



SPECIAL COUNCIL MEETING AGENDA FOR WEDNESDAY JUNE 14, 2023

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

NOTICE is hereby given pursuant to section 127 of the Community Charter that a Special Council Meeting will be held at the location and time noted below for the transaction of business as listed below.

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

Call to Order: Immediately following Strategic Planning Committee Meeting.

Adoption of the Agenda

1. STAFF REPORTS:


- (3) a. [Comox Reserve Funds Bylaw: Mack Laing Park](#)
1. *That Comox Reserve Funds Bylaw No. 2025, 2023 be given First Reading.*
 2. *That Comox Reserve Funds Bylaw No. 2025, 2023 be given Second Reading.*
 3. *That Comox Reserve Funds Bylaw No. 2025, 2023 be given Third Reading.*
 4. *That Staff be instructed to transfer \$25,000 into the Mack Laing Reserve Fund from the Mack Laing Trust.*

ADJOURNMENT



CORPORATE OFFICER

To: Council	File:
From: Clive Freundlich, Director of Finance	Date: June 9, 2023
Subject: Bylaw to Establish Reserve Funds - Mack Laing Reserve Fund	

Prepared by: Clive Freundlich	Supervisor: _____	Financial Approved:  Clive Freundlich, Fin. Director	Report Approved: _____
			Jordan Wall, CAO

RECOMMENDATION(S) FROM THE CHIEF ADMINISTRATIVE OFFICER:

1. That Comox Reserve Funds Bylaw No. 2025, 2023 be given First Reading.
2. That Comox Reserve Funds Bylaw No. 2025, 2023 be given Second Reading.
3. That Comox Reserve Funds Bylaw No. 2025, 2023 be given Third Reading.
4. That Staff be instructed to transfer \$25,000 into the Mack Laing Reserve Fund from the Mack Laing Trust.

BACKGROUND

On April 4th, 2017 the Town filed a request to the court to vary the trust left to the Town by Mack Laing for his property known as Shakesides under section 184(2) of the Community Charter.

On April 11th 2023 the Court granted a variation of the trust to allow for Shakesides to be demolished and a viewing platform to be constructed noting that, "It is clear the trust funds were never sufficient to turn Shakesides into a natural history museum as Mack Laing wished in his will...the proposal before the court, that a nature viewing platform built on the foundation of Shakesides, admirably reflects the general wishes of Mack Laing respecting the Park lands and the Role of Shakesides relative to the land. The proposal enhances the current Mack Laing Park, and allows Mack Laing's roles as a pioneering naturalist to be respected and honoured."

ISSUE

As part of the trust variation the Town requested to the court, which was subsequently granted, to allow the Town to establish a reserve fund, by bylaw, for the future maintenance of the viewing platform once constructed. The current estimate for the project is \$326,000. After the establishment of this bylaw the Town will retain \$247,000 in the trust. Council has agreed to cover any costs above and beyond those within the trust should the project exceed the value of the remaining trust, which appears likely.

TOWN OF COMOX

BYLAW NO. 2025

A BYLAW TO ESTABLISH RESERVE FUNDS

WHEREAS section 188 of the Community Charter authorizes Council to establish reserve funds for specified purposes and direct that money be placed to the credit of the reserve funds;

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

1. Title

This bylaw may be cited for all purposes as the "Comox Reserve Funds Bylaw No. 2025, 2023".

2. Reserve Funds

Monies deposited into each Reserve Fund, together with interest thereon, shall only be expended for the purposes listed under each fund.

(a) MACHINERY AND EQUIPMENT RESERVE FUND

- (i) The purchase of machinery and equipment to maintain municipal property and to protect persons and property.
- (ii) Depreciation and obsolescence of any machinery and equipment.

(b) PUBLIC OPEN SPACE RESERVE FUND

- (i) A capital or debt payment, including engineering and legal costs for providing public open space.
- (ii) The interest earned on money deposited in this reserve fund may also be used to provide fencing, landscaping, drainage and irrigation, restrooms and changing rooms, playground and playing field equipment on parkland owned by the Municipality or parkland owned by the Crown and managed by the Municipality.

(c) MUNICIPAL MARINA RESERVE FUND

- (i) Capital expenditures for the Municipal Marina
- (ii) Redemption of debentures issued for the Municipal Marina

(d) CAPITAL WORKS RESERVE FUND

- (i) Capital projects and land acquisition
- (ii) Extension and renewal of existing capital works
- (iii) Machinery and equipment necessary for (i) or (ii) above

- (e) SEWER UTILITY RESERVE FUND
 - (i) Capital expenditure for the sewer utility
 - (ii) Repayment of long-term debt issued for the sewer utility
- (f) WATER UTILITY RESERVE FUND
 - (i) Capital expenditure for the water utility
 - (ii) Repayment of long term debt issued for the water utility
- (g) WATERFRONT WALKWAY CAPITAL RESERVE FUND
 - (i) Acquisition of land and rights-of-way for a waterfront walkway, including survey and legal costs
 - (ii) Design, construction and improvement of waterfront walkways
- (h) FIRE DEPARTMENT CAPITAL RESERVE FUND
 - (i) Capital expenditures for the Comox Fire Department
 - (ii) Repayment of long-term debt (including leases) for property used by the Comox Fire Department
- (i) OFF-STREET PARKING RESERVE FUND
 - (i) Costs for providing off-street parking spaces
- (j) AFFORDABLE HOUSING RESERVE FUND
 - (i) Expenditures for the acquisition of land, or for the construction of, or acquisition of residential housing units that will be used to provide affordable housing in Comox
- (k) ALTERNATIVE TRANSPORTATION RESERVE FUND
 - (i) Costs for transportation infrastructure that supports walking, bicycling, public transit or other alternative forms of transportation.
- (l) LANCASTER HEIGHTS SEWER LIFT STATION CAPITAL RESERVE FUND
 - (i) Capital expenditures for the upgrade, replacement and decommissioning of the Lancaster Heights sanitary sewer lift station.
- (m) POINT HOLMES SEWER LIFT STATION CAPITAL RESERVE FUND
 - (i) Capital expenditures for the upgrade, replacement and decommissioning of the Point Holmes sanitary sewer lift station
- (n) PUBLIC SAFETY RESERVE FUND
 - (i) Expenditures for public safety, policing, response to emergencies and disasters, and recovery from emergencies and disasters
- (o) MACK LAING RESERVE FUND
 - (i) Expenditures for the maintenance and repair of a Shakesides viewing platform

