:

That staff be directed to seek an Arborist report that:

- assesses the condition of the two mature Douglas fir trees in the rear yard of the subject property,
- assesses the impact of the proposed development on the trees, and
- provides recommended mitigation measures; and further,

That staff report back to Council with a DVP staff report that considers the implications of the Arborist report.

DISCUSSION

Following the November 16th, 2022, Regular Council Meeting, staff advised the owner, Robert MacInnes, and his Arborist, Estevan Ruhle, in writing of the motion by Council, providing both with a copy of the motion and answering questions that they had on the matter (**Attachments 3 & 4**). The owner subsequently provided an Arborist Report (**Attachment 5**) which indicates that the trees are in good condition and would not likely be impacted by the proposed garage addition. The report does not provide recommended mitigation measures, noting that mitigation would not eliminate the risk of property damage. The report recommends that the subject trees should be removed, citing the potential for future property damage caused by roots and falling limbs.

The subject lot is located adjacent to a heavily wooded area (Brooklyn Creek Park is located directly to the south and west) and there are mature Douglas fir trees located on other lots within the subject residential neighbourhood, in comparable proximity to buildings and lot lines as the two subject trees.

The Manager of Parks has reviewed the Arborist report and, along with the Town Arborist, visited the site:

- There was no visible evidence of root upheaval in proximity to the primary dwelling during the site visit.
- There are mitigation measures that could be undertaken to reduce the risk of root or limb damage to private property, which have not been identified in the Arborist report;
- There are measures that could be taken to reduce the risk of damaging a critical root during excavation for the foundation of the proposed addition, which have not been identified in the Arborist report;

The International Society of Arborists (ISA) utilizes industry standards for mitigation of property damage from roots or limbs³, but those standards were not reflected in the Arborist report.

³ Considering that all trees pose a level of risk to the property on which they are located, the issue pertains to the degree of risk and the ability to provide mitigation measures that reduce the risk to an acceptable level. The ISA uses the American National Standards Institute (ANSI) A300 industry standard of tree care to address and manage such risks. ANSI Standard A300 includes standards and methods for managing the interaction of tree roots with infrastructure and property (including root pruning and managing the direction of root growth), as well as standards for limb pruning for the purpose of mitigating limb fall.

After the Arborist report was provided, staff contacted the Arborist seeking clarification and context for Council (regarding key distances, the maximum size of a Douglas fir tree on a residential lot, and the prevalence of the circumstances described in the report within the Town). However, at the direction of the owner, staff were unable to discuss any further tree-related matters with the Arborist **(Attachment 6)**.

Schedule 1 Outstanding Items includes a Tree Protection Covenant for the two Douglas fir trees. As such, approval for the proposed Development Variance Permit would be issued only after the Tree Protection Covenant is confirmed to be registered on the title of the subject property.

COMMUNICATIONS – PROCESSING STEPS

The statutory requirement of the Local Government Act (LGA), Section 499, and the requirement in Comox Planning Procedures Bylaw 1780, that notification be provided to the owners and tenants abutting the subject property at least 13 days before adoption of the resolution to issue a development variance permit, was fulfilled on October 31st, 2022.

GOVERNANCE IMPLICATIONS

This project proposes to see variances to construct an accessory building on a single-family home lot. These variances would see work take place within the critical root zone of 2 Douglas Fir trees. Administration initially recommended approval as it was believed there was little risk to the survival of the trees. Council requested an arborist report to help ensure the survival/mitigate the impact on the trees from the project. However, the arborist report recommended removal of the trees to help protect the single-family home's perimeter drain and foundation.

If Council denies this DVP application the homeowner will be able to remove the two trees as there are no tree protections on single family homes of this lot size. As part of the DVP, the trees would be protected through covenant. Council can also require that the applicant seeks information on the original intent of Council's motion which was to get information to assess the risk to the trees/mitigation measures for their survival.

MK/RP

Schedules:

1. Outstanding Items
2. DVP conditions

Attachments:

1. Application Summary
2. Applicant's Submission
3. Staff instructions to the owner (re: motion #2022.329)
4. Staff instructions to the owner's Arborist (re: motion #2022.329)
5. Arborist's report
6. Owner's instruction to cease communication with the Arborist

cc: Applicant

SCHEDULE 1

OUTSTANDING ITEMS

Outstanding Items to be provided prior to Development Variance Permit Issuance

1. Registration of sec. 219, Tree Protection Covenant with a rent charge on subject property's Title for the retention and long-term protection of two mature Douglas fir trees (and their replacement trees, in the event of their removal in accordance with this covenant) in the rear yard of the subject property; and

SCHEDULE 2

DEVELOPMENT VARIANCE PERMIT CONDITIONS

1. This Development Variance Permit is to vary Comox Zoning Bylaw 1850 to allow for a garage addition on the north side of the existing single detached dwelling, in accordance with the drawings as contained in **Attachment 2**.
2. Awnings, balconies, bay windows, canopies, chimneys, cornices, decks, landings, ornamental features, pilasters, porches, sills, stairs, sunshades or steps shall be setback a minimum of 1.0 m from the north lot line.
3. Eaves, leaders and gutters, projections shall be setback a minimum of 0.65 m from the north lot line.
4. Removal of the existing rear yard shed prior to application of occupancy permit.
5. Comox Zoning Bylaw No. 1850 is hereby varied as follows:

- (a) Schedule A, Section 101.9(3):

From:

The side-interior setback shall not be less than 2.0 m

To:

The side-interior setback shall not be less than 2.0 m except in relation to the north lot line, in which case the interior side setback shall not be less than 1.0 metre.

APPLICATION SUMMARY



Subject Property shown shaded above:

237 Denman Street

LOT 18 SECTION 76 COMOX DISTRICT PLAN 29385

Proposal: The development variance permit application is to vary Comox Zoning Bylaw 1850 1850 to allow for a garage addition on the north side of the existing single detached dwelling. (Existing shed to be removed. Fireplace/Gazebo to be retained in place. A free-standing tent structure that is currently located in the north side setback driveway area is proposed to be removed from the lot. A Development Permit application (DP 22-1) has been submitted in relation to DPA #7 and will be processed by staff in accordance with Section 12(1)(a) of Comox Planning and Procedures Bylaw No. 1780.

Applicant, Owner: Robert MacInnis
 Legal Description: Lot 18, Section 76, Comox District Plan 29385
 Civic Address: 237 Denman Street

Official Community Plan:

Land Use Designation: Residential: Detached
 Development Permit Areas: DPA #7: Riparian Areas – Processed via DP 22-1
 DPA #13: Hazardous Areas – Exempt
 DPA #17: Coach Houses – Exempt
 DPA #18: Secondary Suites – Exempt

Zoning: R1.1 – Single-Family

Permitted uses: Accessory structures and uses, Bed and Breakfast accommodations, coach houses, home occupations, secondary suites, and single-family dwellings.
 Parcel area: 715 m²
 Parcel frontage: 21.3 m
 Parcel depth: 33.5 m

Subject Lot	R1.1	Existing	Proposed
Parcel coverage:	max. 35 %	Approx. 19.5% (139.4 m ²)	25.5 % (182.1 m ²)

Principal Dwelling		R1.1	Existing	Proposed
Height and storeys:		max. 9.0 m 2 storeys	Approx. 6.4 m 2 storeys	4.6 m for the proposed single-storey garage addition
Required Setbacks	Front:	min. 7.5 m	8.16 m	No change
	Rear:	min. 7.5 m	15.31 m	No change
	South Side (interior):	min. 2.0 m	1.43 m	No change
	North Side (interior):	min. 2.0 m	5.04 m	1.0 m (variance required)
Projection of eaves into North Side (interior) setback		max. 0.6 m	No projection of eaves into required interior side setback	0.31 m

Surrounding Land Uses	Single family residential lots to the north and to the east. Brooklyn Creek Park to the south and to the west.
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ATTACHMENT 2

APPLICANT'S SUBMISSION

237 Denman Street Development Variance Permit Application

Property Owner: Robert MacInnis & Ginenne MacInnis,
250-650-9701

Description

The home is zoned R1.1 for, and is used as, a single-family dwelling. This application proposes to add a single car attached garage on the north side of the building. I am requesting a variance of the 2m side interior setback requirement (to 1m). This is a significant addition and adhering to the present regulation would not allow for a substantially functional garage space.

This development will allow for a 1m walking access around the north side of the home to reach the back yard. The addition will be constructed on an existing concrete pad. No vegetation / tree removal will be required. It is on the opposite side of the home as Brooklyn Creek. A riparian area assessment has been completed to confirm the development does not represent any harmful alteration, disruption or destruction of natural features, functions or conditions that support fish life in the area.

Specifications

The total area of the garage addition will be ~ 40m²

Max height is ~ 4.61m above average grade. (this is lower than the height of the roof of the existing structure)

Overhead garage door on the east and west sides. Man door on the south.

No windows or doors are proposed on the north side facing the neighbours

The present dwelling unit occupies a ground floor area of ~125m². Parcel coverage is ~18%. After this development is completed, the total home will represent ~22% parcel coverage .

Building Features

The front wall will merge in parallel to the existing structure. The siding and roofing type and color of the addition will match the existing home.

The development will not represent any increase in height to the building. A 305mm roof overhang projection into the remaining setback is proposed. The application is also proposing a 1.75m projection as a gable overhang in front of the garage door for weather protection and to improve aesthetic.

The north wall will be constructed with non combustible materials: hardi plank siding and non-vented soffit.

The interior is proposed to be left unfinished (bare studs; no insulation or interior sheeting).

Please refer to building plans for construction detail.

Rationale

The existing single car driveway runs along the north property line. If a garage were to be positioned to adhere the 2m setback, the vehicle approach and garage space would be substantially non-functional.

The neighbours property has a large deciduous tree which seasonally drops sticky debris onto the vehicle parked on the driveway. Resultantly the owner seasonally parks their second vehicle on the street. The construction of this garage would allow both owners vehicles to be off the street under cover. This will improve two directional traffic flow around the corner (Denman – Short St.) and also keep sight lines clear (as there are multiple families with small children who play around this location).

Neighbours Input

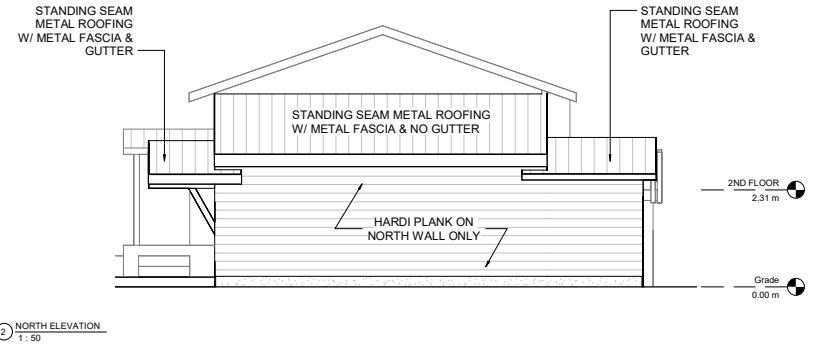
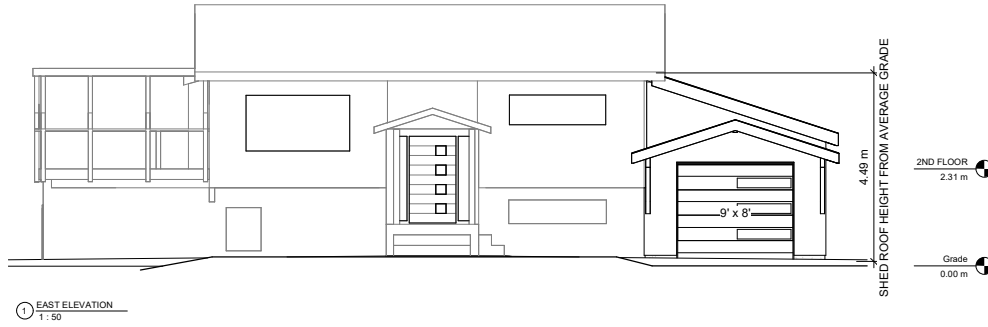
There has been no expressed impact to or concern from adjacent property owners. Please reference the enclosed letters to support this application.

Existing Shed

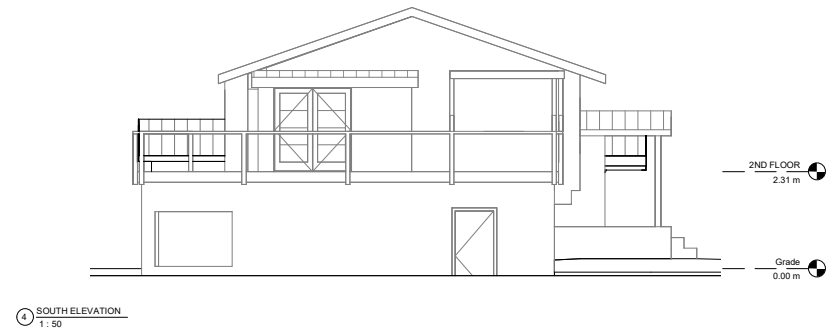
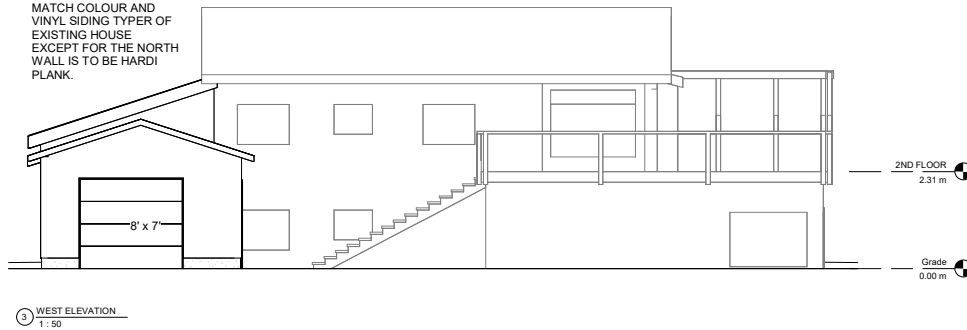
Also on the property is an existing shed and lean-to. This structure was built sometime prior to the owners purchase of the property (which occurred in 2015). The shed and lean-to will be removed from the property as per the Towns Planning Department requirement.



NOTE:
ALL NEW SIDING TO MATCH COLOUR AND VINYL SIDING TYPED OF EXISTING HOUSE EXCEPT FOR THE NORTH WALL IS TO BE HARDI PLANK.



NOTE:
ALL NEW SIDING TO MATCH COLOUR AND VINYL SIDING TYPED OF EXISTING HOUSE EXCEPT FOR THE NORTH WALL IS TO BE HARDI PLANK.



ELEVATIONS

A4

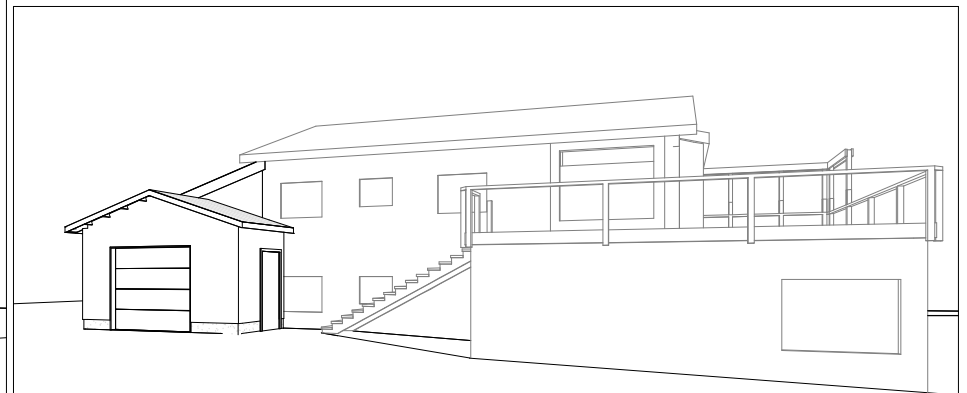
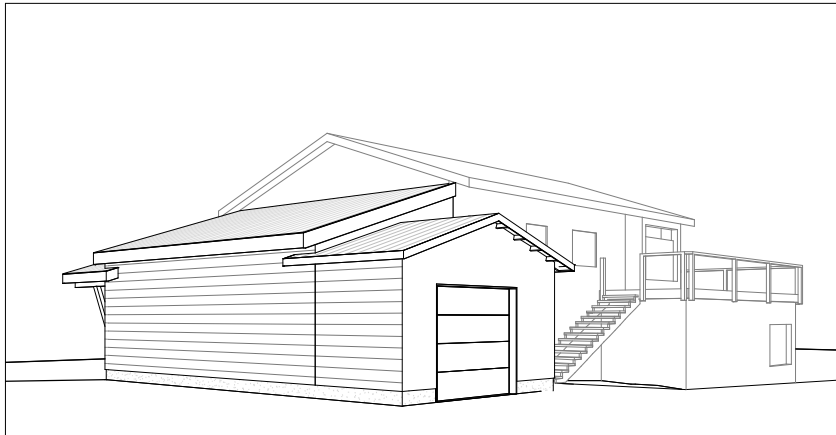
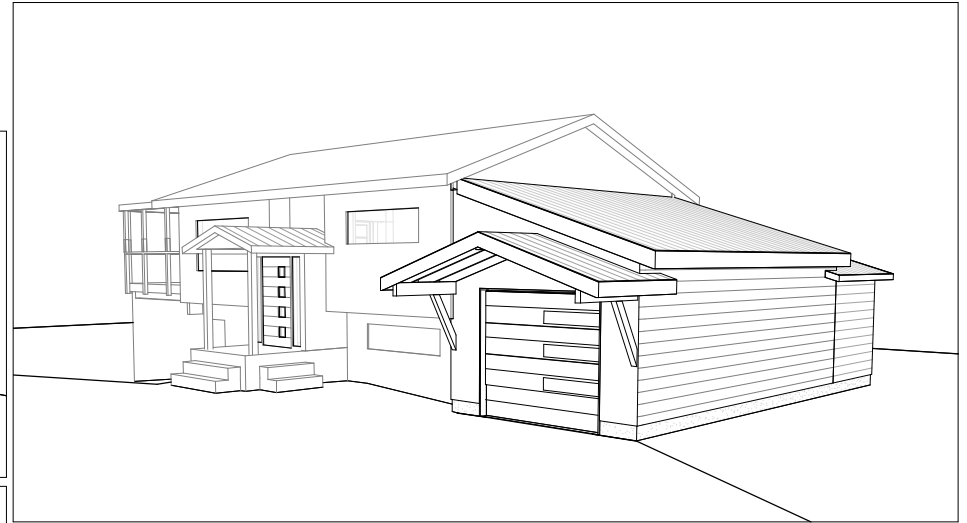
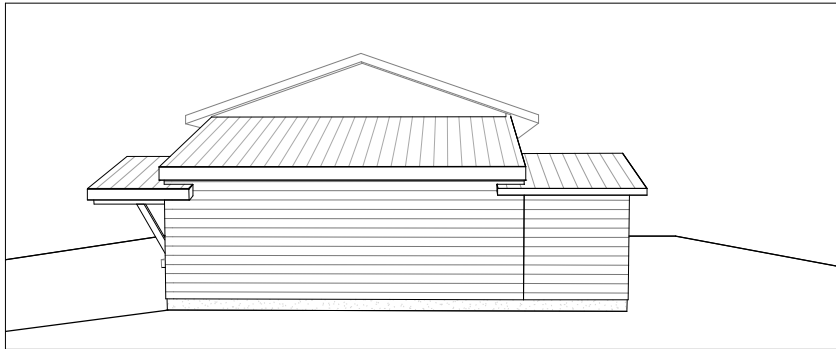
ROB MACINNIS

237 DENMAN STREET
COMOX BC
V9M 3B5

1 : 50

adapt'smith

kl@adaptandsmith.com
250.690.6539



3D VIEWS
A5
ROB MACINNIS
237 DENMAN STREET
COMOX BC
V9M 3B5
©2022 RCM

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k@adaptandsmith.com
250.690.6338

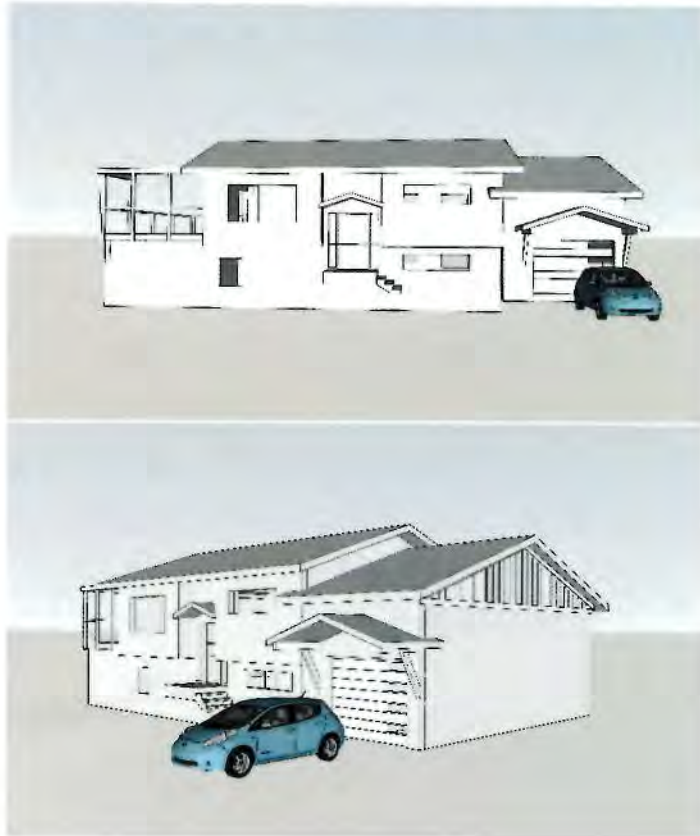
Development Permit Application

Neighbours Review

May 25, 2022

To whom it may concern:

Regarding the proposed development at 237 Denman St, Comox



We have reviewed the proposed development and building concept at this property. It's understood that it includes a request for variance on interior side setback. This letter serves to express our support for the application. We do not have any issues or concerns.

Name: CRAIG RUSHTON
Address: 245 DENMAN ST
Signature:



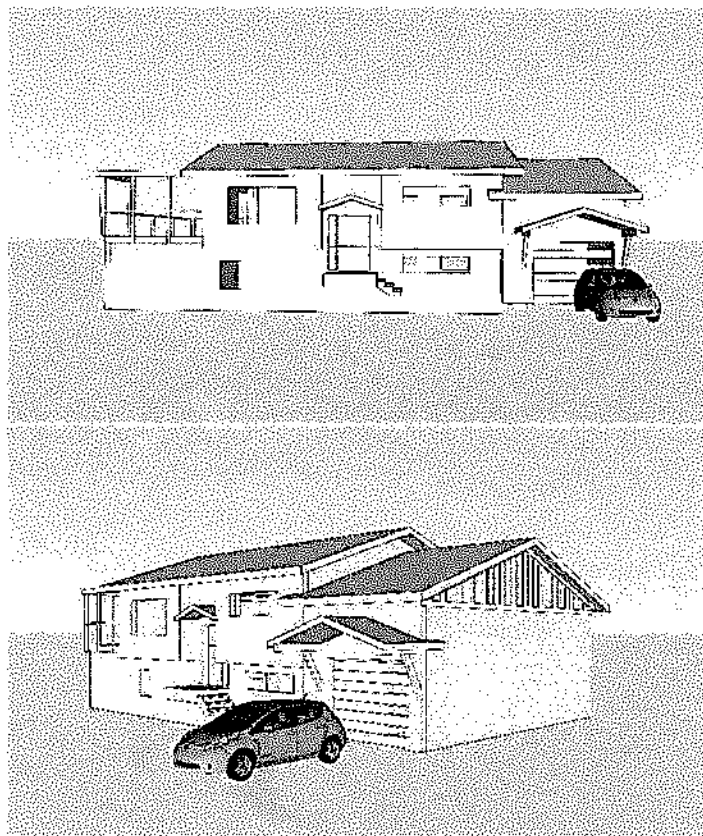
Development Permit Application

Neighbours Review

May 25, 2022

To whom it may concern:

Regarding the proposed development at 237 Denman St, Comox



We have reviewed the proposed development and building concept at this property. It's understood that it includes a request for variance on interior side setback. This letter serves to express our support for the application. We do not have any issues or concerns.

Name: Martin Larsen

Address: 242 Denman St

Signature: M Larsen

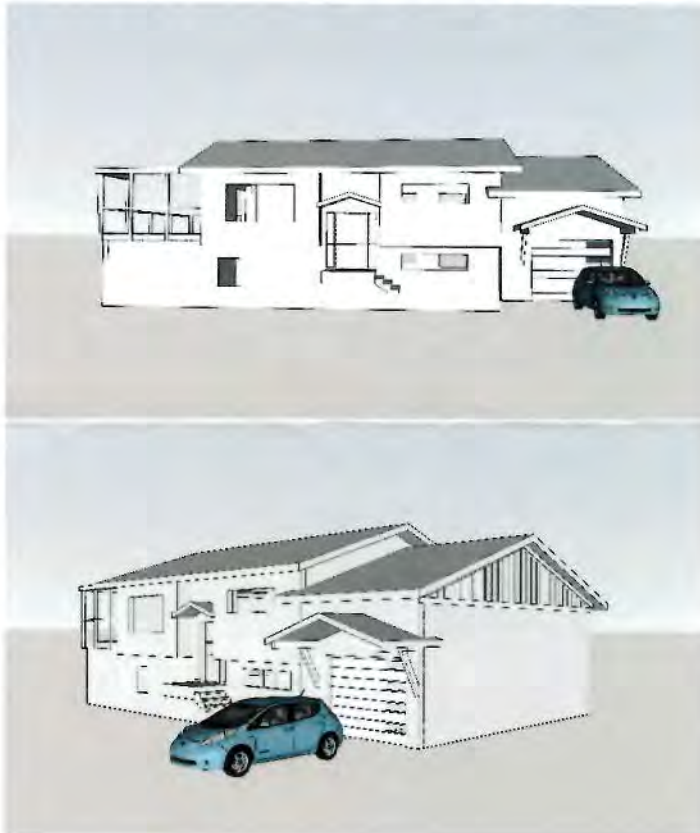
Development Permit Application

Neighbours Review

May 25, 2022

To whom it may concern:

Regarding the proposed development at 237 Denman St, Comox



We have reviewed the proposed development and building concept at this property. It's understood that it includes a request for variance on interior side setback. This letter serves to express our support for the application. We do not have any issues or concerns.

Name: Bruno Erelis / Joan Larsen
Address: 231 Short Street Comox V9M 3B5
Signature: Bruno Erelis / Joan Larsen

From: [Robin Pallett](#)
To: [rob.macinnis](#)
Subject: DVP 22-1: Council meeting on November 16 2022
Date: November 23, 2022 3:44:48 PM
Attachments: [image001.jpg](#)

Hi Robert,

I figure that we have played enough telephone tag that I would email you the details, and we can discuss any questions that you might have.

At the [Council meeting on November 16](#) (see 55:15 - 1:10:20), Council adopted Alternative Recommendation 2, which refers the variance back to staff to report back to Council with a new staff report that incorporates the conclusions and recommendations of an Arborist report for the two Douglas fir trees in your rear yard. Specifically, the motions that Council adopted are:

1. That staff be directed to seek an Arborist report that assesses the condition of the two mature Douglas fir trees in the rear yard of the subject property and the impact of the proposed development on the trees, and provides recommended mitigation measures.
2. That staff report back to Council with a DVP staff report that considers the implications of the Arborist report.

That means that Council has requested that an Arborist report be provided, and that staff provide them with a staff report describing the results of the report.

I am happy discuss with you any questions that you might have. It is looking likely that I will have to work from home tomorrow, and possibly until the end of the week. I will call you this afternoon, if possible, otherwise we can talk tomorrow. If the telephone tag continues, we can discuss over email.

Thanks,



Robin Pallett RPP, MCIP
Planner II
Town of Comox
250-703-9995 – [Comox.ca](#)
[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [YouTube](#)

I respectfully acknowledge that the land on which we gather and work is on the unceded traditional territory of the K'ómoks First Nation, the traditional keepers of this land.

From: [Robin Pallett](#)
To: chadlewis@shaw.ca
Subject: ATTN: Estevan Ruhle re: 237 Denman St, Comox
Date: December 16, 2022 3:56:00 PM
Attachments: [image001.jpg](#)

Hi Estevan,

Thanks for your call today regarding the trees in the rear yard of 237 Denman St in Comox.

As requested, kindly find the following motions from Council, from the Regular Council Meeting of November 16, 2022, regarding the proposed garage addition at 237 Denman St:

1. That staff be directed to seek an Arborist report that assesses the condition of the two mature Douglas fir trees in the rear yard of the subject property and the impact of the proposed development on the trees, and provides recommended mitigation measures.
2. That staff report back to Council with a DVP staff report that considers the implications of the Arborist report.

In lay terms, this means that the owner should provide me with an Arborist report on the two Douglas fir trees, with respect to the current condition of the trees, the impact of the proposed garage addition on the trees (considering that the proposed addition involves excavating and installing footings in the CRZ), and potential measures that would help to mitigate the impact on the trees. Because the relocation of the existing shed is a requirement of the variance application, the report should comment on the impact of removing the shed as well.

Based on our discussion, it sounds like there will be some discussion in the report about the viability of the trees in the section about their current condition. Even if your recommendation is ultimately that the trees should be removed, the report should also cover the impacts of development and mitigation measure (in a scenario where the trees are not removed) because that is what Council requested. However, your recommendations will still be discussed as a primary aspect of the staff report to Council, which I will be writing and summarizing your report.

I hope that helps you shape up your report. Please let me know if you have any other questions or comments.

Thans and best regards,



Robin Pallett RPP, MCIP
Planner II
Town of Comox
250-703-9995 – Comox.ca
[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [YouTube](#)

I respectfully acknowledge that the land on which we gather and work is on the unceded traditional territory of the K'ómoks First Nation, the traditional keepers of this land.

ATTACHMENT 5

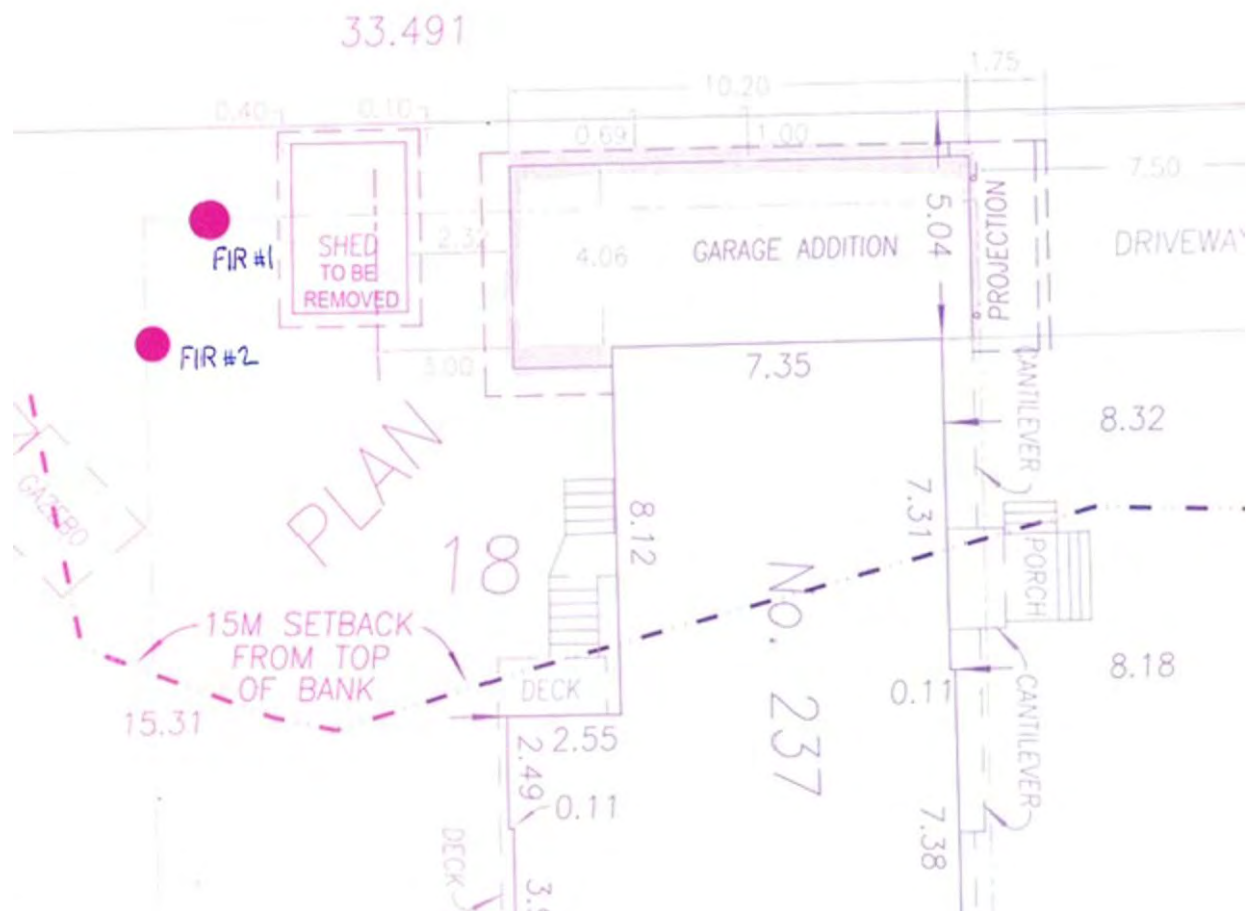
ARBORIST'S REPORT

From: rob_macinnis
To: Robin Pallett
Subject: FW: Above and Beyond tree service re: Arb report
Date: January 5, 2023 8:48:32 AM

As requested, you will find the arborist report below. Reference 237 Denman St.

Regards,
 Rob MacInnis

From: Esteven Ruhle
Sent: January 4, 2023 5:40 PM
To: rob_macinnis
Subject: Above and Beyond tree service re: Arb report



1 / 1

To whom it concerns

On Dec 16, 2022 I made a site visit to a residential property at 237 Denman St., Comox, BC owned by Rob MacInnis. The owner is planning on building a garage addition and the town of Comox has requested an arborist report regarding the impact of 2 fir trees located within 7m of the build as well as the impact of removing an older shed located within 1.5m of the trees.

The 2 trees are Douglas Firs(*Pseudotsuga menziesii*) located on the Northwest side of the property and are growing within 2m of each other.

Fir #1(see attached drawing) has approx. DBH of 80cm and approx. height of 30m. It has 2 codominant tops beginning at around 18m in height. Fir #2(see attached drawing) has approx. DBH of 60cm and approx. height of 30m. Both trees are in relatively good health.

The proposed garage addition will be built on the existing concrete slab, but support footings will need to be installed around the perimeter. If the construction stays within the concrete slab the 2 trees health should not be compromised.

The removal of the shed should not pose a threat to the 2 trees health if it is removed manually and machinery or construction material kept off the drip line.

Although the construction impact to the trees will be minimal, the trees future impact to the property could have notable consequences. Both trees are quite large and with the right environment will continue to grow indefinitely. There are signs that the roots have begun to heave up the shed that is planning to be removed and the roots drip line has reached the edge of the properties envelope which can eventually cause damage to perimeter drainage and foundation. Douglas Firs are notorious for having limb loss and considering how large the limbs on these trees are, a failure could do significant damage to surrounding buildings, fences, and other structures including the new proposed addition. There are no mitigations to completely stop the roots from growing towards the house and spiral pruning the tree will not guarantee the remaining limbs will not fail but it will cause them to grow longer and larger.

Because of the problems these trees will cause in the future it is recommended that they be removed before the construction of the garage.

Please contact me if you have any questions or concerns

Thank you,
Esteven Ruhle
I.S.A. Certified Arborist PN-5650A
Certified Tree Risk Assessor
Wildlife Danger Tree Assessor
Above & Beyond Tree Service
www.aboveandbeyondtreeservice.ca
250 465 1993

On Jan 3, 2023, at 6:10 PM, rob macinnis <rmacinnis8@hotmail.com> wrote:

Hello Esteven,

I am just following up on this. Wondering if we can discuss further.

Regards,
Rob MacInnis

From: [Robin Pallett](#)
To: [rob_macinnis](#)
Subject: RE: Above and Beyond tree service re: Arb report re: 237 Denman St Comox
Date: January 18, 2023 11:47:00 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)

Hi Rob,

Thanks for your response. I will proceed with the next staff report based on the information that has been provided.

Best regards,

Robin

From: rob macinnis <rmacinnis8@hotmail.com>
Sent: January 18, 2023 9:44 AM
To: Robin Pallett <rpallett@comox.ca>
Subject: RE: Above and Beyond tree service re: Arb report re: 237 Denman St Comox

The Town requested an arborist report. The specified deliverables were:

1. That staff be directed to seek an Arborist report that assesses the condition of the two mature Douglas fir trees in the rear yard of the subject property and the impact of the proposed development on the trees, and provides recommended mitigation measures.
2. That staff report back to Council with a DVP staff report that considers the implications of the Arborist report.

The Town did not specify a required format to the report nor a specific arborist. My deliverable satisfied the above.

The questions as worded, cannot be objectively answered. Specifically Q1 and Q2:

1. How common is it for a mature tree to be located within a similar proximity to buildings and property lines as the subject trees within the Town of Comox? **Unable to provide a qualified answer as the arborist would not have a complete knowledge of all mature trees on all properties within the Town of Comox. Any answer provided, could be proven unreliable/biased.**
2. What is the maximum size that a Douglas fir located on a residential lot should grow before being removed? **This is an over generalized question. This would depend on dozens of factors. Any answer provided could be countered with alternate opinion/information.**

The trees and location of all structures/foundations are all marked on the site plan drawing already submitted. Mentioning items a-e as "should have been included in the original report" is an unfair statement, as this was not specified out front.

The arborist has already made two trips to site and provided his findings and made his suggestions. I don't consider Council request for an Arborist Report to be an open and ongoing process where

additional questions and correspondences are solicited at my expense. The deliverable has been provided as per the specifications.

Regards,
Rob MacInnis

From: [Robin Pallett](#)
Sent: January 18, 2023 9:19 AM
To: [rob macinnis](#)
Subject: RE: Above and Beyond tree service re: Arb report re: 237 Denman St Comox

Hi Rob,

The applicant bears the cost of providing supporting materials that are required via development applications.

In this case, it is not a new report that is required; I am requesting that he update the report to include clarifying information (items a – e in the email below) that should have been included in the original report. Questions 1, 2 & 3 are for Estevan to respond to me, though he is welcome to include them in the updated report if he chooses to do so.

Thanks,

Robin

From: rob macinnis <rmacinnis8@hotmail.com>
Sent: January 17, 2023 6:09 PM
To: Robin Pallett <rpallett@comox.ca>
Subject: RE: Above and Beyond tree service re: Arb report re: 237 Denman St Comox

Hi Robin,

I am just wondering if the Town will pay for any additional charges for subsequent report or correspondence from Above and Beyond.

Regards,
Rob MacInnis

From: [Robin Pallett](#)
Sent: January 17, 2023 5:15 PM
To: estevenaboveandbeyond@gmail.com
Cc: [rob macinnis](#)
Subject: FW: Above and Beyond tree service re: Arb report re: 237 Denman St Comox

Hi Estevan,

Rob MacInnes provided me with your Arborist report earlier this month and following some discussion with the Manager of Parks and the Director of Development, I have some questions for you about your report.

The report indicates that the subject trees are problematic because of their proximity to buildings and lot lines, and should be removed.

1. How common is it for a mature tree to be located within a similar proximity to buildings and property lines as the subject trees within the Town of Comox?
2. What is the maximum size that a Douglas fir located on a residential lot should grow before being removed?
3. How does your recommendation (i.e. removal of the subject trees) relate to ISA best practices for mitigation measures to avoid damage from roots and limbs on residential lots?

Please also provide me with an updated report that includes the following information:

- a. Your method of determining that the roots have or will cause damage to perimeter drainage & building foundation;
- b. Distance from both trunks to the shed;
- c. Distance from both trunks to the existing pavement;
- d. Distance from both trunks to the existing & proposed dwelling foundation; and
- e. Please also includes your signature (above or next to your name & ISA number, and scanned to be added into the report)

Please let me know if you have any questions or comments.

Thanks and best regards,



Robin Pallett RPP, MCIP
Planner II
Town of Comox
250-703-9995 – Comox.ca
[Facebook](#) | [Twitter](#) | [LinkedIn](#) | [YouTube](#)

the traditional keepers of this land.

From: rob macinnis <rmacinnis8@hotmail.com>
Sent: January 5, 2023 8:48 AM
To: Robin Pallett <rpallett@comox.ca>
Subject: FW: Above and Beyond tree service re: Arb report

As requested, you will find the arborist report below. Reference 237 Denman St.

Regards,
Rob MacInnis

To: Mayor and Council	File: 0340-50, 3900-02
From: Shelley Ashfield, Director of Operations	Date: March 9, 2023
Subject: Sidewalk Clearing Assistance Plan	

Prepared by: 	Financial Approved: _____ Clive Freundlich, Fin. Director	Report Approved: 
---	---	--

RECOMMENDATION(S) FROM THE CHIEF ADMINISTRATIVE OFFICER:

1. THAT Council direct administration to proceed with a 3 year pilot, Snow Angels Program by creating a list of neighborhoods in need of volunteers as well as creating a list of volunteers. Town to manage the program by creating a questionnaire for those in need to ensure those who request assistance are qualified, all information to be confidential; and
2. THAT the Operations Budget be increased by \$17,000 in 2024, 2025 and 2026 for the snow angels pilot project.

PURPOSE

To have Council set the expected level of service (LOS) with regards to sidewalk snow removal.

STRATEGIC PLAN LINKAGE

Snow plowing, sanding, and de-icing is a core function of the Town. Council must determine the acceptable level of service that is to be achieved.

BACKGROUND

At the Regular Council Meeting on December 7, 2022 Council received a report requesting amendments to the Town's current Municipal Snow Plowing, sanding and De-icing Policy.

At this meeting Council approved the motion:

That a staff report be provided on the creation of a sidewalk snow clearing assistance plan.

That routes for sidewalk snow clearing assistance be reprioritized to consider school access.

During winter, several activities are performed to provide safe transportation routes for vehicles, cyclists, and pedestrians through Town. These activities include salting and sanding, snow plowing, sidewalk clearing, removal of snow windrows at intersections, and clearing of snow windrows from catch basins. Staff have historically been following Council Policy CCL-042 – Municipal Snow Plowing, Sanding and De-icing that refers to a separate Operational Policy.

In recent years, there have been several questions from residents regarding the requirement to clear snow from sidewalks fronting a property. The current Street and Traffic Bylaw does not clearly state that clearing sidewalks adjacent to a property is the responsibility of the adjacent property owner or occupier. Updating the Street and Traffic Bylaw will clearly define the sidewalk clearing responsibility where, the owner or occupier of any parcel of real property shall, no later than 10:00 am every day, remove snow and ice from any sidewalk adjacent to such parcel for a distance that coincides with the parcel's property line and for the full width of the sidewalk.

At its meeting of December 7, 2022 Council expressed concerns of the impact this could have on the Town's aging/vulnerable population and requested that staff prepare a report on a sidewalk snow clearing assistance plan as well as a review in reprioritizing sidewalk clearing with respect to school routes.

ANALYSIS/ISSUES/IMPLICATIONS

Current prioritization is arterial roads, major collector roads, downtown, bus shelters, marina, greenway and promenade. Arterial road and major collector roads are priority sidewalks as these roads would make it very unsafe for pedestrians to walk on the roads itself. Pedestrian walking on local roads, cul de sacs or even minor collector roads are much safer than arterial and major collectors and is why municipalities prioritize these sidewalks for snow clearing.

Staff have evaluated several sidewalk snow clearing assistance plans, commonly referred to as Snow Angels. Snow Angel Programs only work when they have volunteers. This program is well known across Canada as well as Western Canada. Within BC, Vancouver, Nanaimo, Ladysmith, and Victoria are municipalities with a Snow Angel program. This type of program is becoming more and more popular amongst municipalities for a number of reasons, cost to the municipality, level of service, and reduction in any kind of lag time. The idea of Snow Angels is to create a list of organized volunteers that assist with snow removal for those that are not physically able due to age, disability, or injury.

Staff have created two options for council consideration.

Option 1 – Volunteer Program

This option would be a step down to option 1 where the Town would manage the program without using the mapping software. Information would be on the Town website where volunteer requests come in or residents in need come in and Staff manage to hopefully assign volunteers as they come in. Costs needed include \$10,000 for additional staff resources and a \$7,000 costs to cover shovels, pails, salt, news release, and an outreach program..

Option 2 – Contractor List

This option would be a step down to option 2 where the Town would advertise on our website snow removal companies, residents can contact companies directly to remove snow and pay for the service similar to a landscaping company.

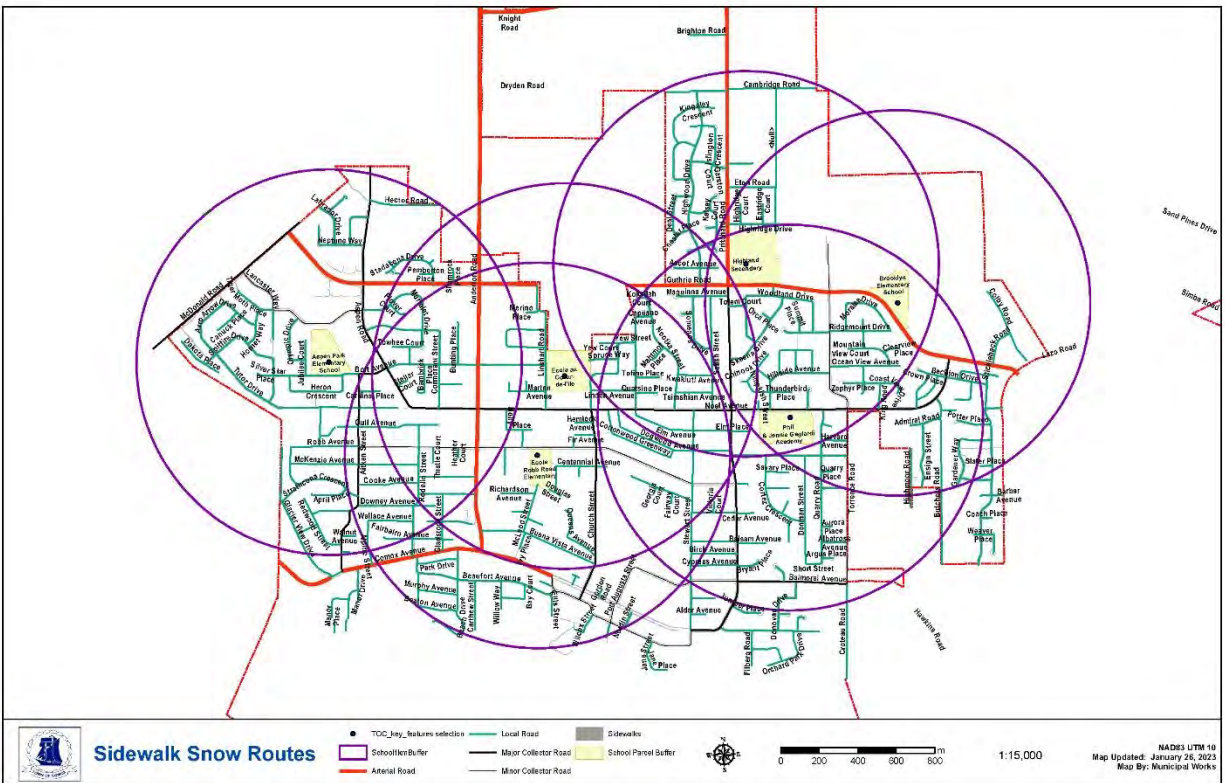
No additional cost to the Town.

Summary of Options – Table 1

Options	Description	Additional Costs
1	Volunteer Program – website/questionnaire/town manage/advertising	\$17,000
2	Contractor List – website/resident responsible	

Staff are recommending option 1. Staff are also recommending, if residents qualify for assistance and unable to assign a volunteer that the Town will not enforce the bylaw.

The options above considers Council's second motion to review routes to school, below is a map showing a 1km buffer around all schools within the Town. As you can see this encompasses a large portion of all roads within the Town and makes it very difficult to prioritize school routes with the Town's existing resources.



Current prioritization is arterial roads, major collector roads, downtown, bus shelters, marina, greenway and promenade. Arterial road and major collector roads are priority sidewalks as these roads would make it very unsafe for pedestrians to walk on the roads itself. Pedestrian walking on local roads, cul de sacs or even minor collector roads are much safer than arterial and major collectors and is why municipalities prioritize these sidewalks for snow clearing.

In discussions with School District 71 the existing priority of snow clearing sidewalks is the safest for children as this address's major roads (arterial roads major collector roads) as these roads would be very unsafe for children to walk along the side of the road. All the options above increase the level of service of snow removal on sidewalks and eliminates any kind of lag time. This also ensures safe pedestrian access for all pedestrian users including our vulnerable population that may have doctors' appointments and shopping in the downtown core or those that require access to transit.

FINANCIAL IMPLICATIONS

Option 1 - \$17,000 financial increase in 2024, 2025 and 2026.

Option 2 - no financial implications.

COMMUNICATION

Through the Town's communications, a news release would be issued to local media and community partners regarding the Snow Angels Program. The news release would link to information and other applicable resources located on the Town's website. It would be posted on the Town's social media

channels and encouraged to be shared through online networks. Communications can also actively support in positive messaging on "snow angels", promoting the idea of committed neighbours who volunteer to clear sidewalks. This idea fosters strong community relationships and the importance of those who volunteer.

Further, the Town will communicate on social media of the snow clearing policy and snow angels program. The intent would be to communicate and educate to seek compliance. Ticketing will be issued after communication has taken place with the resident or homeowner and this has not resulted in compliance with the bylaw. If a resident qualifies for the snow removal assistance and the Town is unable to find a volunteer the Town will not ticket or enforce the bylaw.

Snow Angels at A Glance

What is a snow angels program?

Keeping our sidewalks free of snow and ice is critical in keeping town residents moving safely and enjoying winter.

But, shoveling can be difficult, and even dangerous, for many citizens -- especially those with limited mobility or certain health conditions.

The Snow Angels Program aims to encourage neighbours to help one another and thereby build a caring, engaged community. Residents in need of snow removal have "Snow Angel" signs placed in their yards.

Who would be eligible?

Those who do not have family, friends or neighbors that can assist them, they are unable to hire a snow removal company, they are not physically fit due to age, disability, or injury.

Who are snow angels?

Snow Angels are individuals: youth, seniors, families, community groups, and corporate volunteers who voluntarily shovel snow for residents needing snow removal assistance.

When does the program run?

Annually from November until mid-April.

How do I sign up?

This would be on Town website – all information to be confidential.

Why become a volunteer Snow Angel?

Being a neighbourhood Snow Angel is a great way to:

- Get to know your neighbours
- Help someone who will truly appreciate your effort
- Keep your street safe for pedestrians
- Exercise
- Get some fresh air
- So much more!

What happens if my snow angel doesn't clear the snow?

The Town will contact the volunteer to find out what happened. Once a volunteer is assigned it will be important for the volunteer to commit for the year to ensure success of the program, build community strength and keep sidewalks safe for all pedestrians especially those more vulnerable, including school children and seniors.

GOVERNANCE CONSIDERATIONS

The impetus for this report was a staff recommendation to update the Town's bylaws and require residents to clear their sidewalks to help increase walkability during the winter months. The proposed snow angles programs will add \$17,000 of cost to the Town's budget in order to help provide the staff time required to build the list, maintain it, gather volunteers, and connect volunteers with needed patrons. It is expected while some of this can be done in the offseason there will be a large labour 'crunch' during the first snowfalls of the season to restart the program on a yearly basis.

The snow angles program is set up in a manner where residents in need are not personally connected with the angles and no tips are provided. This helps ensure the safety of the program and that background checks are not required to those providing support.

Council further requested an examination of our sidewalk clearing routes to see if we should prioritize the sidewalks leading to schools. In reviewing with the School District they supported our current prioritization.

Once Council determines whether or not to implement a Snow Angel program Administration will bring to Council an updated snow clearing policy and relevant bylaws.

To: Mayor and Council	File: OCP 22-1
From: Marvin Kamenz, Director of Development Services Elliot Turnbull, Planner II	Date: March 15, 2023
Subject: OCP 22-1 Tree Cutting in Hazardous Areas	

Prepared by:  Elliot Turnbull Planner II	Supervisor:  Marvin Kamenz, Director of Development Services	Report Approved:  Jordan Wall, CAO
--	--	--

RECOMMENDATION(S) FROM THE CHIEF ADMINISTRATIVE OFFICER:

1. That Comox Official Community Plan Amendment Bylaw 2006 (Attachment 1) be Adopted.
2. That Comox Drainage Infrastructure Protection Amendment Bylaw 2007 (Attachment 2) be Adopted.

PROPOSAL

The proposal is to amend Comox Official Community Plan Bylaw 1685 to exempt certain activities from the requirement to obtain a Development Permit:

- On certain properties in Kye Bay:
 - o Pruning, topping, or cutting down of trees or plants located below the toe of the slope;
 - o Tree pruning;
 - o Cutting down or pruning immediate and long-standing hazard trees;
 - o Re-topping previously topped trees; and,

- Pruning plants¹.
- On properties throughout the rest of Development Permit Area #13, cutting down or pruning immediate hazard trees.

The proposal also includes:

- adding parcels along the deeply incised portion of Golf Creek into Development Permit Area #13 Hazardous Areas;
- repealing Comox Tree Cutting in Hazardous Areas Bylaw 1992; and,
- amending Comox Drainage Infrastructure Protection Bylaw 1824 to remove reference to the Tree Cutting in Hazardous Areas Bylaw.

STRATEGIC PLAN LINKAGE

This Report addresses the following task identified in the 2022 Strategic Priorities Chart for Planning Services: Minor Development Applications.

BACKGROUND

Bylaw 2006 was given First and Second Reading on June 1st, 2022. A Public Hearing was held on August 10th, 2022. On November 16, 2022, the Bylaw was amended to permit modification of vegetation located below the toe of the slope on certain properties in the Kye Bay area to proceed without a development permit application. A Public Hearing in respect of Bylaw 2006 was held on December 7th, 2022. On March 1st, 2023, Bylaw 2006 was amended to permit re-topping of previously topped trees, cutting or pruning of hazard trees and pruning plants to proceed without a development permit application and given third reading.

At the March 1st, 2023 RCM Council asked for a high level estimate of the cost for a geotechnical report covering the six properties in Kye Bay that are subject to the tree cutting and trail easements. Staff have consulted with a geotechnical engineer on such a report, and the cost for a report that would analyze whether or not modification of vegetation will change or significantly change the natural level of safety of the slope would be around \$15,000. A more detailed report that includes an analysis on the current status of the slope and models factors of safety would cost \$20,000-\$25,000 and may have implications for Kye Bay properties in terms of property values and their ability to obtain insurance if the results of the report indicated that the current status of the slope is unsafe. The dollar amounts are based on a very high-level estimate and subject to a more detailed estimate should Council wish to pursue this option.

MK/ET

Attachments:

1. Comox Official Community Plan Amendment Bylaw 2006
2. Comox Drainage Infrastructure Protection Amendment Bylaw 2007

¹ Plants are defined as any vegetation other than a tree which is greater than 10 cm at 1.5 metres above grade.

ATTACHMENT 1

Comox Official Community Plan Amendment Bylaw 2006

TOWN OF COMOX

BYLAW 2006

A BYLAW TO AMEND COMOX OFFICIAL COMMUNITY PLAN BYLAW 1685

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

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

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

1. Title

This Bylaw may be cited for all purposes as “Comox Official Community Plan Amendment Bylaw 2006”.

2. Repeal of Previous Bylaws

Comox Tree Cutting in Hazardous Areas Bylaw, 1992 is hereby repealed.

3. Official Community Plan Amendments

(1) Comox Official Community Plan Bylaw 1685, Schedule “A”,

(a) Part 3 is hereby amended as follows:

(i) Adding the following text to the beginning of Section 3.13:

The following definitions apply to DPA #13 only:

ANSI Standard A-300 means the American National Standards Institute (ANSI) A300 (Part 1) – 2017 Pruning Standard, and the companion Best Management Practices – Pruning, 3rd Edition (2019).

Cutting down means to entirely sever the main stem of a tree or plant, or to alter or fell a tree or plant or a tree or plant part such that the tree or plant is no longer biologically or structurally viable.

ISA means the International Society of Arboriculture.

Pruning means the selective removal of tree or plant parts. Does not include topping or cutting down.

Plant means a perennial plant other than a tree.

Re-topping means to remove tree growth to shorten a tree to the previous point of topping by either pruning or topping the tree.

Toe of slope means the lowest and first significant and regular break in a slope.

Topping means to sever the upper stem of a tree or plant, resulting in a truncated stem.

Tree means a woody perennial having one or more stems with at least one stem having a diameter of 10 centimetres or more measured at Diameter at Breast Height.

(ii) Adding the following text as Section 3.13.4(F):

“F. Alteration of land, including vegetation or construction of, addition to or alteration of a building or structure located more than 15.0 metres from the natural boundary of Golf Creek. “

(iii) Adding the following text after section 3.13.4(F):

“A development permit is not required for the following actions:”

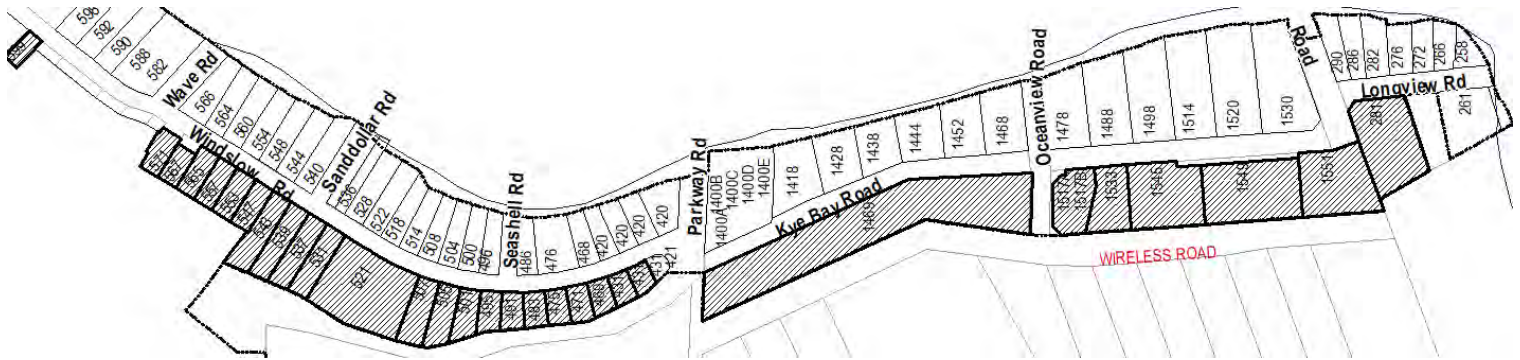
(iv) Adding the following text as Section 3.13.4(G):

“G. On the properties shown shaded on Figure 10 Kye Bay Properties, pruning of trees provided that a written opinion prepared and executed by an ISA Certified Arborist states that:

- I. the proposed pruning did not undermine the tree’s health;
- II. the proposed pruning was conducted under the supervision of an ISA Certified Arborist;
- III. the proposed pruning was in accordance with the ANSI Standard A-300;
- IV. all tree parts greater than 5 cm in diameter were removed from the slope at time of pruning in a manner that does not create channelized pathways; and,
- V. any disturbances to the existing ground cover or soil were remediated with replanting, repacking, or regrading.”

(v) Adding the following text as Section 3.13.4(H):

"H. Pruning, topping or cutting down trees or plants located below the toe of the slope on properties shown shaded on the map below:."



(vi) Adding the following text as Section 3.13.4(I):

"I. Cutting down or pruning a hazardous tree that presents an immediate danger to human safety or to property. This must be confirmed by an ISA Certified Arborist. If the property owner cuts down or prunes a tree pursuant to this section, the Owner will advise the Parks Manager that it has done so in writing within one (1) business day of cutting down the tree."

(vii) Adding the following text as Section 3.13.4(J):

"J. On the properties shown shaded on Figure 10 Kye Bay Properties, cutting down or pruning a hazardous tree provided that a written opinion prepared and executed by an ISA Certified Arborist states that the tree presents a danger to human safety or to property."

(viii) Adding the following text as Section 3.13.4(K):

"K. On the properties shown shaded on Figure 10 Kye Bay Properties, Re-topping of trees provided that a written opinion prepared and executed by an ISA Certified Arborist states that the tree has been previously topped and re-topping did not undermine the tree's health."

(ix) Adding the following text as Section 3.13.4(L):

"L. On the properties shown shaded on Figure 10 Kye Bay Properties, Pruning of plants provided that a written opinion prepared and signed by a Red Seal Landscape Horticulturalist or executed by an ISA Certified Arborist states that:

- I. the pruning did not undermine the plant's health or substantially reduce existing ground cover;

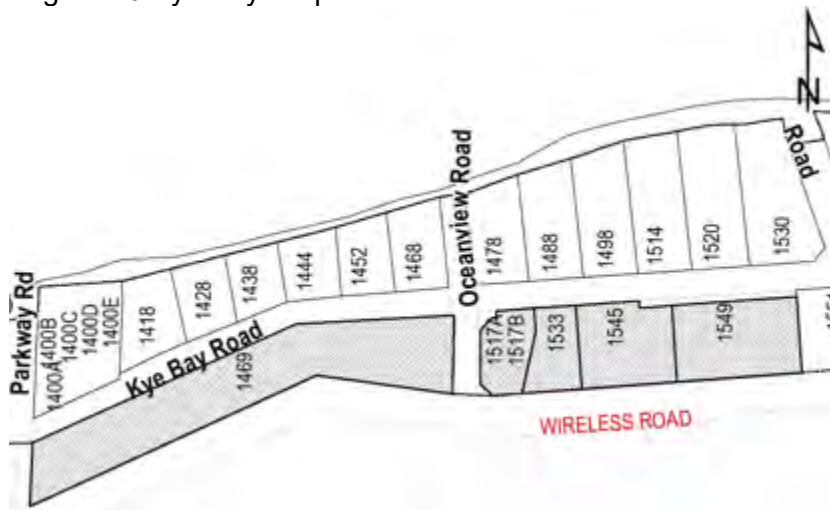
- II. all plant parts greater than 5 cm in diameter were removed from the slope at time of pruning in a manner that does not create channelized pathways; and,
- III. any disturbances to the existing ground cover or soil were remediated with replanting, repacking, or regrading.”

(x) Adding the following text as Section 3.13.4(M):

“M. On Lot 1, District Lot 93, Comox District, Plan 25746, pruning of plants within 30 cm horizontal distance from the edge of an existing trail to a height 2.5 metres above grade.”

(xi) Adding the following at the end of Section 3.13.4:

“Figure 10 Kye Bay Properties



- (b) Part 5: Maps, is hereby amended by replacing the map for DPA #13 – Hazardous Areas with the map as shown in Schedule “1”, which is attached to and forms a part of this Bylaw.
- (2) Comox Official Community Plan Bylaw 1685 is further amended by making such consequential changes as are required to reflect the foregoing amendments, including, without limitation, changes in the numbering and order of the sections of the bylaw.

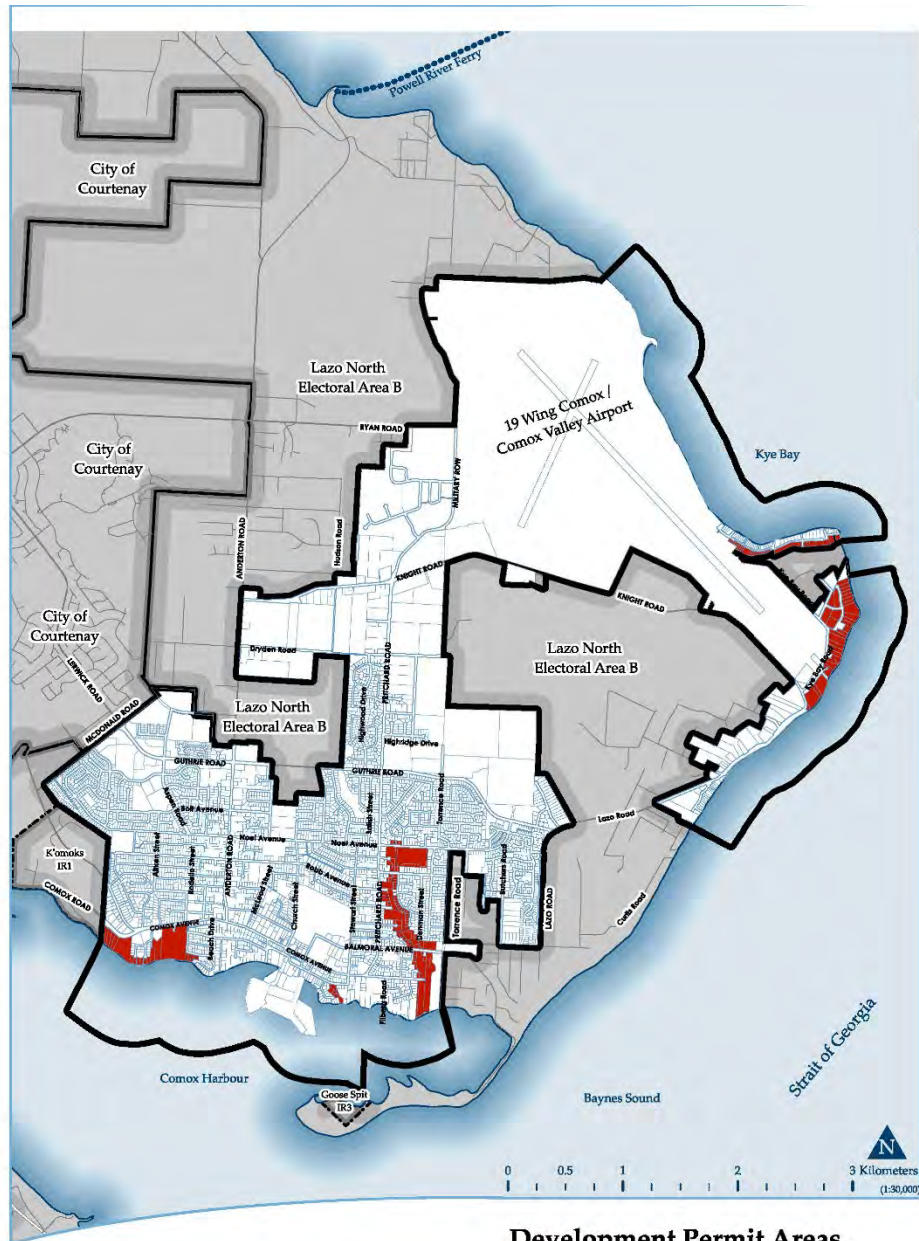
4. Adoption

- | | |
|--------------------------------------|--|
| (1) READ A FIRST time this | 1 st day of June, 2022 |
| (2) READ A SECOND time this | 1 st day of June, 2022 |
| (3) ADVERTISED A FIRST time this | 27 th day of July, 2022 |
| (4) ADVERTISED A SECOND time this | 3 rd day of August, 2022 |
| (5) PUBLIC HEARING HELD this | 10 th day of August, 2022 |
| (6) AMENDED this | 16 th day of November, 2022 |
| (7) RE-ADVERTISED A FIRST time this | 23 rd day of November, 2022 |
| (8) RE-ADVERTISED A SECOND time this | 30 th day of November, 2022 |
| (9) SECOND PUBLIC HEARING HELD this | 7 th day of December, 2022 |
| (10) AMENDED this | 1 st day of March, 2023 |
| (11) READ A THIRD time this | 1 st day of March, 2023 |
| (12) ADOPTED this | |

Mayor

Corporate Officer

SCHEDULE "1"



Development Permit Areas

■ DPA # 13 Hazardous Areas



Map created by the Town of Comox
 Data provided by:
 Town of Comox, Comox Valley Regional District, Province of British Columbia,
 Department of Natural Resources Canada © All rights reserved.

DEVELOPMENT PERMIT AREAS

ATTACHMENT 2

Comox Drainage Infrastructure Protection Amendment Bylaw 2007

TOWN OF COMOX

BYLAW 2007

A BYLAW TO AMEND COMOX DRAINAGE INFRASTRUCTURE PROTECTION BYLAW 1824

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 Drainage Infrastructure Protection Amendment Bylaw 2007”.

2. Amendments

(1) Comox Drainage Infrastructure Protection Bylaw 1824 is amended as follows:

(a) By replacing Section 10(d)(ii) with the following text:

(ii) the area to be cleared is within the area designated on the map in the
Schedule D

(b) By adding as Schedule D the map as shown in Schedule “1” which is
attached to and forms a part of this bylaw.

(2) Comox Drainage Infrastructure Protection Bylaw 1824 is further amended by
making such consequential changes as are required to reflect the foregoing
amendments, including, without limitation, changes in the numbering and order of
the sections of the bylaw.

3. Adoption

READ A FIRST time this 1st day of June, 2022

READ a SECOND time this 1st day of June, 2022

READ A THIRD time this day of , 2022

ADOPTED this day of , 2022

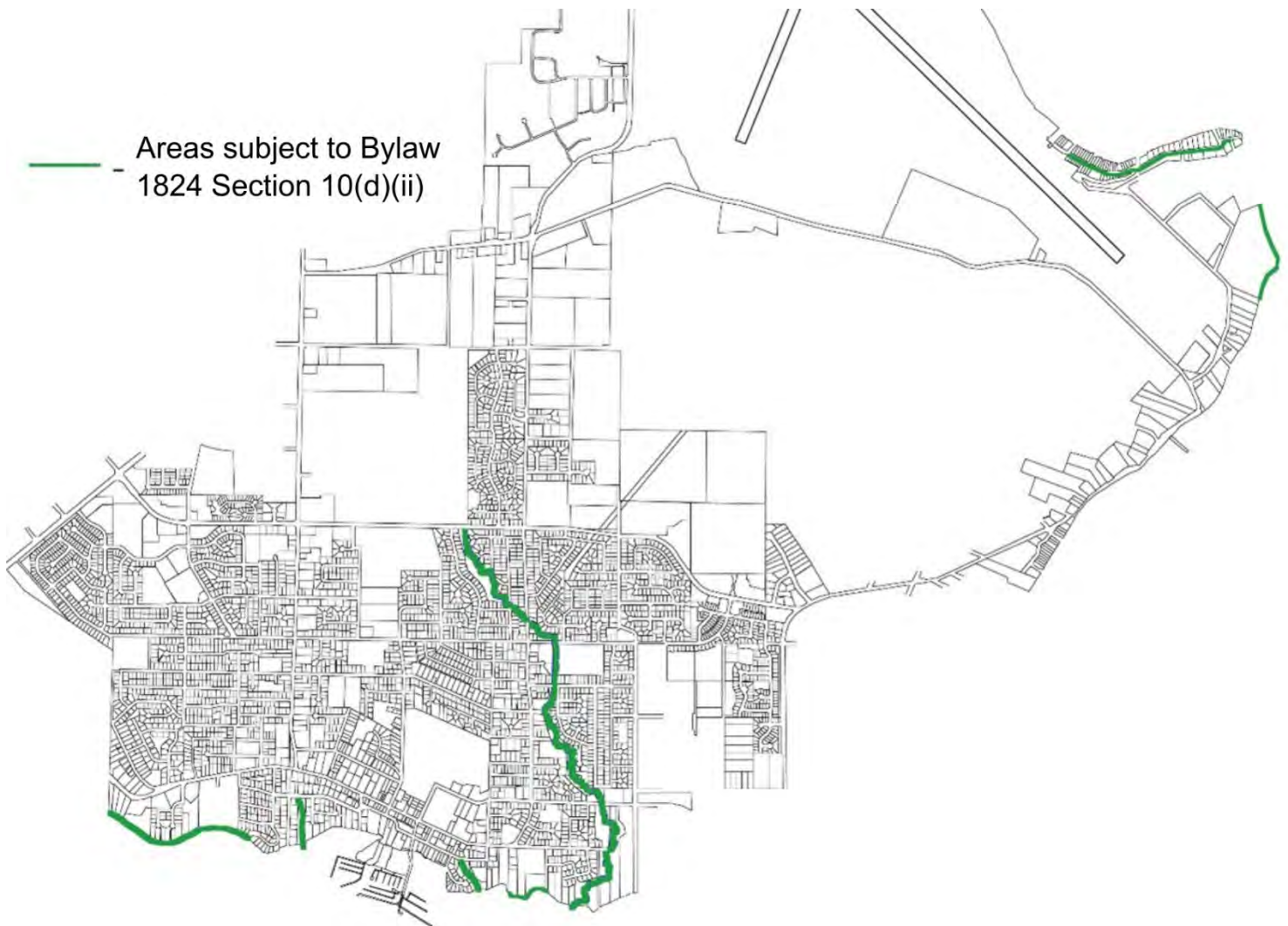
MAYOR

CORPORATE OFFICER

**BYLAW 2007
SCHEDULE "1"**

**Drainage Infrastructure Protection Bylaw 1824
SCHEDULE D**

Note that the areas subject to Section 10(d)(ii) are only schematically identified. In all cases, the boundary of the area extends from the bottom of the bank to 60 feet past the top of the bank.


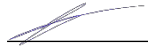




TOWN OF COMOX
REGULAR COUNCIL MEETING

STAFF REPORT
Meeting Date: March 15, 2023

TO: Mayor and Council	FILE:
FROM: Shelley Ashfield, Director of Operations	DATE: March 9, 2023
SUBJECT: Drainage Infrastructure Protection Bylaw 1824	

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

1. THAT the Drainage Infrastructure Protection Bylaw 1824.01 be given First Reading.
2. THAT the Drainage Infrastructure Protection Bylaw 1824.01 be given Second Reading.
3. THAT the Drainage Infrastructure Protection Bylaw 1824.01 be given Third Reading.

PURPOSE

To update the Drainage Infrastructure Protection Bylaw so that the bylaw is not too onerous on Minor Developments within the Town of Comox.

ALTERNATIVES TO THE RECOMMENDATION

- 1) THAT a bylaw amendment be produced for Council to remove minor development from additional ESC requirements
- 2) THAT Drainage Infrastructure Protection Bylaw 1824.01 be amended to reduce the summer bonding amount to X and winter bonding amount to Y.

STRATEGIC PLAN LINKAGE

- Climate Crisis Climate Change Adaptation Strategy
- NE Comox Stormwater Management Plan
- Asset Management
- New Bylaws and Updates
- Anderton Servicing Plan

BACKGROUND

In October 2021 Council adopted Bylaw 1824 - Drainage Infrastructure Protection Bylaw. This bylaw was created to help reduce the amount of sediment-laden water entering the Town's drainage system

including creeks and streams. The Bylaw requires the implementation of Best Management Practices (BMPs) on construction sites to ensure that site discharge water quality standards are met.

Best management practices (BMPs) were always required on construction sites, but voluntary compliance was not very high and the builders and developers who were following BMPs were left with higher costs of development. This levels the playing field so that every construction site must invest in BMPs and ultimately protects the Town's Assets including its natural assets.

Areas where ESC has been in practice for some time show that BMPs add only 2% to the cost of development.

All construction sites require the use of BMPs.

Minor development during October and May will require an ESC Permit if your site is greater than 150 square meters.

Larger sites are more complex and require detailed plans and a DEM to ensure that site discharge is managed.

Many municipalities in BC have ESC bylaws in place as sediment pollution entering storm water can cause a wide range of issues such as:

- Sediment fills up storm drains and catch basins which increases the potential for flooding.
- Cleaning out accumulated sediment from the municipal drainage system burdens taxpayers with a considerable preventable cost.
- It's much more cost effective to deal with source control as opposed to treatment and disposal costs.

The Bylaw applies to all sites where development activities are occurring which may cause sediment or sediment-laden water to enter the Town's drainage system this includes Minor Development.

During initial implementation of the bylaw which began to be enforced in December of 2022 for minor development, the Town received feedback from some in the development community that the regulations, as applied to Minor Developments was too stringent and would result in significant cost increases to home construction especially in the winter. Administration in reviewing agreed that the onus put on developers would result in high additional costs to developers to eliminate practices that don't pose a significant risk to the Town and its systems.

Beyond managing potential run off during construction, this bylaw also ensures that long term proper sediment control measures are put in place. These are items such as seeding and planting. Because the chance for significant greenspace failures (tree planting, seeding, turfing) are higher if planted out of season during the winter, the Town requires a higher bond amount during the winter seasons. Once the winter season is finished and green scaping has taken route or if planting takes place outside of the winter months, the amount held will decrease to \$3,000.

ANALYSIS/ISSUES/IMPLICATIONS

The definition of Minor Development in the bylaw is defined as; the construction of, addition to or alteration of a maximum of one single- or two-family dwelling, coach house, secondary suite, bed and breakfast accommodation, home occupation, or accessory buildings and structures thereto where Comox Zoning Bylaw 1850 does not permit more than one single- or two-family dwelling on a parcel.

The existing bylaw as it stands requires building permits for minor development during October 15 – May 15 to;

- 1) hire a designated environmental monitor (DEM) to develop an Erosion and Sediment Control (ESC) plan;
- 2) DEM to inspect, monitor and report on the ESC facilities
- 3) bond for \$10,000; and
- 4) hold bonding until occupancy permit has been issued and the completion of a 1 year maintenance period for all plantings and revegetated areas.

The bylaw amendments presented to council is to reduce the amount of dependence on the DEM and transfer the liability to the builder for minor development between October 15-May 15, they include:

- 1) ESC Plan - The Developer or DEM can create this plan rather than require an engineer. If prepared by the Developer then the ESC plan must be signed off by the DEM. A DEM must be assigned to the site for the duration of the works.
- 2) Monitoring of the site - is to be determined by the developer and DEM, this will form part of the ESC plan. The developer can perform the monitoring as agreed to by them and the assigned DEM.
- 3) Bonding - \$10,000 will continue to be required between Oct 15 and May 15 and reduced down to \$3,000 post May 15.
- 4) Release of Bonding – bonding will be released once the site has been revegetated/planted and accepted by the Town. The requirement to bond for the 1 year maintenance period or until occupancy permit is not required.

Exemptions to the Bylaw will be considered when:

- Area to be disturbed is less than 150 m² (most garages, extension, carriage houses, etc.);
- Deposit or removal of soil is less than 1m above or below grade;
- Area to be cleared is less than 10% measured over any horizontal dimension of the area to be cleared;
- The area to be cleared is not within tree cutting permit area;
- Less than 35% of trees are to be removed; and
- Is highly unlikely to negatively affect the Drainage System, this includes streams, ditches, storm and sanitary sewers.

Exempted sites are still required to utilize the BMPs listed in Schedule A of the bylaw.

FINANCIAL IMPLICATIONS

Without proper control practices, construction activities can contribute large amounts of sediment to local drainage systems, including streams and storm sewers.

Sediment causes water conveyance issues, which can increase flood risks and costs.

Storm sewers or channels can have a reduced capacity due to sediment accumulation which may result in storm water not being able to discharge adequately from the area.

The Town spends hundreds of thousands of dollars each year removing accumulated sediment from storm sewers, ditches and streams.

Sediment in streams also causes numerous problems to aquatic life, including salmon, plants and insects:

- Fish are impacted through the reduction in food (insects), infilling of gravel spawning areas, reduced feeding (from inability to visually target their prey), increased stress (decreased survival rates due to a number of factors such as reduced growth rates and decreased immune system), and gill abrasion;
- Insect production declines due to a reduction in their food (plants), loss of habitat (many like to live in gravel, which would be covered by sediment), and impaired feeding (sediment clogs their filter feeding mechanisms).
- Extended periods of poor water quality in a stream may reduce the production of plants due to reduced sunlight.

COMMUNICATION

Through the Town's communications, the Town will link the amendments on the Town's website.

Further, the Town will continue to engage with builders and home owners with respect to the Bylaw. Ticketing will be only issued after education and communication has taken place, and only if this has not resulted in compliance of the bylaw.

The Town has not yet built a stakeholder engagement list for developers and builders in the Valley to notify them about changes to our regulations or provide general communication, but we have plans to do so. The Town notified several builders and highlighted these bylaw changes on our website on February 21 to solicit feedback prior to this report coming to Council, submissions were open until March 3.

1. Could the bonding amount be reduced for smaller secondary suites? We build quite a few 750 sq ft homes and \$10,000 bond takes up a lot of someone's budget to be able to build these homes. Surely with a smaller footprint, smaller excavation, smaller movement of earth, maybe there is a smaller bond amount to ensure the people building these secondary dwellings can afford to do so.

Note from Staff: Development that has a construction work area (disturbed soil) less than 150m² can apply for an exemption for either bonding amount, requirement to submit an ESC plan or both. This will take care of most garages, home extensions, decks, carriage homes, secondary suites, etc. In review of exemption applications administration will consider; size of disturbed soil, soil conditions, existing vegetation and topographic conditions of the parcel pertinent to drainage. If exemption is approved, the developer will still need to adhere to Schedule A of the bylaw, but no permit, application fee or bonding will be required.

2. We also would like to change the release of bonding to take place sooner than the 1 year.

Note from Staff: This is included in the amendment. Bonding will be released once the site has been revegetated/planted and accepted by the Town. The requirement to bond for the 1-year maintenance period or until occupancy permit, will no longer be required.

3. The \$500 application fee seems high, especially when compared to the building permit application fee of \$150. The building permit application contains significantly more

paperwork for review by multiple Town departments, and Bylaw 1824 already necessitates paying for ESC plan approval by a designated professional.

Note from staff: If an exemption is granted there is not application fee. Administration feels the proposed fee is commensurate the staff resources required to review, approve, implement, management and inspect the work for the duration of the project. The \$150 fee referenced above is only the cost to submit the application to receive the permit an additional fee of \$550 for each \$100,000 of value is required.

4. I would like to see some portion of the \$10,000 ESC bond be released once backfill is achieved. The excavation and backfill processes pose the largest risk of sediment transport into Town drainage infrastructure and are finished very early on in the project. \$10,000 is a significant amount of money for a small business like mine to have bonded at the Town.

Notes from staff: The \$10,000 bonding will automatically be reduced to \$3,000 come May 15 as the risk to the Town dramatically reduces from May 15 to October 15. Further, the Town will refund bonding when vegetation is established and accepted by the Town.

GOVERNANCE CONSIDERATIONS

Administration feels the changes proposed for the ESC bylaw will provide a balance between overly stringent regulation and no regulation at all. The Town has utilized a newly developed stakeholder email list to solicit input from the development community. Most of the concerns that have been noted have been addressed by staff but center around the value of bonding.

\$10,000 bonding in the winter.

\$3,000 bonding in the summer.

Bonding to be released once works are complete or staff are satisfied risks are no longer present.

Council can have significant control over the impact of this bylaw by changing the bonding levels. Staff recommend the permit fees remain to cover the cost to the Town of the internal processes required to implement this monitoring system but those can be changed as well (and are not required when the project meets exemption criteria).

Further, although ESC monitoring is becoming more prevalent across BC for smaller construction sites it is not uniformly required. Given the natural waterways that form part of the Town's storm system, such as Brooklyn Creek, Administration feels that implementing ESC plans on smaller developments will assist in maintain a healthy natural ecosystem as well keeping our storm systems clear of debris.

TOWN OF COMOX

BYLAW NO. 1824.01

**A BYLAW TO AMEND THE DRAINAGE INFRASTRUCTURE PROTECTION BYLAW
IN COMOX**

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 “Drainage Infrastructure Protection Bylaw No. 1824.01, 2023”.

2. Amendment

The Drainage Infrastructure Protection Bylaw, 2021 is hereby amended as follows:

a) by replacing the following definition to section 2.0 with the following text:

“Erosion and Sediment Control Plan” (ESC Plan) means the specifications, drawings, plans, phased construction schedules and design calculations that have been reviewed and approved or developed by a Designated Professional Engineer or Designated Environmental Monitor for works and measures to control and monitor the discharge of any Prohibited Material into the Drainage System, that are prepared in accordance with sections 11(b) and 13 of this bylaw and drafting standards for such plans prescribed by the Municipal Engineer; and

Superintendent of Public Works means the person appointed to the position of Manager of Public Works by the Council.

b) by replacing the text to section 9 (a) with the following text:

size and location of the proposed Construction Works with respect to the perimeter and sensitivity of the parcel on which the Construction Works will take place and is less than 150 m²;

c) by replacing the text to section 11 (a) with the following text:

except as specified in section 11(b), need not provide an ESC plan but must comply with the erosion and sediment control requirements for Minor Development as set out in Schedule A for the duration of the Construction Works, and

any ESC plan of which the Developer has been provided a copy under section 20(b), until the site has been planted and revegetated; and

- d) by replacing the text to section 11 (b) with the following text:

where any of the following variables apply, must submit as part of the building permit application to the Building Inspector an application and ESC plan complying with Schedule A, this Bylaw and any ESC plan of which the Developer has been provided a copy under section 20(b).

- e) by replacing the text to section 12 with the following text:

All ESC facilities described in an ESC plan required by section 10 must be:

- f) by replacing the text to section 14 with the following text:

Any modification of an ESC plan for activities enumerated in section 10 must notify the Municipal Engineer in writing and confirm that the ESC plan continues to conform to this Bylaw.

- g) by replacing the text to section 15 with the following text:

An ESC plan for activities enumerated in section 11(b) must be signed off by the Designated Environmental Monitor.

- h) by replacing the text to section 18 with the following text;

The Designated Environmental Monitor for activities enumerated in section 11(b) must

- (a) be retained for the duration of the Construction Work;
- (b) prepare or review and approve the Developer's ESC Plan;
- (c) notify the Municipal Engineer in writing of making any modifications to the ESC plan; and
- (d) undertake at a minimum, an initial site inspection during and/or following a heavy rain to confirm the operation and effectiveness of the ESC measures. If the ESC measures are operating effectively inspect the site "as needed", in advance of extreme weather events, when the developer needs technical support, or in response to complaints.

- i) by replacing the text to section 19

The Designated Environmental Monitor for activities enumerated in section 10 must

- j) by replacing the text to Section 19(a) with the following text;

inspect and provide written certification to the Municipal Engineer in relation to activities enumerated in section 10(a), (c) and (d) and the Building Inspector in relation to activities enumerated in section 10(b);

- k) by replacing the text to section 19 (d) with the following text;

submit a record of onsite inspections bi-monthly to the Municipal Engineer in relation to activities enumerated in section 10(a), (c) and (d) and to the Building Inspector in relation to activities enumerated in section 10(b);

- l) by replacing the text to section 19 (f) with the following text;

notify the Municipal Engineer in relation to activities enumerated in section 10(a), (c) and (d) and the Building Inspector in relation to activities enumerated in section 10(b) in writing within 24 hours of any changes with respect to the engagement of the Designated Environmental Monitor by the Developer.

- m) by replacing the text to section 22 with the following text;

The Developer pursuant to section 11(b) must provide in writing to the building inspector that all required ESC facilities have been installed, constructed and are operational in accordance with the ESC plan for which a permit has been issued before any Construction Works begin.

- n) by replacing the following text to section 23 with the following text;

All applications excluding exemption applications under this

bylaw must be accompanied by a non-refundable \$500.00 fee.

- o) by replacing the following text to section 25 with the following text;

Information submitted for all applications under this Bylaw shall be in the form specified by the Municipal Engineer and shall include any drawings and specifications required by the Municipal Engineer to enable the Town to evaluate the application in relation to all applicable bylaws.

- p) by replacing the following text to section 33 (b) with the following text;

in respect of section 11(a) and (b), all disturbed areas have been planted and re-vegetated.

- q) by replacing the text to section 34 (b) with the following text;

in respect of section 10(b), 2.5% of the value of the Construction Works up to a maximum of \$100,000 disclosed on the Building Permit application; and

- r) by replacing the text to section 36 with the following text;

The submission of a building permit application in respect of section 11(b) must be accompanied by a Security Deposit of \$10,000.00 per Parcel. In the case of an application in respect of section 11(b)(i), the Security Deposit will be reduced to \$3,000.00 per Parcel upon completion of backfilling of foundation excavations to within 0.6 m of the top of the foundation, backfilling of all other excavations on the lot to correspond with the grading plan, including the installation of the roofing and gutters and connected to the municipal storm system

- s) by replacing the text to section 39 (b) with the following text;

in respect of section 11(a) and (b), and the completion of all plantings and re-vegetated areas.

- t) by deleting item 16 in Schedule A in its entirety; and
- u) by deleting PART 2(b) and PART 3 (b) in Schedule B in its entirety.

3. Adoption

- (1) READ A FIRST time this day of , 2023
- (2) READ A SECOND time this day of , 2023
- (3) READ A THIRD time this day of , 2023
- (4) ADOPTED this day of , 2023

MAYOR

CORPORATE OFFICER

Shelly Russwurm: Town of Comox

Subject: FW: Further background- Moving CVEP regional
Attachments: 2023CVEP Presentation Cover Letter to Councils.pdf

From: Howie Siemens <hsiemens@comoxvalleyrd.ca>
Sent: Thursday, February 23, 2023 8:48 AM
To: Jordan Wall <jwall@comox.ca>
Cc: Doug DeMarzo <ddemarzo@comoxvalleyrd.ca>; Russell Dyson <rdyson@comoxvalleyrd.ca>
Subject: Further background- Moving CVEP regional

Morning Jordan,
Michelle Mason asked us to create a cover letter to support offering her Council more background on CVEP and purpose of our presentation to Cumberland Council set for Feb 27. It is the same presentation Russell and I provided to Comox Council last week.

Please find attached the document that was created and was also shared with Geoff and Courtenay Council last night as part of our presentation to them.

If you have any questions on it, please let me know.

Thanks.

Howie Siemens
Manager, Emergency Programs
Comox Valley Regional District

770 Harmston Avenue, Courtenay, BC V9N 0G8
Tel: 250-334-6000 Local: 250-898-3723

The Comox Valley Regional District respectfully acknowledges the land on which it operates is on the unceded traditional territory of the K'ómoks First Nation, the traditional keepers of this land.

RECEIVED

27Feb23

**COMOX VALLEY EMERGENCY MANAGEMENT PROGRAM
REGIONAL SERVICE DELIVERY APPROACH FORWARD**

TOWN OF COMOX

Purpose

To establish a truly Regional Emergency Management Program service under the existing Bylaw 1341 being “Comox Valley Emergency Program Extended Service Bylaw No. 1341, 1991” by expanding the service to include the City of Courtenay, Town of Comox, and the Village of Cumberland as service participants rather than the current contracted service agreements. K’ómoks First Nation will continue to be supported and participate through strong collaborative engagement at all levels of the program.

Current Delivery Structure

- The Comox Valley Emergency Management Program (CVEP) is delivered through the Comox Valley Regional District which provides management and administration of the program.
- It provides coordinated emergency programming and planning through a formal regional district service with only electoral areas serving as the participants and voting members.
- Through administrative service agreements with the municipalities of Town of Comox (Comox), City of Courtenay (Courtenay), and Village of Cumberland (Cumberland) services are also provided to their jurisdictions that meet Emergency Program Act requirements at this time. (current agreements expire at the end of December 2023).
- Strategic direction is provided by the Comox Valley Emergency Management Program Administrative Committee, a partnership of all Comox Valley Chief Administrative Officer’s (CAO), and staff representation from K’ómoks First Nation.
- At this time, the Electoral Areas Services Committee serves as an advisory body to the Board on the CVEP. Ultimately the Area Directors retain decision-making authority concerning the administration and operation of the service through the voting model established under the *Local Government Act*.
- CVEP reports to the Committee of the Whole/ Electoral Areas Services Committee identified as ‘Executive Committee’ in the Comox Valley Emergency Plan.

Proposed Delivery Structure

- Amending the participants under “Comox Valley Emergency Program Extended Service Bylaw No. 1341, 1991” (Bylaw No. 1341) to include Courtenay, Cumberland, and Comox.
- A regional service delivered for all local governments in equal partnership with each local government providing representatives for the purpose of regional operational advance planning for response and recovery. (Warming Centres, Floods, Wildfires)
- Deliver a regional program for all local governments in equal partnership, with each providing representatives to aid in operational advanced planning for response and recovery. (examples Warming Centres, Floods, Wildfires)
- Continued management and administration by the Comox Valley Regional District.

LOG: 23-051	REFER:	AGENDA: RCM 15Mar23
FILE:	ACTION:	

o - cfile 7130-01
-01 Copies - Council
- JW/CF/GS

RCM AGENDA MAR 15, 2023

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- CVEP Admin engages those local government representatives that would be part of the regional advisory/executive committee, e.g. mayors, alternates and CAO's. (terms of reference will be developed)
- Have one point of contact for emergency management in the Comox Valley. To support local or regional Emergency Operations Centre(s) and/or all first responders.
- Through a regional approach, we will work to address and adapt to new provincial changes being phased in as part of the Emergency Program Act modernization that will use the lens of disaster risk reduction, whole of government, all-of-society approach, and integrating Declaration on the Rights of Indigenous Peoples Act (DRIPA).

The services provided by the Emergency Management Program meet all of the requirements of the Emergency Program Act on behalf of all local governments at this time. The Comox Valley Emergency Management Program will continue to plan and adjust as the new legislation begins to phase in, with a projected roll out of spring 2023.

Benefit Comparison Table

A double ✓✓ indicates a belief that the benefit would be further enhanced.

Benefits	Status Quo	Regional Service
Advance planning of resources to address our shared Hazard Risk and Vulnerability Analysis events,	✓	✓✓
Full board participation in governance of the service (current process is only Electoral Areas Services Committee)		✓
Actioning response – the current model depends on a protracted request for service and is inclined to respond to emergencies not preplan	✓	✓✓
Equal input on strategic direction, work plan, priorities, and projects	✓	✓✓
Renewal of service agreement every five years	✓	N/A
Long-term coordinated planning and stability		✓
Support of volunteer programs Emergency Support Services and Emergency Radio Communications Team	✓	✓
Sharing of resources (i.e. staffing of Emergency Operations Center (EOC))	✓	✓✓
Enhanced public perception and trust		✓
Clear organizational lead for training and development of a functioning EOC	✓	✓✓
Strengthened regional advocacy voice for the Comox Valley		✓
The opportunity for developing a truly regional collaborative approach to emergency management, EOC response, and community recovery structures		✓✓

Challenges / Opportunities

- Demands from increased response to Climate related events.
- Following up on Fracture on Fifth After Action Report, including training of local government staff.
- Securing necessary participants for eight-hour three shift EOC model.
- Meeting the legislative process requirements (dependent on changes that come from the Modernization of Emergency Management Legislation in BC).
- Develop policies to clearly define procedures, decision-making /governance structures.
- Crafting Terms of References for Emergency Management Program Committees and Emergency Operation Centre policy-decision leadership group that will offer clarity on roles, responsibilities.

Proposed Regional Budget (270)

(February 14, 2023)

Area/Community	Proposed for 2023
Electoral Areas A, B & C	\$227,173
Comox	\$99,053
Courtenay	\$201,971
Cumberland	\$29,444

In the regional service, through Bylaw No. 1341, service costs will be in line with typical tax requisition processes based on assessed value. These costs will be similar to contributions collected under the service agreements that used a formula based on converted hospital taxes.

Proposed Next Steps:

- 1) Seek Mayor and Council's support in principle, provide to CVEP through CAO.
- 2) Chief Administrative Officer's meet to consider above and next steps for service definition.

RECEIVED

File: 6130-20/Goose Spit

March 2, 2023

02Mar23

Sent via email only: russwurm@comox.ca

Mayor and Council
Town of Comox
1809 Beaufort Avenue
Comox, BC V9M 1A9

TOWN OF COMOX

LOG: 23-054	REFER:	AGENDA: RCM 15Mar23
FILE: 0400-60	ACTION: MR	

o - cfile 0400-60
Copies - Council
- JW/SR/GS/LP

Dear Mayor and Council:

Re: Goose Spit Beach Fire Program

The Comox Valley Regional District Electoral Areas Services Committee is exploring the possibility of re-starting the beach fire program which has been cancelled since 2020. The Goose Spit beach fire program was originally created as a response to public comments and concerns related to the unregulated burning of beach fires in the park and typically has operated from May through to the September long weekend.

A basic beach fire program is estimated to cost approximately \$60,000 annually, which includes seasonal installation and removal of the fire rings, beach fire patrols, firewood, firewood management and operational tasks related to the program such as cleaning and stocking the fire rings. This cost does not include any interpretive programming. Historically, this program has been funded solely by electoral area residents through the electoral area community parks and greenways service.

The Town of Comox had previously expressed an interest in the beach fire program and had suggested that the Town would consider financially contributing to the program if the electoral area directors supported re-starting the program. This letter seeks to clarify if an interest remains at the Town of Comox to help fund the program.

The Comox Valley Regional District requests a reply from the Town of Comox by March 31, 2023 in order to meet program demands and allow the Electoral Areas Services Committee time to discuss the possibility of program delivery.

We look forward to hearing from you.

Sincerely,



Richard Hardy
Chair

Electoral Areas Services Committee

cc: Director Daniel Arbour
Director Edwin Grieve
Russell Dyson, Chief Administrative Officer
Jordan Wall, Chief Administrative Officer, Town of Comox